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PROCEEDINGS
OF THE
COUNCIL OF THE GOVERNOR OF BOMBAY
FOR THE
PURPOSE OF MAKING LAWS AND
REGULATIONS.

Abstract of the Proceedings of the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 and 25 Vict., c. 67, and 55 and 56 Vict., c. 14.)

The Council met at Poona on Saturday, the 20th June 1908, at 12 o'clock noon.

P R E S E N T :

His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E., Governor of Bombay, *presiding*.

The Honourable Mr. J. W. P. MUIR MACKENZIE, M.R.A.C., C.S.I., I. C. S., J.P.

The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I. C. S.

The Honourable Dr. RAMKRISHNA GOPAL BHANDARKAR, C. I. E.

The Honourable SYED ZAIN EL EDRUS.

The Honourable Mr. ALEXANDER COCHRANE LOGAN, I. C. S.

The Honourable Mr. GEORGE OWEN WILLIAM DUNN, M.Inst.C.E., J.P.

The Honourable Mr. F. G. SELBY, M.A., C.I.E.

The Honourable Mr. W. L. S. L. CAMERON, A.M.I.C.E., J.P.

The Honourable SHEIKH SADIK ALI *walad* SHEIKH SHEER ALL

The Honourable Mr. CHIMANLAL HARILAL SETALVAD, B.A., LL.B., J.P.

The Honourable Mr. GOKULDAS KAHANDAS PAREKH, B.A., LL.B., J.P.

The Honourable Mr. DAJI ABAJI KHARE, B.A., LL.B., J.P.

The Honourable Mr. VITHALDAS DAMODHER THACKERSEY, J.P.

The Honourable Meherbán NARAYANRAO GOVIND *alias* BABA SA'HEB GHORPADE, Jág'hirdár of Ichalkaranji.

The Honourable Mr. RICHARD AMPHLETT LAMB, C.I.E., I. C. S.

The Honourable Khán Bahádúr NAVROJI PESTANJI VAKIL, C.I.E.
 The Honourable Sir WALTER C. HUGHES, Kt., C.I.E.,
 The Honourable Mr. MONTAGU DE POMEROY WEBB, C.I.E.
 The Honourable Mr. REGINALD MONTAGU AUBER BRANSON, Advocate-General.
 The Honourable Mr. H. E. E. PROCTER.

NEW MEMBERS.

The Honourable Mr. RICHARD AMPHLETT LAMB, The Honourable Khán Bahádúr NAVROJI PESTANJI VAKIL, The Honourable Sir WALTER C. HUGHES, The Honourable Mr. MONTAGU DE POMEROY WEBB, The Honourable Mr. REGINALD MONTAGU AUBER BRANSON, and the Honourable Mr. H. E. E. PROCTER, took their seats as Additional Members of Council.

QUESTIONS AND ANSWERS.

The following is a list of the questions put by the Honourable Mr. SHEIK SADIK ALI walad SHEIKH SHEER ALI with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to say, if the Judges of the Court of the Judicial Commissioner in Sind have submitted a new scheme for pleaders in Sind, in which the examination for the District Pleaders is altogether abolished and the standard for the High Court Pleaders raised to that of the University Examination for the degree of LL.B., limiting the admission at that examination to graduates of the Bombay University?*

Answer.—Such a scheme has been submitted and is now under the consideration of Government.

Question No. 2.—*Is it a fact that more than half of the parties who go before the Courts in Sind are Mahomedans, and that this raising of the standard will shut the doors of the profession to Mahomedan candidates? Is it the case that there are many third class and second class Magistrates and Subordinate Judges in Sind, and that it would be very expensive for parties in petty cases to engage pleaders of high status; as a rule, pleaders who have passed the Lower Standard being commonly engaged by parties owing to the petty nature of the cases?*

Answer.—In considering this scheme the interests of litigants will not be lost sight of. Figures are not available to show the proportion of litigants who are Mahomedans but the number is no doubt large. Government are not able to forecast the effect on Mahomedan candidates of the proposed raising of the standard, but the point is receiving attention. There are second and third class Magistrates and Subordinate Judges in Sind. The cost of engaging pleaders of high status would probably be considerable in Sind as elsewhere.

Question No. 3.—*Have Government received any memorial from the Sukkur Anjuman-i-Islam protesting against the proposals of the Judicial Commissioners?*

Answer.—Yes.

Question No. 4.—*Is it the case that last year the sluice heads of most of the private water-courses ex the Begari Canal between its regulator near the mouth of the Mirwah*

somewhere at its 38th mile up to its end where it discharges into the Idanwah and Sirwah were reduced in their breadth by masonry structures and it is contemplated by the Irrigational Department to further reduce their breadth with a view to stop rice cultivation and to allow only so much water as should suffice to irrigate one-third area of each holding ?

Answer.—Government are aware that masonry outlets to water-courses are being gradually introduced, and that masonry heads to water-courses are being reduced in size where proved excessive.

No orders have been issued to stop rice cultivation on the Begari.

Question No. 5.—*Is it a fact that the part of the Begari Canal mentioned above was mainly excavated by the Zamindárs at their own cost, Government having contributed only a small share of expenditure amounting to about a lakkh of rupees ?*

Answer.—No; the facts are not as stated in the question. The capital outlay (direct and indirect) on the Begari Canal itself to the end of the year 1905-1906 was Rs. 17,06,799.

Government are at present constructing a New Head Regulator at a cost of about Rs. 2,40,000 as the existing Regulator is threatened by erosion of the river ; a new loop to the Kashmor band called the Gaunspur loop is necessary to link the New Head Regulator with the existing embankments which keep the floods of the Indus from devastating the land under the Begari ; the cost of this loop is Rs. 3,70,000. The Begari Canal benefits by the protection afforded by the Kashmor band. The cost of all the Kashmor band and its maintenance and the cost of the other items enumerated are not included in the 17 lákhs above mentioned as the capital outlay on the Canal.

Question No. 6.—*Does not the restriction of rice cultivation apply only to those new Government Canals which were constructed at the time the orders of Government contained in Commissioner in Sind's Special Circular No. 41, dated the 7th May 1894, were issued or were to be constructed after that time and not to old Government Canals ?*

Answer.—No ; but the measures being taken are not for the restriction of rice cultivation ; they are for the equitable distribution of the water for the increase of cultivation of all classes.

Question No. 7.—*Will Government be pleased to inquire into the rights of the Zamindárs whose water-courses are being dealt with in this way ?*

Answer.—Government do not consider the proposed inquiry necessary.

The right and obligations of owners of water-courses are defined in section 21 of the Irrigation Act of 1879. The area irrigated under the Begari Canal increased from an average of 212,816 acres in the triennium ending 1895-1896 to 283,383 acres in the triennium ending 1904-1905. A special investigation is now being undertaken with the object of ascertaining whether branch canals from the Begari cannot be profitably constructed to improve the supply to water-courses, as Government are aware many of the water-courses have been constructed, by enterprising irrigators under the Begari Canal, of such great length that much of the water withdrawn from the main canal is lost before it reaches the fields. Irrigation from Zamindárs' water-courses is not

being reduced, as indicated by the series of questions under reply, but is being increased and facilitated by the good management of the canal.

Question No. 8.—*Will Government be pleased to state what correspondence (if any) has passed between them and the Public Works Department on the subject of the reduction in breadth of the water-courses ex the Begari Canal?*

Answer.—A copy of Resolution No. W.I.-1050 of 9th April 1906,* on the subject of remodelling the distribution system of old inundation canals in Sind, and an extract from page XI of the Administration Report of 1905-1906 of Irrigation Works,† are placed on the Council Table.

* *Vide* Appendix A.

† *Vide* Appendix B.

The following is a list of the questions put by the Honourable Mr. HARI SITABAM DIKSHIT with the answers thereto given by Government:—

Question No. 1.—*Referring to the Government of India Circular of November 1906 on the subject of free and compulsory education, will Government be pleased to state what action, if any, they propose to take in the matter?*

Answer.—The subject is under the consideration of the Government of India. This Government is not in a position to make any pronouncement at present.

Question No. 2.—*As regards patasthal rates, inquiry was promised at the last year's Budget debate; will Government be pleased to state if such an inquiry has been made, and, if so, the result of such inquiry?*

Answer.—The Honourable Member is referred to the Press Note issued under No. 3552, Revenue Department, dated 8th April 1907. Paragraphs 3 and 4 of that note have since been modified by Government Resolution No. 5324, dated 27th May 1908.

Copies‡ of these papers are laid on the table. It has been directed that the orders in the first named paper are not intended to apply to tanks or bandhāras in charge of the Public Works Department, which are or have been repaired at the cost of Government, or to prevent the taking over by the Public Works Department of bandhāras and pats where the supply of water can be materially improved by the expenditure of Government money and the imposition of a charge sufficient to give a fair return on the money expended. It has been explained that the orders are intended to ensure that cultivators, who spend money and labour in constructing bandhāras and thereby making a supply of water available for their land, shall obtain that water gratuitously. In addition to the areas mentioned in paragraph 2 of the Press Note, patasthal assessment has been removed from the whole of the Bijāpur district, the Parasgad tāluká of the Belgaum district, the Ron, Navalgund and Gadag tālukás of the Dhárwār district, the Nandgaon tāluká of the Násik district, and certain parts in the East Khándesh district. In other districts inquiries are not completed.

‡ *Vide* Appendix C.

Question No. 3.—*There are in all 44 Municipalities in the Presidency in which the Committees are appointed by nomination only—*

<i>Northern Division</i>	...	...	...	...	18
<i>Central Division</i>	...	...	...	...	2
<i>Southern Division</i>	...	...	...	...	5
<i>Esnd</i>	...	...	...	...	13

Will Government be pleased to state if they have it in contemplation to modify the constitution of these Municipal Committees by the introduction of the elective elements ?

Answer.—There are in all 45 Municipalities in which Councillors are appointed by nomination only. An announcement will be made during the course of this meeting of the Legislative Council on the subject of the extension of the elective franchise to Municipalities, covering this question and the first part of question No. 4.

Question No. 4.—*Will Government be pleased to favour the Council with a statement showing (1) which of the 162 District Municipalities have been granted the privilege of electing their own Presidents and (2) which of the District and Taluká Local Boards are under non-official Chairmen ?*

(2) None of the District and Taluká Local Boards has a non-official President.

Question No. 5.—*Will Government be pleased to lay on the Table a statement showing for the past 10 years since 1896-97,*

(a) *the aggregate crop yield for the different divisions of the Presidency year by year as compared with the normal ;*

(b) *the total yearly remissions of land-revenue on account of failure of crops during the period ;*

(c) *Revised Revenue Settlements sanctioned during the years and the aggregate enhancements of the State demand on the land ?*

Answer.—The Honourable Member is referred to the following publications, in which the information for which he seeks is furnished :—

(a) the annual season and crop reports of the Presidency ;

(b) the Commissioners' Jamahandi Reports up to 1902-03, and since that year the Land-Revenue Administration Reports, Part I ;

(c) the Selections from the Records of the Bombay Government containing the reports on the Revision Settlements of the various talukás

Question No. 6.—*Referring to the Government of India Resolution of 15th August 1907 on the Excise Committee's Report, paragraph 5, will Government be pleased to state whether they have it in contemplation to constitute local committees on the lines suggested by the Government of India in any of the larger towns in the Presidency, e. g., Ahmedabad, Poona, Sholápur, etc., in regard to the location and licensing of liquor-shops ?*

Answer.—The subject is at present under departmental inquiry, and orders will issue in due course regarding the constitution of local committees, on the lines laid down by the Government of India, and already adopted in the case of Bombay city, in those of the larger towns in which the appointment of such committees may appear practicable and expedient.

Question No. 7.—(a) *Will Government be pleased to state whether it is in contemplation to reorganize the Revenue Department in view of the great rise in prices since the time when the present scales of salary were fixed ?*

(b) *Is it true that the revenue line does not now offer sufficient inducements to graduates of the University? If so, will Government be pleased to state what action they intend to take in order to make the line attractive for men of education and culture?*

Answer.—The subject matter of the question is already under the consideration of Government.

Question No. 8.—(a) *Is it true that a large portion of the pasturage allowed for the use of the Jámner village has been ordered to be taken up for a forest reserve?*

(b) *Will Government be pleased to lay on the table a copy of the rules relating to such fresh reservations of land for forest purposes?*

Answer.—(a) No such order has been issued by Government.

(b) The Honourable Member is referred to the orders in paragraph 5 of Government Resolution No. 1668, dated 8th March 1898, appended to the reply given to question No. 3 put by the Honourable Sir Pherozechah M. Mehta at the Council meeting of March 31st, 1906.

Question No. 9.—*Will Government be pleased to state why the competitive test originally introduced for admission into the Provincial Civil Service has since been abolished? Do Government intend to re-introduce the same?*

Answer.—The abolition of the competitive test was adopted in pursuance of principles accepted by the Government of India.

It was found that the result of the competitive test merely repeated the result of the University examinations, and it was thought unnecessary to retain this duplication of examinations, which threw additional strain and expense on the candidates. It was also found that untempered competition did not secure in every respect the class of persons best fitted for entry into the Provincial Service. The existing system of selection, while attaching the greatest weight to educational attainments, enables account to be taken of other important qualifications, such as character, antecedents and physique, and so far promises satisfactory results.

Question No. 10.—*Is it true that during the last six months there have been six or seven resignations in the Revenue Department in East Khándesh? Will Government be pleased to state the reasons for the same?*

Answer.—Four men employed in the Revenue Department in East Khándesh have left the service during the last six months. Three left in order to take up other appointments, and one because his application for sick leave was refused on the Civil Surgeon certifying that there was nothing the matter with him.

Question No. 11.—*Is the Arms Act in force in the Dáng States? Have any licenses to hold arms been issued in those States? If so, under what provision of law have the same been issued?*

Answer.—The Indian Arms Act is not in force in the Dáng States, but licenses for the possession of guns have been granted in those States under regulations based on the Indian Forest Act.

Question No. 12.—(a) *Is it true that land-revenue was collected in respect of lands acquired for the Godávari Right Bank Canal in the Násik district even though no cultivation was allowed to be made there?*

(b) Do Government propose to refund such revenue ?

Answer.—No such case has been brought to the notice of Government. If any person aggrieved represents the matter to the local officers, it will, no doubt, be investigated.

Question No. 13.—(a) Is it true that most of the pasture grounds which were formerly allowed to be used free by cattle are now annually put up to auction and that one of the conditions of the auction limits the number of cattle to be allowed to graze therein ?

(b) Is it true that in the pasture grounds appertaining to the villages of Sacedi, Nalegaon, Baidgaon, and Vadgaon in the Ahmednagar taluká cattle were allowed to graze free until last year and that last year the said grounds were put up to auction ?

(c) Is it true that the pasture grounds of Nagapur in the same taluká were put up to auction in 1905, 1906 and 1907 with the following results :—

Year	Sum realized.	Number of cattle allowed to be grazed.
1905	Rs. 55	No limit.
1906	65	65
1907	105	22

(d) Do Government propose to take action with a view to afford additional pasture to the cattle of the Presidency ?

Answer.—(a) There are no orders of Government directing the auctioning of the grazing on pasture grounds which were formerly allowed to be used free by cattle.

(b) and (c) Government have no information. Inquiry will be made.

(d) No proposals for the provision of additional pasture for the cattle of the Presidency are under the consideration of Government.

Question No. 14.—(a) Is it true that the fee for a shooting license in the forests is Rs. 25 ? Are Government aware that that fee is felt to be prohibitive in the case of poor kolis and others who though they have a license to hold arms are unable to shoot in the forests and kill the tigers that kill their cattle ?

(b) Is it true that in February last, a tiger killed a large number of cattle in the Khed and Mával talukás of the Poona district ?

(c) Have Government considered the desirability of reducing the fee in the case of the villagers ?

Answer.—(a) The fee is as stated. It applies to a license issued under No. 3 of the Rules published in Notification No. 5627, Revenue Department, dated 18th August 1903. Forests in which wild tribes have been given the privilege of hunting are not notified under that rule. No. 13 of the Rules provides for the preservation of this privilege and for the grant of special permission by the Divisional Forest Officer or Collector to resident villagers on special occasions.

(b) Government have received no information on the subject.

(c) The fee does not apply in the case of special permission granted under Rule 13 by the Divisional Forest Officer or Collector to resident villagers on special occasions. But Government will consider whether any further concession can be made.

Question No. 15.—(a) *Is it true that in the Central Provinces income-tax demands are fixed in consultation with the leading men of each place who are selected as Panch for the time being?*

(b) *Have Government considered the advisability of introducing a similar system in this Presidency?*

Answer.—(a) It appears from the "Manual of Assessed Taxes for the Central Provinces" that in the case of incomes not amounting to Rs. 2,000 per annum the assessing officer is to be guided by, amongst other things, the opinion of a committee of six assessors.

(b) In 1899 Government decided that it was not advisable to adopt a similar system. The question will be further considered in connection with that of Village Panchayats.

Question No. 16.—*Have Government considered the advisability of fixing the crop valuations in consultation with a Panch selected from the leading men of each place?*

Answer.—The answer is in the negative. The employment of a Panchayat as assessors may be very useful and is adopted in Sind for the field to field inquiry in the case of remissions. But for inquiries required for the settlement of suspensions, which are given uniformly over considerable tracts, it is doubtful whether good use could be made of this agency. District officers of course take the opinion of leading ryots and agriculturists.

Question No. 17.—(a) *Is it true that permits for collecting rāb materials are issued only by the Bound Guard?*

(b) *Is it a fact that owing to the Bound Guard having a large beat considerable delay and inconvenience is caused in obtaining these permits?*

(c) *Have Government considered the desirability of empowering Pátils and Kulkarnis also to issue such permits?*

Answer.—(a) and (b) Government have no information on these points, and no representations complaining of delay and inconvenience being caused have been made to Government.

(c) The answer is in the negative.

Question No. 18.—(a) *Is it true that only a period of four days is allowed for each village for removing tahal for rāb purposes?* (b) *Is it a fact that that period is found to be rather too short for the purpose?* (c) *Have Government considered the advisability of extending the period?* (d) *Have Government also considered the advisability of allowing tahal to be removed from Ain trees as that is believed to be well suited for rāb purposes?*

Answer.—No representations have been made to Government in respect of the points raised in the question and no proposals relating to them are under the consideration of Government.

Question No. 19.—(a) *Is it true that the inducement of rewards to informers of A'lkāri offences often leads to false cases being made up against innocent persons?*

(b) *Will Government be pleased to state how many cases of A'bkári offences were dismissed by the Magistrates of Ahmednagar during the year 1907 and on what grounds?*

(c) *Will Government be pleased to state why it is deemed advisable to give rewards to such informers while no rewards are given to informers of offences against the Forest, Revenue and Police laws?*

Answer.—(a) The answer is in the negative.

(b) Information regarding the number of A'bkári offences tried by the Magistrates, with the results, is given in the Annual Administration Reports of the A'bkári Department.

(c) The Honourable Member appears to have been misinformed. Rewards to informers are given in cases of offences under the Forest Act, various Acts relating to revenue, such as the Sea Customs, Salt, and Opium Acts, and the Police Act.

Question No. 20.—*Have Government realised the income-tax that had remained unpaid by the Bârsi Light Railway Company for several years and, if so, will they be pleased to state the amount so realised for each of the years? Will Government be pleased to state how the tax remained unrealised and what action they have taken in the matter?*

Answer.—The tax has not yet been realised, except for the years 1905-06 and 1906-07. Non-payment for previous years was due to a misunderstanding on the part of the Company. Negotiations are in train for the payment of all arrears, but have been somewhat delayed by the necessity of consulting the Company's Board in England.

Question No. 21 —(a) *Will Government be pleased to state what facilities are given to agriculturists for obtaining stone for building wells?*

(b) *Have Government considered the desirability of allowing them to take stone for the purpose from Government quarries free of charge?*

Answer.—(a) No special facilities are given.

(b) Various measures have been taken by Government for the encouragement of irrigation from wells, and in the 17 years ending 1903-04, the number of wells for irrigation has increased by nearly 45 per cent. It does not appear that progress has been impeded by the absence of special facilities for obtaining stone for building such wells. The propriety of providing such facilities will, however, be considered.

Question No. 22.—*Will Government be pleased to state whether it is proposed to take action to give suitable remuneration to Kulkarnis in the Central Division having regard to the nature and extent of the work now exacted from them and the present high prices?*

Answer.—Government are anxious to improve the position of village accountants everywhere, and are contemplating a measure for increasing the remuneration of talâtis. In the case of the Kulkarnis however there are difficulties. The Kulkarni costs substantially more than the talâti, whose remuneration amounts to only about 3 per cent. of the land-revenue collections; whereas the Kulkarni receives 4 per cent., besides the rental value of the watan lands, which are not all fully assessed, and which when fully assessed yield of course the usual margin of profit. This greater expensiveness of the Kulkarni is due to the peculiarities of the hereditary watan system, which necessitates

the appointment of more officiators than are really required, and causes great inequalities in the size and importance of the various charges. Owing, also, to the practice of service in successive periods and of service by deputy, the efficiency of the Kulkarni is on the average decidedly inferior to that of the taláti. A very large proportion of the Kulkarnis officiate for periods of only five years, for which it is impossible to secure really efficient men. With every desire to improve the position of the Kulkarni, Government consider it difficult to justify any increase in his remuneration without securing a decided increase of efficiency, which seems to be impossible without considerable interference with the hereditary system. Any such measure, it is apprehended, would be regarded with dislike and alarm. The Governor in Council will welcome from Honourable Members of this Council and from leaders of opinion in this Presidency any suggestions for solution of the problem, which is engaging his close attention.

Question No. 23.—(a) *Is it true that the remuneration of the Kulkarnis in the Nagar táluká has been reduced this year and that they have in consequence refused to receive the same?*

(b) *Will Government be pleased to state their reasons for reducing the remuneration?*

Answer.—Government have received no information on the subject. Inquiry will be made.

Question No. 24.—*Will Government be pleased to state whether it is proposed to take action with a view to compel the Southern Mahratta Railway Company to provide a sufficient number of carriages for third class passengers, a good number of whom are being daily carried in goods waggons?*

Answer.—Proposals for the provision of more third class carriages on the Southern Mahratta Railway have been submitted to the Railway Board. Inquiries will be made from that Board how the matter stands at present.

Question No. 25.—*Referring to the Government notification dated February 18th, 1908, regarding the granting of loans to the sugarcane growers in the Poona Zilla, will Government be pleased to state whether any effort was made to get the local capitalists to take up such financing business before deciding to start it on State account? The rate of interest which Government has decided to charge is 9 per cent. on the loans; is it true that a private bank scheme in the Zilla projected some time ago was rejected, among other reasons, on the ground that the rate of interest the projectors proposed for such agricultural loans was so high, i. e., 9 per cent.*

Answer.—The measures now in progress as an experiment have not been undertaken with any intention to attempt the general financing by Government of sugarcane cultivation under the Nira Canal. It was found that the bulk of the capital now used comes from outside, that the local capitalists are unable to supply the requisite capital, but have themselves to borrow it and are thus obliged to lend it to cultivators at high rates of interest, and that consequently the supply of capital was insufficient and costly and frequently not available at an appropriate time. It is desired to demonstrate that operations can be financed far more cheaply at a reasonable profit, with the hope that success in the experiment will attract private enterprise on a large scale to the same field. The object of the measures taken is to prove by experiment the practicability of establishing a bank for the purpose of financing the industry: and it is highly desirable that local capitalists should take part in establishing such a bank.

The latter part of the question appears to refer to the proposals which were laid before the Secretary of State in 1884. The Secretary of State did not hold that the rate of 9 per cent. was too high; he observed that at that rate the cultivators could not pay the interest on the loan which was proposed to be made for liquidating their previous debts, in addition to 3 per cent. for sinking fund, and that if Government lent the bank at 4 per cent. the sum necessary for liquidation of previous debts, and the bank charged the ryots 9 per cent., it was not clear why the bank should have a profit of 5 per cent. on the transaction and why the ryot should not have the benefit of the lower rate of interest. The scheme of 1884, which included a plan for liquidating the previous debt of the cultivators of a whole taluká, has no relevance to the present experiment, which has no concern with liquidation of previous debt and has regard only to the financing, experimentally, in the case of selected cultivators, of a particular industry in a particular area. In this case Government have sanctioned as reasonable a rate of 9 per cent.

The following is a list of the questions put by the Honourable Mr. GOKUL DAS K. PAREKH with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to say—*

(a) *Whether a cess known as Choravero is levied from the landholders in the Panch Maháls?*

(b) *What is the rate at which the cess is assessed?*

(c) *How is the amount of Choravero collection utilised?*

(d) *Whether certain persons have refused to pay the cess on the ground that it is illegal?*

(e) *Whether any steps have been taken to recover the cess from such persons?*

Answer.—It appears that in the Panch Maháls contributions towards repairs of Chawdis are collected at rates varying from one to three pies in the rupee of the land-revenue assessment. The amounts so collected are utilized in the repairs of Chawdis. Government have no information on the points raised in clauses (d) and (e) of the question. The subject is under inquiry by the Commissioner, N. D.

Question No. 2.—*Will Government be pleased to say—*

(a) *Whether in the Panch Maháls and Western Khándesh districts the Collectors decline to grant unoccupied lands to applicants on ordinary tenure but grant them only on restricted tenure?*

(b) *Whether this is in consequence of any orders of Government?*

(c) *And, if so, will Government be pleased to say what orders have been issued on the subject?*

Answer.—The orders of Government do not contemplate that unoccupied land should be granted only on the restricted tenure to all applicants without distinction of class, and Government have no information showing that the orders have not been observed in the districts of the Panch Maháls and West Khándesh. Inquiry will be made.

Question No. 3.—*Will Government be pleased to say—*

(a) *Whether in the Panch Maháls the ordinary tenure is allowed to be converted into restricted tenure merely on the application of the registered occupant, irrespective of*

the consideration whether there exist at the time mortgages or other encumbrances over the same?

(b) Whether under the circumstances when a mortgagee applies to have his mortgage entered in the record-of-rights it is usual for the revenue officers to make a note in the record that the occupant having accepted the restricted tenure of his own accord, the mortgage rights have become annulled?

Answer.—The law and the orders of Government require that ordinary tenure should not be converted into restricted tenure without publication of notice and investigation into the circumstances with a view to protecting creditors against fraud. Inquiry will be made whether the law and the orders of Government have been duly observed in all cases in the Panch Maháls, and what procedure is adopted in cases referred to in clause (b) of the question, if any, such have occurred.

Question No. 4.—Will Government be pleased to say whether they contemplate making any changes in the present rules about the pay, prospects and pension of the stipendiary village accountants?

Answer.—The subject is under the consideration of Government and recommendations regarding the pay and prospects of stipendiary village accountants will shortly be submitted to the Government of India.

Question No. 5.—Will Government be pleased to say—

(a) Whether since 1901 the shepherds of Umbergaon peta of the Thána district are being prevented from grazing their flocks on the hilly tracts of that peta?

(b) Do Government contemplate assigning to them any area or areas in that peta in lieu of the privilege that they enjoyed till 1901?

Answer.—(a) Since 1901 there has been no alteration in the grazing arrangements for the hilly tracts of the Umbergaon peta except for such portion of those tracts as falls within the Working Plan for the Reserved Forests of the peta. Under that plan there is always $\frac{1}{4}$ th of the area of the Reserved Forest closed to grazing during regeneration after felling of the coupes: there is always $\frac{3}{4}$ th of that area open to grazing as before 1901.

(b) No privilege enjoyed previously to 1901 has been withdrawn since that year.

Question No. 6.—Will Government be pleased to say—

(a) Whether the unoccupied waste lands in the village of Sola in the Sánand táruká of the Ahmedabad district have been leased to one Damodar Jivan for grazing and making bábul cultivation?

(b) Whether Damodar is an agriculturist of Sola or any neighbouring village?

(c) Whether agriculturists of Sola and neighbouring villages had applied for a lease of this land to them?

(d) Why was the lease given to Damodar in preference to other applicants?

Answer.—(a) In the village of Sola there are certain numbers forming a 'bid' (grass land) measuring 126 acres. These have been leased to the person named in the question.

(b) He is an inhabitant of Ahmedabad. Government are not aware whether he is an agriculturist.

(c) Two agriculturists of Sola and several from different villages of the Dáskroi táluká had applied for the land, for the purpose of forming a bábul plantation.

(d) The lease was given to Damodar on the ground that, having no other occupation, he would look after the existing bábul trees and plant others. The other applicants were not considered to be equally suitable persons to hold the lease.

Question No. 7.—(a) *Is it a fact that the Tálukdárs desire that in the Settlement Register that is being prepared under section 5 of the Gujarát Tálukdárs' Act, 1888, the nature of the tenure on which they hold their lands, whether alienated, tálukdári or any other tenure, should be shown as was done in the registers of the survey of 1880-1?*

(b) *Will Government be pleased to say whether they have passed any orders in this matter? and*

(c) *If so, to what effect?*

Answer.—(a) Government do not doubt that any representation of the Tálukdárs' desires would be duly considered by the officer charged with the framing of the register; and if the Tálukdárs were dissatisfied with his decision, there is open to them application to the Commissioner, and finally to Government.

(b) and (c) No such application has reached Government and no orders, therefore, have been passed by Government.

Question No. 8.—*Will Government be pleased to say how far the work of the survey of the Nadiád and Kápadvanj Railway has made progress and when is the construction work likely to be taken up?*

Answer.—It is understood that the alignment of this project from Nadiád to Málpur has been surveyed, that there is another 3 months' field work to be done in regard to the remainder of the project and the alternative route to Mehmabad and Kaira, that the field work will be carried on as far as possible through the rains, but that plans and estimates are not expected to be ready before December. Possibly construction work may be put in hand during the latter half of next year.

Question No. 9.—(a) *Has the attention of Government been drawn to the complaints about the nuisance caused by the night-soil depôt of the Surat Municipality?*

(b) *Do Government propose to issue any orders for the abatement of this nuisance?*

Answer.—Government have no information on the subject but a report has been called for.

Question No. 10.—(a) *Is it the case that at the last rearrangement of its taxes by the Surat Municipality the octroi duty on cloth was newly imposed and the octroi duty on grain was considerably increased?*

(b) *Do Government intend to ascertain what is the effect of this on the local trade of cloth and grain?*

Answer.—(a) Government are aware of the revision of the octroi schedule.

(b) A report on the subject has been called for.

Question No. 11.—*Will Government be pleased to say—*

(a) *Whether survey numbers 61, 62, 63 and 67 at Magod in the Chordasi taluká of the Surat district were assessed at Rs. 61-10-0 at the original survey and whether the assessment on these numbers was raised to Rs. 177 at the revision survey?*

(b) *Whether during the last 30 years this land has not merely yielded grass?*

(c) *Whether there is no well in survey numbers 61, 62 and 63 and the well in survey number 67 is a small one capable of irrigating only 5 gunthas of land?*

(d) *Whether the land is uneven and contains pits and mounds and its boundary is not straight but zig-zag?*

(e) *Will Government be pleased to say why the assessment on this land was raised at the revision survey so heavily?*

Answer.—No representation on the subject has been received by Government or, so far as Government are aware or is indicated in the question, by the local authorities. If the occupant of the land in question represents his case to the local officers, it will no doubt be inquired into.

Question No. 12.—*Will Government be pleased to say when the construction of the Kalayán Creek Bridge is likely to be proceeded with?*

Answer.—The design of the Bridge, which is estimated to cost about 4½ lakhs, is practically ready, and the work will be commenced as soon as funds can be spared. No money is available for it during the current year.

Question No. 13.—*Will Government be pleased to say whether the Resident Magistrate of Borsad has been deputed on special duty to A'nand and for what time?*

Answer.—In view of the compilation of the Record of Rights in the Borsad taluká, it was necessary for the District Deputy Collector in charge of the Sub-Division to spend the greater part of the touring season in Borsad. In order to facilitate the disposal of criminal cases from the Thásra and A'nand talukás the District Magistrate, in virtue of the authority vested in him by the Criminal Procedure Code, ordered last month that temporarily, pending the completion of the Record of Rights work, the Resident Magistrate, Borsad, should be transferred to A'nand, to try the cases from those two talukás.

Question No. 14.—*Will Government be pleased to say what principle was adopted in determining which of the Khátádárs of the Nandurbár taluká other than Bráhmíns and Váns should be given the right of transfer and which not?*

Answer.—The principles to be followed were stated in the reply to the Honourable Member's question No. 3 at the Council Meeting of the 18th August 1906. The right of transfer was to be granted to such persons as were found on inquiry to belong to the advanced agricultural classes and to be fitted to exercise the right of transfer. In applying this principle, the Collector selected those persons who had large estates, who were free from debt and who were reported to be specially intelligent and able to look after themselves.

Question No. 15.—*In view of the facts that a doubt has been raised by the High Court whether section 10A of the Dekkhan Agriculturists' Relief Act is applicable to districts other than the 4 districts for which it was particularly framed and that the*

principal sections of the Act have been made applicable to the rest of the Presidency, do Government propose to consider whether they should issue a notification for applying section 10 A to the other districts?

Answer.—The matter is already receiving the consideration of Government.

The following is the question put by the Honourable Mr. H. E. E. PROCTER with the answer thereto given by Government :—

Question No. 1.—*Is it a fact that the approaches to the Dharamtar Creek and the Savitri River are being rapidly silted up and that as these water-ways constitute the only means of communication for the inhabitants of these districts, this means serious inconvenience and loss to them?*

Do Government intend to inquire into this and take the necessary steps to have these creeks regularly dredged and so kept open?

Answer.—Government can only repeat in substance the reply given in 1906 to a similar question put by the Honourable Mr. Daji Abaji Khare. They have long been aware that all creeks on the west coast not merely the two mentioned by the Honourable Member have been gradually silting up. But the cost of dredging channels in them and keeping them open would be prohibitive.

The following is a list of the questions put by the Honourable Meherbān NABAYAN-RAO GOVIND *alias* BABA SA'HEB GHORPADE, Jāghirdār of Ichalkaranji, with the answers thereto given by Government.

Question No. 1.—*Would Government be pleased to state what is the income derived from the fees paid by the scholars in the first four standards of Government Primary Vernacular schools in the Bombay Presidency?*

Answer.—A separate account of the fees paid in the first four standards is not available.

Question No. 2.—*Would Government also be pleased to state the income of the Municipalities and Local Boards in the Bombay Presidency from this source?*

Answer.—The total fee receipts of the Local Board and Municipal Primary schools for 1906-07 were Rs. 1,3⁰⁰ and Rs. 70,266 respectively. The figures for 1906-07 are given as those for 1907-08 and have not yet been received.

Question No. 3.—*Would Government be pleased to state whether there are now any description of schools where no fees are charged from the pupils attending them? If so, what is the number of such schools and on what grounds are they so exceptionally treated?*

Answer.—A separate list of free schools is not available. The Director of Public Instruction's Quinquennial Report contains an account of some of the leading schools of this class and in every school girls* and children belonging to the depressed classes are admitted free because it is thought necessary to encourage them to go to school.

* Except in the Practising school attached to the Training College for Women, Poona.

Question No. 4.—*Would Government be pleased to state the number of commissions granted to Inámdárs under section 88 of the Land-Revenue Code since Government Resolution No. 6984, dated 16th July 1907, Revenue Department?*

Answer.—Since Government Resolution No. 6984, dated 16th July 1907, was issued, five commissions in all have been granted. Proposals for the grant of commissions in six more cases are under the consideration of Government.

Question No. 5.—*Is it a fact that vernacular applications in the District Court of Poona are required to be written in Bálbodh characters and that the Maráthi correspondence of the Court and the Agency is also carried on in the same elaborate character? Would Government be pleased to state the reason for this change?*

Answer.—It is not a fact that vernacular applications are required in the Poona District Court to be written in Bálbodh characters. Some of the outward correspondence of the District Court and of the Agency has been recently written in that character. The correspondence coming from outside offices has continued as before.

Question No. 6.—(a) *Would Government be pleased to inquire whether Narayan Ganesh Shrotri, Inámdár of Mouje Varne, táluká and district Sádra, applied to the District Officer on the 17th of February 1908 for a license for a gun and whether he was refused a license?*

(b) *Is it a fact that this gun has been in the family of the Inámdár for many generations until on the death of the applicant's father it was attached for want of a license?*

(c) *Is it also a fact that there is no license to possess an arm granted in the whole of the village either to another member of the Inámdár's family or to any other person?*

(d) *Is it the case that the deprivation of such arms is looked upon by respectable families as a great stur upon them? Would Government be pleased to institute inquiry in the matter?*

Answer.—A report has been called for.

The following is a list of the questions put by the Honourable Mr. CHIMANLAL HARILAL SETALVAD with the answers thereto given by Government :—

Question No. 1.—*Whether Government will be pleased to lay on the Table the reply, if any, sent by the Bombay Government to the Government of India letter No. 882 of 22nd November 1906 regarding the question of abolition of fees in primary schools?*

Answer.—The Honourable Member is referred to the reply given to question No. 1 put by the Honourable Mr. Dikshit.

Question No. 2.—*Whether Government will be pleased to state when they expect to receive the report of the Committee that was appointed by them in 1906 for considering and reporting upon the measures to be taken for the extension of primary education in the Town and Island of Bombay including the proposed measure of making it free and compulsory?*

Answer.—The Committee is collecting certain information and it is not known when their report will be ready for submission to Government.

Question No. 3.—*Whether Government will be pleased to state the number of meetings of the Committee held since its appointment ?*

Answer.—Government have no information on the point

Question No. 4.—*Whether Government will be pleased to place on the Table the proposals of the Director of Public Instruction on the various points regarding affiliated Government Institutions noted in the reports of the Colleges Inspection Committee appointed by the Syndicate of the Bombay University ?*

Answer.—The report* of the Director of Public Instruction No. 3771, dated 13th July 1907, on the subject is placed on the Table.

* *Vide* Appendix D.

Question No. 5.—*Whether Government will be pleased to state what orders they have passed on the said proposals ?*

Answer.—Action on several suggestions of the Inspection Committee has been postponed pending the settlement of the questions of the concentration of science teaching in one central institution, the location of the Elphinstone College, and the future of the Government Law School. The following summary shows the action taken by Government on some of the recommendations of the Committee.

Elphinstone College.

Government have recognized the necessity for making provision for the teaching of French in the Elphinstone College and have appointed Mons. Louis Peltier to be Lecturer in that subject for two years for the present.

Government Law School.

The information regarding the contract grant of the Law School and the purchase of books for its library has been placed on the Council Table

Grant Medical College.

In connection with the scheme of buildings for the Grant Medical College a statement showing what has already been done and what remains to be done has been called for and will be laid on the Council Table.

Since October 1906 Government have sanctioned the following additions to the Grant Medical College teaching staff :—

					Per mensem.
					Rs
1	Minor Professor of Bacteriology	...	...	...	200
1	Tutor in Anatomy	...	...	...	100
1	Tutor in Pathology	...	...	...	100
1	Minor Professor of Physics	...	...	...	200
1	Minor Professor of Biology	...	...	...	200
1	Tutor in Bacteriology	...	...	...	100
2	Tutors in Physics	...	...	...	100
					and 75
1	Lecturer in Dentistry	...	...	...	200
	Improvement in the pay of Tutors	...	...	...	125

The question of further strengthening the staff is under consideration.

Grants aggregating Rs. 2,500 have been sanctioned for bringing up to date the library of the College. The question of a further initial grant and of a recurring grant for the library will be decided hereafter. A decision regarding the abolition of the entrance test for admission to the College proposed by the Inspection Committee will be arrived at when the question of the grant of a Medical diploma outside of the University is finally settled.

College of Science.

The recommendation of the Inspection Committee that the Principal of the College of Science should be an Educational Officer will be considered when a permanent vacancy occurs. The Secretary of State has recently sanctioned the creation of two additional appointments for the College, *viz.*, one Professor of Mechanical Engineering in the Indian Educational Service and one Assistantship on a salary of Rs. 400-50-600. The question of the creation of two new posts of Professor of Chemistry and of Geology and Zoology in the Indian Educational Service for the College is under consideration. Land that is likely to be required in the near future for the expansion of the College has been acquired. Government have also decided to erect and equip a new Engineering laboratory the cost of which is roughly estimated at rupees three lakhs. The new Professor of Mechanical Engineering will, on his arrival in India, design the proposed laboratory and select suitable equipment. Additions to the main building to provide accommodation for the Physics Department and new buildings for the Chemistry and Geology Departments which were estimated to cost Rs. 97,000 are being carried out. Government have abolished the special examination for admission to the Engineering branch of the College of Science, as suggested by the Committee. This decision was published in a press note, No. 1367, dated 24th July 1907.

Question No. 6.—*Whether Government will be pleased to state when the construction of the proposed hostel for the students of the Grant Medical College was commenced and when they hope the hostel to be ready?*

Answer.—The work was commenced on 12th September 1907. It is hoped that it may be completed in 1909-10.

Question No. 7.—*Whether the Committee appointed by Government to consider the question of the location of the Elphinstone College, have made their report and, if so, whether Government will be pleased to lay the same on the table?*

Answer.—The report has been received and is under the consideration of Government. It cannot be conveniently published at present.

Question No. 8.—*Whether Government have come to any conclusion regarding the question of proper accommodation for the large number of students attending the Government Law School at Bombay?*

Answer.—The matter is still under the consideration of Government.

Question No. 9.—*Whether Government have received from the Ahmedabad-Dholka Railway Company an application to allow them to extend their line to Dholera and whether Government have taken any and, if so, what action on the same?*

Answer.—With a view to obtaining Government's support to the scheme Messrs. Killick, Nixon and Company on 6th February last furnished Government with a copy of their application to the Railway Board for the extension of their Ahmedabad-Dholka Railway to Dholera *via* Gamph. In a letter to the Railway Board of the 14th February Government gave the scheme their very strong support. Messrs. Killick, Nixon and Company have, however, since submitted further proposals which are still under consideration.

Question No. 10.—*Whether Government have recently received a petition from a large number of traders, merchants and other inhabitants of Dholera asking this Government to recommend to the Government of India the extension of the Ahmedabad-Dholka Railway line to Dholera and whether Government will be pleased to state whether they propose to make such a recommendation?*

Answer.—Government have received the petition referred to, and, as indicated in the answer to the previous question, have strongly supported the extension advocated by the petitioners.

The following is a list of the questions put by the Honourable Mr. DAI ABADI KHARE with the answers thereto given by Government:—

Question No. 1.—*Have Government made any inquiry (and, if so, with what result) into the cases of Kasturchand Nandram, Balaram Shriram, Fulchand Ganesh and Vishnu Anant Dharmadhikari who had submitted Memorials to Government complaining of the income-tax levied from them and whose Memorials were returned to them on the ground that they did not comply with the rules? (Vide Proceedings of the Council Meeting of the 28th September 1907.)*

Answer.—Inquiry has been made. Government have declined to interfere.

Question No. 2.—(a) *Have Government received Memorials from the Subordinate Officers of the Customs Preventive Service asking for improvement of the scale of their salaries, removing the restrictions for their advancement to the rank of preventive officers, the equitable distribution of overtime earnings without distinction amongst members of the service and the grant of privilege leave?*

(b) *Is it a fact that the prayers of the Memorialists have been supported by the Press, Indian and Anglo-Indian?*

(c) *Have Government considered the prayers of the Memorialists and, if so, with what result?*

Answer.—(a) In December 1906 Government received direct duplicate of Memorials which it was stated were being submitted through the proper channel. The Memorials submitted through that channel have not reached Government and it is understood that they were returned to the Memorialists as not being in conformity with the petition rules. It does not appear that they were re-submitted.

(b) Government understand that the prayers of the Memorialists have been commented on, not in all cases favourably, by the Press.

(c) Memorials prepared and submitted in conformity with the petition rules not having reached Government, the prayers of the Memorialists have not been considered by Government.

Question No. 3.—*Will Government be pleased to state what facilities at present exist for the sale of treacle being the refuse from sugar factories? If no sufficient facilities exist, have Government considered the desirability of giving proper facilities for the purpose?*

Answer.—There are at present no sugar factories and consequently no facilities for disposing of the refuse from such factories. Government do not understand that treacle is refuse.

Question No. 4.—*Will Government be pleased to state whether they have considered the desirability of remitting grazing fees in tracts where there has not been sufficient fodder owing to the failure of last year's rains?*

Answer.—Commissioners of Divisions are empowered, in consultation with Conservators of Forests, to remit grazing fees in forest areas ordinarily open to grazing, as well as to open to free grazing certain forest areas ordinarily closed to grazing, and Government have received reports of such action having been taken in the districts of the Panch Mahals and West Khándesh, where there was a deficiency of fodder owing to the failure of last year's rains.

Question No. 5.—*Will Government be pleased to state whether a petition was submitted in November 1907 to the A'bkári Commissioner by certain khots of Sáláette táluká regarding the action of the A'bkári Department in deciding to supply the districts of Bijápúr, Belgaum, Dháruwár and Kámara with spirit manufactured in the Madras Presidency and what action was taken on the same?*

Will Government be pleased to lay on the Table a copy of the said petition and the reply, if any, given by the A'bkári Commissioner to the same?

Answer.—Government have no information on the point.

No petition has been made to Government by the persons alluded to in respect of any reply which they may have received from the Commissioner of A'bkári, and Government therefore do not see any necessity for calling for the papers.

Question No. 6.—*Is it a fact that no grain compensation is paid to the teachers of the District Local Board Schools in West and East Khándesh drawing pay below Rs. 30 while it is paid to such teachers serving in Municipal schools?*

If so, do Government propose to issue orders for payment of grain compensation to the former?

Answer.—The payment of grain compensation to employés of local authorities is a matter within the discretion of these authorities. The payment of such compensation to low paid servants of Government in the districts of East and West Khándesh has been sanctioned, and it is not known whether the District Local Boards of those districts have or have not granted similar sanction in the case of their employés. The attention of the Presidents of those Boards will be drawn to the question.

Question No. 7.—*Is it a fact that on account of want of funds the Deputy Educational Inspector of East Khándesh has abolished some village schools in the district?*

Answer.—Inquiries are being made.

Question No. 8.—*Is it a fact, as reported in the papers, that a criminal complaint has been lodged against the Mámáidár of Amalner in East Khándesh for removing the lock of the house of a Bania during his absence in order to supply provisions to the Assistant Collector when his camp was there in April or May 1908 ?*

Answer.—The answer is in the affirmative. The matter is under investigation.

Question No. 9.—*Is it a fact that hardship is caused to students of primary schools on account of the prices of the new Maráthi first three books being higher than those of the books of the old series ?*

Answer.—Inquiries are being made.

Question No. 10.—*Is it a fact that Messrs. Macmillan and Company are not able to supply the vernacular readers in sufficient numbers ?*

Is it a fact that the Gopal Company at Dhulia, although it sent money in advance to Messrs. Macmillan and Company, could not get those books for a long time ?

Is it a fact that Maráthi Reader No. 7 is not yet available to students ?

Answer.—Inquiries are being made.

Question No. 11.—*Is it a fact that in West Khándesh district the Forest Department is making a monopoly of trade in Mhowra flowers ?*

Is it a fact that the Department is purchasing all the Mhowra flowers at a fixed rate and forbids others to purchase them ?

If so, do Government propose to issue orders to the Department not to deal in those flowers and thereby come in the way of ordinary traders ?

Answer.—The collection of Mhowra seed (not flowers) from Forests is managed departmentally by the Forest Department in West Khándesh.

The seed is paid for at rates fixed from time to time with reference to the market rates and with special precautions to secure fair prices to the Bhils.

Government have recently considered the question and sanctioned the continuance of the system in West Khándesh.

Question No. 12.—*Has the attention of Government been drawn to a letter appearing in the "Kesari" newspaper of the 3rd December 1907 over the signature of Mr. N. B. Ranade setting out certain gross cases of injustice with reference to the levying of income-tax ? Have Government made an inquiry into those cases and, if so, with what result ? If not, will Government be pleased to inquire into the same ?*

Answer.—Government have been informed that a letter appeared in the "Kesari" newspaper regarding certain cases of levy of income-tax which were then under inquiry by Government. The inquiry has been completed and the petitioners have been informed that Government see no reason to interfere, or to think that any injustice has been done.

PAPERS PRESENTED TO THE COUNCIL.

1. Letter from the Secretary to the Government of India, Legislative Department, No. 2496, dated the 28th December 1907—Returning, with the assent of His Excellency the Viceroy and Governor-General signified thereon, the authentic copy of the City of Bombay Police Charges Law.

2. Reply to question No. 4 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix E.
3. Reply to question No. 6 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix F.
4. Reply to question No. 7 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix G.
5. Reply to question No. 8 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix H.
6. Reply to question No. 9 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix I.
7. Reply to question No. 10 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix J.
8. *Ad interim* report of the Select Committee appointed to consider Bill No. II of 1907 (A Bill further to amend the City of Bombay Improvement Act, 1898).
Vide Appendix L.
9. Reply to question No. 11 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix M.
10. Reply to question No. 9 put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix N.
11. Reply to question No. 4 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix O.
12. Reply to question No. 2 put by the Honourable Meherbán Narayanrao Govind *alias* Baba Sáheb Ghorpade, Jághirdár of Ichalkaranji, at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix P.
13. Reply to question No. 1 put by the Honourable Sir Pheroza Shah M. Mehta at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix R.
14. Reply to question No. 12 put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix T.
15. Reply to question No. 14 put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix U.

16. Reply to question No. 1 put by the Honourable Meherbán Narayanrao Govind *alias* Baba Sáheb Ghorpade, Jághirdár of Ichalkaranji, at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix V.
17. Reply to questions Nos. 8 and 9 put by the Honourable Mr. Chimanlal Harilal Setalvad at the meeting of the Legislative Council held on the 22nd June 1907.
Vide Appendix W.
18. Reply to question No. 2 put by the Honourable Sir Pheroza Shah M. Mehta at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix X.
19. Reply to question No. 17 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix Z.
20. Reply to question No. 11 put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix AA.
21. Reply to question No. 5 put by the Honourable Meherbán Narayanrao Govind *alias* Baba Sáheb Ghorpade, Jághirdár of Ichalkaranji, at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix AB.
22. Reply to question No. 6 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix AC.
23. Reply to question No. 1 put by the Honourable Sir Pheroza Shah M. Mehta at the meeting of the Legislative Council held on the 28th September 1907.
Vide Appendix AE.
24. Reply to question No. 1 put by the Honourable Meherbán Narayanrao Govind *alias* Baba Sáheb Ghorpade, Jághirdár of Ichalkaranji, at the meeting of the Legislative Council held on the 20th July 1907.
Vide Appendix AG.

OPENING REMARKS.

His Excellency the PRESIDENT in opening the proceedings said :—Gentlemen :—
On this, the first occasion on which I have had the honour to preside over a meeting of the Legislative Council, I wish to tender a cordial welcome to all its members. I also desire to say to the non-official members that I hope that they will feel that they have free access to me, and that I shall always be glad to receive a personal expression of their views.

My honourable colleague who manages our finances with so much ability and anxious care will be able to tell you that they are in a satisfactory condition, although the prosperity of the past year has been adversely affected by the abrupt termination of the last monsoon. In a few districts it has been found necessary to open famine works and to give gratuitous relief; but the distress has been neither widespread nor acute, and every effort has been made to mitigate its effects. If the present monsoon gives us a normal rainfall I trust that those effects will pass away.

I am thankful to say that the deaths from plague have latterly fallen to the lowest figures in any corresponding period since the first appearance of this terrible disease amongst us. Signs are not wanting that inoculation is being increasingly appreciated by the people, and in this city private efforts—generously made—have accomplished much. Should another outbreak occur next winter, I have great hope that the people will voluntarily resort to this method of protection, the value of which has been strikingly attested by the experience gained at Poona.

This Council meets today with only one object and that is to do all that is possible to promote the progress and prosperity of the people of every degree in this Presidency. That object unites us all, and while opinions as to policy and methods must necessarily differ at times, such differences can generally be adjusted by reasoned discussion for which our meetings provide the means. It is sometimes said that Government do not sufficiently consult Indian opinion. I think that Indian opinion is consulted much more than is generally known, but there can be no doubt that one result of the change^s now in contemplation will be to enable that opinion to be given more fully, more formally, more publicly and with a greater sense of responsibility. To this I attach great importance. I do not yet know the precise form which these arrangements will take; but I believe that the spirit in which they are worked will be the determining element in their success, and the Government may be trusted to take a broadly liberal view when the time comes to set the new machinery in motion. The final decision as to the reforms rests in higher hands than ours; but there are some changes which Government can make and will make as soon as possible. My colleagues and I think that the time has come to strengthen the elective element in the District Municipalities of the Presidency and to free them in great measure from official control. I will not now go into details; but the main changes which we intend to carry out are the following:—

1. As a rule the elected members of District Municipalities will number not less than two-thirds of the whole. Exceptions will be made in the case of the smaller and more backward Municipalities, but this rule will apply to all City Municipalities and to the larger Town Municipalities.

2. The privilege of electing a President will be conferred on Municipalities which are not excepted for special reasons; but we consider that the election should be approved by two-thirds of the members. Failing this, the appointment should be made by the Governor in Council who will take the wishes of the Municipality into full account.

3. Wherever the official element in Municipalities is reduced to a minority or altogether withdrawn, we think that their Executive Departments should be strengthened by the adoption of the system which has achieved marked success in Bombay City, and has now been applied at Karáchi.

The means of providing for a just representation of minorities will be carefully considered and we hope to be able to secure this object where necessary.

The general result of the changes which I have indicated will be a large extension of the principle of Self-Government in the Presidency, and the conferring of increased powers and consequently of increased responsibilities upon its people.

Mistakes may be made in some cases; but we all learn from our mistakes, and education in the management of local affairs is the best training for that larger share in the general government of the country which will gradually but certainly be conferred upon its people.

And now it is necessary for me to refer to subjects which must cause pain to all true lovers of India. In all countries, whatever their forms of Government, grave responsibility for the maintenance of order rests with the Executive which has information not possessed by the public, and which would be severely and justly condemned if the neglect of necessary precautions led to serious disturbances.

This Presidency happily escaped the storm of 1857. The great mass of its population is eminently law-abiding, and it may fail to realise the ruin and the suffering which inevitably result from the "breaking up of laws," and which necessarily fall heaviest upon the poor. I am not an alarmist, and I well know the kindly relations between different races which exist in this Presidency, and which it is my first object to seek to promote. There are, however, symptoms in India and even in this Presidency which the Government cannot disregard.

Moreover, there is a change in the situation, now that we are aware of the existence of a conspiracy deliberately organised for purposes of indiscriminate murder. The methods of the European and American anarchist are totally foreign to the Indian character. They are indignantly repudiated by all true-hearted Indians who regard them as a blot on the fair fame of their country. But they exist, and they constitute a new factor which we must take into account. The saddest feature in this new situation is the fact that there are men who are prepared to incite and to train half-educated youths to the most dastardly of crimes. In all countries and in all ages, like causes produce like effects, and gross misrepresentations of facts, accompanied by incitements to disorder persistently impressed upon an uneducated population, lead sooner or later to outbreaks which must be suppressed by force.

To employ force against misguided people is the most hateful duty which can fall upon any Government, and as experience shows it may have to be discharged even by a Government so essentially democratic as that of the United States. I regret to say that in this Presidency there is a section of writers and speakers which is in the habit of using language that can only be interpreted by the masses as an incitement to the race-hatred which leads directly to violence. I cannot tell how far this insidious teaching, which is as diametrically opposed to the religions of the East as to those of the West, has penetrated. But I do know that if it is permitted to continue, it can lead only to one result, and no Government which has the welfare and progress of the Presidency at heart can sit with folded hands while the people are being led towards the abyss.

In any steps which the Government may be obliged to take, there will not be the smallest feeling of animus. We shall not attempt to strain the definition of sedition; but a campaign which is not political but plainly anarchical in its tendencies cannot be permitted to continue. It is my great wish to raise the status of the Vernacular Press, to give it a sense of responsibility and to enable it to do work which is sorely needed. I am seeking for means to furnish it with information to enable it to understand and to weigh the objects and the measures of Government. As I told the Editors whom I had the pleasure of meeting at Parel, I invite criticism based on a knowledge of facts. I now make an earnest appeal to the writers and speakers to whom I have alluded to cease playing with fire, and to turn their energies and those of their disciples to the practical good of the people, where the widest field of activity awaits them.

There is no country where a wise and a patriotic Press can do more good than in India. There is no country where a Press which spreads falsehoods and inspires race-

hatred and contempt of Government can do more harm. I am glad to know that journals of the latter class are relatively few in the Bombay Presidency.

In spite of the losses due to the great famine and to the terrible visitation of plague, our Presidency is steadily progressing.

The Government is earnestly seeking to improve agriculture, to foster industries, to promote education as far as means permit, to combat disease and to prepare for the contingency of future droughts.

We are anxious to remove all real grievances in so far as it is in our power. In our many and difficult tasks we need the co-operation of all creeds and classes. The more fully that co-operation is given the fewer will be our mistakes, and the more rapid the progress of the people.

Speaking with knowledge of the wishes of the Secretary of State, I desire to say that neither the recent sad events, nor the Press campaign to which I have referred, will deter us from movement along the lines which have been plainly indicated. The reforms which are soon to be carried out will mark an important step in the direction of giving to Indians a greater share in the government of the country. These reforms will not satisfy the more impatient spirits; but no true statesman could dream of inaugurating sudden and organic changes in the government of a vast eastern population. The great movements which have conferred real and lasting benefits upon mankind have been gradual growths.

I hope and I believe that the best of Indian opinion will heartily co-operate with us in making the coming reforms a success, and will support the Government in taking necessary precautions against disorder with the disastrous consequences which it would entail upon the Presidency. During the past years new forces have been arising in India, some of which are natural, inevitable and beneficial, while others are unnatural and dangerous. There is urgent need of real statesmanship—Indian and British statesmanship working hand in hand—to solve the new problems, to direct the good forces to the advancement of the people and to curb those that are reactionary and evil. It is only by such co-operation of races, based on mutual trust and sympathy, that we can hope to satisfy the aspirations of the Indian people for a steadily increasing share in the government of the country while at the same time preserving order and promoting progress and prosperity.

Now there is one word more: I am sure I speak for you all and for all the people in the Presidency when I say that we deeply regret the premature death of Sir Jamsetji Jeejeebhoy. He has been prominent in all good and useful works for several years, in work connected not only with the Parsi community, but work for the general welfare of all. He never spared himself in undertaking public duties, and his wide philanthropy has been of great benefit to the whole Presidency. He was in all respects a great citizen and he has set a shining example to us all, and I feel certain that his memory will be cherished in Bombay, where he and his predecessors have left an imperishable mark.

His Excellency the PRESIDENT: I have also had a paper giving a description of the manner in which the grants for 35 Protective Works for Irrigation have been expended in 1907-08, and of the proposals for 1908-09. I am sure it has reached the honourable members.

I will now ask my honourable colleague, Mr. MUIR MACKENZIE, to make his Financial Statement.

**EXPLANATION OF THE FINANCIAL STATEMENT OF THE
GOVERNMENT OF BOMBAY FOR THE YEAR 1908-09.**

The Honourable Mr. MUIR MACKENZIE, in introducing the Financial Statement* of the Government of Bombay for the year 1908-09, said:—
 * *Vide Appendix AH.*
 Your Excellency,—In introducing the Financial Statement I have very little to say; I will confine my observations to the opening of the monsoon which, while it seems to have given some favourable rain in Gujarát, I am afraid, has made a very dubious start in the Deccan. From the information which has reached me I fear that the people have come very near to the end of their tether, and, if we do not get favourable rain, I think that we may have to start relief on a very considerable scale. Prices are already extremely high and, though we have plenty of breathing time, unless we have sufficient rain, we must expect them to bound to an extremely high level, which would be followed by extreme difficulty for the people. However, as I have said, we have breathing time. Personally, in my experience, I have never seen the Deccan country in such a backward condition. I do not remember a time when I have seen so considerable an area without a single blade above ground. Sowings are very backward and in some places have not been started at all. I only make these dismal remarks by way of a caution, as, of course, if any such catastrophe, which I devoutly hope will be averted by timely rain, should overtake us, the forecasts of the budget will be, of course, very much disturbed and we shall find our expenditure curtailed in a great many directions.

To refer to a question to which reference is made in the opening part of the Financial Statement, namely the possible modification of the expenditure side of the budget, I have had one suggestion made to me which I have passed on to my colleague the Honourable Mr. JENKINS, who now has charge of that Department, namely the Customs Department. I hope very much that it will be possible to take advantage of that suggestion which, however, affects Imperial and not Provincial Revenues. I also hope that, in the course of the speeches which will be delivered, we shall have some further suggestions.

I do not think I shall be violating any official confidences, if I indicate further and much more important changes in budget procedure which we have in contemplation.

We hope, next year, to have some arrangement by which members of this Council may be consulted regarding the budget proposals before they are passed, that is before they are sent up to the Government of India for final sanction. If only we could get rid of that sanction, we could do a great deal more, but I hope we shall be able to go thus far before the next budget, and that we shall have the aid of your valuable advice as to how the money which may be available shall be apportioned between the various departments of expenditure.

With these few observations, Your Excellency, I ask that the Financial Statement may be taken as read.

The Honourable Dr. RAMKRISHNA GOPAL BHANDARKAR said:—Notwithstanding the gloomy anticipations of the Financial Member I think there is no cause yet for disappoint-

ment and I will proceed with my remarks on the supposition that we shall have a normal season this year. It is very gratifying to find that this year's budget shows a further development of the sympathetic financial policy of the Bombay Government. The first thing that arrests my attention is the sacrifice of revenue to the extent of half-a-lakh to relieve poor people from a heavy tax in the shape of tolls levied at toll-bars. Government will be glad to extend this policy in the interests of those people. That the tax does often times press heavily, there can be no question. Cultivators and other inhabitants of the villages surrounding Poona, for instance, bring to the Poona market cart-loads of cattle-dung-cakes, and kadba, and such other minor products of the fields. The load is worth from three to five or six rupees and the owner is charged two annas at a toll-bar like the one at Harris Bridge at Kirkee, and if there are other such bars on the way, he has to pay more. A cart-load of manure from Kirkee if taken to a village to the north is charged two annas, while the manure itself costs 8 annas, so that if a cultivator purchased about forty cart-loads of the manure he would have to pay 80 annas, *i. e.*, five rupees at the toll-bar near the Harris Bridge, and Rs. 20 to the owner of the manure; that is the tax in this case comes to 25 *per cent.* It is therefore ruinous to take manure from Kirkee to such village as Bopkhel on the northern side of the river. An empty carriage is charged one anna and a bullock two paisas or six pies. To avoid these exactions the people have recourse to a variety of shifts. They come to the Kirkee side and go back by some track or other in the dry season, but when the river is full and they have to ply their carts on this side of the river, they leave them on the Kirkee side near a shop or house and take away the bullocks swimming to their village on the other side. Since the relief is hedged in by certain conditions, and Government fearing serious loss of revenue have not rendered it general, would it not do if all empty carts and unloaded bullocks, and carts containing manure, cattle-dung-cakes, and even fire-wood as well as the minor products of the field alone were exempted from the payment of the toll throughout the Presidency?

The other point that has struck me is that in connection with the financing of the valuable sugarcane crops. What is stated in that part of the financial statement tallies completely with the information I obtained when I visited Baramati about three years ago. I was shown the Nira canal and was told that sugarcane cultivation was carried on on an extensive scale at and about Baramati and the chief industry of the place was the manufacture of *gul*, called Jagri, I suppose, in the statement, and that business was done every year to the extent of many lakhs,—the exact number I now forget. I then observed that the cultivators of sugarcane must have become rich and be certainly better off than those of other parts of the country. "Not at all," I was told. The *savkar* had to be resorted to at all stages in the process of cultivation, manufacture and sale, and all the proceeds except a small portion were pocketed by him. I thought the condition was pitiable, but did not find myself in a condition to do anything. If I had made a suggestion in this Council, it would probably have been deemed wild. But now that Government have themselves taken up the matter and stepped into the place of the exacting *savkar* with a view to improve the condition of their tenants, what is left to me is simply to express my gratification. The mind however of our Finance Member does not seem to be quite clear on the point. He is afraid of an encroachment on the province of the ordinary banker. I do not think it is the province of the latter. If the Government has rendered itself the landlord as the Native princes who preceded it did, and those

who are now in power have done, the latter especially in Káthiáwár and Málwa, not even allowing permanent tenure to the rayats, as the Bombay Government does, it behoves the Government to see that its tenants are prosperous in order that its own dues may be safeguarded; and no banker has a right to take up that position. The honourable gentleman himself has in accordance with this theory since he took charge of our financial portfolio been endeavouring, it appears to me, to make the practice of advancing money to the cultivators an important feature of our Land-Revenue System.

I have now to plead for sympathy for other classes of His Majesty's subjects. The cultivators are not much given to drinking; but artisans, such as tailors, carpenters, masons, etc., mill operatives, and those who take service are, and the habit is every year growing and spreading widely among them. The enormous increase of revenue that we have every year must be taken as an indication, notwithstanding the explanations that are attempted which go but little way. Last year, the estimated revenue, both imperial and provincial, was rupees one hundred and fifty-five lákhs; in the revised estimates it grew up to one hundred and sixty lákhs and fifty thousand, *i. e.*, it was more than eleven lákhs in excess of that collected in 1906-07. By such leaps and bounds it has been rising. It was, as I stated last year, about one hundred and one lákhs in 1900-01; so that it has during these eight years increased by about sixty lákhs. I believe this increase cannot have taken place unless the quantity of liquor drunk and the number of drinkers had increased in the same ratio. But the point may be placed beyond the reach of cavil by a resort to statistics. A friend has furnished me with figures which show that in the Poona district the number of gallons of country spirits consumed in 1906-07 was 1,69,539 and the revenue derived from this quantity was Rs. 8,59,161. In 1900-01 the corresponding figures were 1,10,477 and Rs. 5,45,000. In 1878-79, the year of plenty which followed the famine of 1877, the figures were 76,784 and 2,11,025. So that in the Poona district the quantity of country liquor drunk in 1906-07 was considerably more than twice the quantity drunk in 1878-79, and one and a half as much as in 1900-01. And the revenue for the whole Presidency, excluding Sind, from the sale of country spirits was in 1906-07 Rs. 96,60,026, while in 1900-01 it was Rs. 67,60,987, *i. e.*, in 1906-07 it was a little less than one-half as much more as in the latter year and the average of that realized during the five years ending 1881-82 was Rs. 39,02,015, *i. e.*, in 1906-07 it was two and a half times as much as in the latter year. So that the conclusion is the same as in the case of the Poona district, *viz.*, that in the Presidency the poorer classes of His Majesty's subjects, who consume the local liquor drink much more than twice as much as they did thirty years ago and a little less than half as much again as eight years ago and the proportion must be still greater for 1907-08, when the total revenue exceeded that collected in 1906-07 by more than eleven lákhs, as stated above.

This state of things deserves the serious consideration of a sympathetic Government. If cultivators are to be saved from becoming bankrupts, are not the artisans and similar classes to be saved from ruining themselves? The quantity of liquor produced must be reduced, and the number of shops which tempt artisans on their way home after a day's work be considerably decreased. Perhaps the Government of Bombay is helpless in the matter; if so, it should move the Government of India to grapple with this growing evil.

I will now proceed to the measures about to be taken for the promotion of public health. The Government of Bombay has been setting aside one lakkh of rupees since last year for the purpose and the Government of India will contribute from this year four lakhs and a half annually. The measures contemplated by our Government, as stated in last year's financial statement, are water-supply, drainage, conservancy, and the like; while the money contributed by the Government of India is to be expended on measures with special reference to the prevention of the plague. The measures thought of by our Government are not all or even the principal ones necessary for the prevention of the plague. The chief measure—if a non-professional man has a right to form an opinion on the subject—is in my opinion that resorted to in Bombay for the carrying out of which the Improvement Trust has been created, the construction of better dwellings for the poorer classes of the people. This is what should be done. The huts of the people in our villages are hardly better than the dens of wild animals or burrows and are built in close contact with each other. Plague can never be driven out unless these habitations are destroyed and new ones constructed in a manner to secure more light and ventilation, and at a considerable distance from each other. A poor man's hut will not cost more than about a hundred rupees. The Government Sanitary Engineer or his assistants or members of any other branch of the Public Works Department should visit each village and draw plans for such huts. These should then be laid before the Collector who should place them before the Local Boards and the huts constructed out of the funds which the Government of India will from year to year place at the disposal of this Government increased by any amount saved from the non-education Budgets of the Local Boards. If that is not sufficient, the Local Boards might be empowered to borrow modest sums of money on the security of their annual income. The Sátára district has suffered heavily from the ravages of the plague and the reconstruction of the huts that I propose should be first tried in that district. The initial steps of sanitary improvements contemplated by our Government seem to have been left to the Local Boards who with the assistance of a Government expert, *i.e.*, the Sanitary Engineer, should draw up schemes and submit them to Government. But who is to energise the Local Boards except the central source of energy; that is, the Government itself that has created these Boards. I however think that in the case of the improvement that I advocate and the others contemplated by the Government, the process ought to be as I have suggested it. The initial steps should be taken by the Sanitary Engineer or the Public Works Department.

And now I must congratulate the Council, and especially the non-official members, on the new privilege that without making any noise about it our Government has conferred upon us. We are henceforward allowed to make any amendments in the items of expenditure of the nature explained in the statement. And we have heard of the oral announcement made by the Finance Member that a committee of the Members of the Council will be consulted in settling the Budget. I now intend to avail myself of the privilege of making an amendment. The Government Book Depôt has been abolished and its accumulations to the amount of Rs. 87,000 should, it is proposed, be absorbed in the closing balance of 1907-08. Now the Depôt made this money by selling books, that is, it is the money of the student world. In fairness, therefore, it ought to be spent on an object that will benefit students. I would, therefore, propose that the Depôt balance of Rs. 87,000 be made over to the University to be invested in Government paper, and

two Research Scholarships be endowed out of the proceeds. I have been advocating the foundation of Research Scholarships and of Fellow-ships for a good many years. The Government of Bengal has founded such scholarships but we have not got any. Recently, however, a sum of money was handed over to the University by the Administrator-General out of the estate of one Mr. Springer, who by his will left it to the University after the death of his wife. Out of this amount the Syndicate, at the instance of the Vice-Chancellor, decided to endow a Research Scholarship worth Rs. 100 per mensem. The two that I propose and this one will enable our University to promote the spirit of research among our students.

Lastly, I beg to lend my humble support to the contention of our Financial Member that the Government of India should send us a lump sum out of their plenty in aid of our finances, and not amounts ear-marked for certain objects. This Government certainly knows more of the necessities of the Presidency than the Government of India, and now that power has been given to the Members of the Council to move amendments as to the allotment of funds, and the Budget is to be settled after consulting a committee of the Council, the united sense of the Members of this Council, official as well as non-official, cannot go wrong in the distribution of our resources. I have confidence that if all the non-official members appointed by Government and elected by the constituencies agree in proposing a certain amendment in this matter, Government will give due weight to it.

The Honourable SYED ZAIN EL EDEUS said:—Your Excellency,—The outburst of the monsoon last year somewhat earlier than this year had misled us into thinking that the season of 1907-08 would have been a favourable one, but unfortunately it did not prove to be so. This year, there are prognostications of a good season and we may hope that our best expectations may be realised. Rather than an early outburst with incessant pouring only to leave behind a craving for the last showers, but for which 1907-08 would doubtless have been a blooming year, a well-distributed rainfall at required stages would be a welcome monsoon.

The chief feature of the Budget Estimate for 1908-09 is the distinguishment in greater detail of the Receipts and Expenditure, the Provincial from the Imperial, which shows at a glance the apportionments made between the two Services, whether on the debit or the credit side.

I have read with much interest the allusion in paragraph 21 of the Financial Statement to the result of the experiments in respect of sugarcane cultivation fostered by irrigation. I make but little doubt that if Government were pleased, as suggested in my address at the Budget Meeting last year, to carry out irrigation schemes wherever practicable in the Northern Division, the result would be most propitious for the Province and none the less reproductive to Government.

It is noticeable that although 1906-07 was not altogether a good year, yet Ra. 3,13,55,452 are shown to have been realized under the head of land-revenue as Ordinary Fixed Revenue (shared), on the basis of which Rs. 3,45,35,000 have evidently been provided for in the Budget Estimate for 1908-09 under that head. If there is any item of revenue capable of being affected, in a greater or a lesser degree, by the goodness or badness of the season, it is the land-revenue, and I am sanguine that even if we fared in 1908-09 as poorly as we did in 1906-07, we should nevertheless be able to make

ends meet without much strain upon the ryats, by continuing justifiable remissions and suspensions of the land assessments for future recoupment.

I quite concur with the Honourable Mr. MUIR MACKENZIE in his observations in paragraph 22 of the Financial Statement, that in meeting heavy recurring demands "we shall undoubtedly have to proceed with slowness and caution," and abide the time till a succession of fairly good seasons, of which none need, I think, despair, come to the rescue of an important source of revenue, for the time being subjected to Nature's trying ordeals. In my address at a similar meeting of this Council last year, I took the opportunity of submitting for the consideration of Government the insufficiency of Local Board Schools in rural villages, and, while my complaint still remains unredressed, my attention has this year been attracted to the pressing want of schools in Jágíir or Inám villages, notwithstanding that the Jágíirdárs or Inámdars contribute largely to the local funds, and where any schools at all exist in Jágíir or Inám villages, they are ill-provided for in respect of teaching staff and the methods of teaching. It is very necessary, therefore, that a substantial move should be made in order to secure to Jágíir or Inám villages the fullest benefits of the levies made from them in the shape of local funds, compatibly with other rural villages.

Again, it is a well-known fact, that in cases of constructions of new tanks and wells, or repairs to old ones, the ryots are invariably called upon to contribute partly towards the cost, either in cash or personal labour. During a favourable season it is always possible for the ryots to meet the contribution promised by them in cash, but during adverse seasons, their resources are crippled and their engagements necessarily remain unfulfilled with the result that the works are left undone and their cattle impoverished from want of water, particularly during an oppressive summer. I really think that some relaxation is indispensable in such cases, and promised cash contributions should be deferred for the time being, if not wholly dispensed with, as otherwise the object with which minor works of public utility were instituted would be defeated, and the system of voluntary contributions rendered a misnomer. These remarks apply with greater force to Jágíir or Inám villages, where it is, in the first place, difficult to procure any provision at all for new tanks or wells, or repairs to old ones, and, in the second place, if a provision is secured, the enforcement of promised money contributions is carried out with greater severity than in non-inám villages, and the budget allotments are suffered to lapse as often as they were made, simply because the promisers have failed out of sheer helplessness to abide by their engagements.

I will only draw the attention of your Excellency to the Nursing Institute proposed for Surat. It is now nearly a year since the proposal was made, and a very generous donation offered by a well-known citizen of Surat, trading in Bombay, out of regard for a pressing want of his native city. It is therefore time that Government took advantage of the magnificent donation, so that gentlemen interested in the welfare of the city may be encouraged to direct their attentions and influence to other wants of the city.

In conclusion, I think, that the Budget Estimate for 1908-09 has been very thoughtfully framed, and that no department of expenditure has received greater preference over the other. I congratulate my friend the Honourable Mr. MUIR MACKENZIE on the very explanatory Financial Statement which has been laid before your Excellency, which, speaking for myself, has scarcely left any room for comment or criticism. I would, how-

ever, suggest for the consideration of Government the desirability of appending to future Budget Estimates a memorandum showing the amounts remitted and the suspensions granted during the year in each of the districts subordinate to the three divisions comprised in the Bombay Presidency, as a wholesome evidence of the concessions graciously made by Government to the ryots during an unfavourable season.

The Honourable Mr. A. C. LOGAN said —Your Excellency,—A'bkári administration presents so many difficulties and complexities that I hesitate to anticipate any statement Government may intend to make on the subject, and my chief reason for adverting to the Honourable Professor BHANDARKAR's remarks is, that I do not wish silence on my part as head of the department construed to mean that I am indifferent to the controversies on the subject. That is not the case. Our A'bkári policy and management have not so nearly reached finality, but that sober and rational criticism may be useful. But I should like to point out that the principal cause of our difficulties is not the conflict between the claims of morality and those of revenue, but between the claims of morality and those of individual liberty. Our A'bkári system is a coherent system, governed by the same constitutional principles as all other departments of Government, and whenever action has to be taken to remedy evils it must be taken on lines consistent with this fundamental principle. We cannot break away from these to take such action as was taken, for instance, by the PESHWA BALAJIRAO [in a case which I quote from the book of his diaries published by Mr. PARASNIS last year under the auspices of the Honourable Professor BHANDARKAR and the Deccan Vernacular Translation Society.] The Peshwa entirely prohibited the manufacture of liquor in a certain district, but subsequently permitted it to be resumed on the conditions that no liquor should be sold to persons of the servant-class or to Brahmins, Parbhus and Shenwis. It may be doubted whether these rough-and-ready methods were really effective in preventing drunkenness, because old writers, who saw the country before the institution of British rule and who are quoted by the Excise Committee in their report, speak of flagrant drunkenness in many places where there were facilities for distillation. But however this may be, we are debarred from adopting such methods. As regards the increase of drinking in Poona, I should like to point out that the taxation has been raised by successive enhancements to as high a figure as Rs. 4 per gallon of 25 U. P. which, with the shop fees, is raising the tax perilously near the taxation on foreign liquor. But I am not concerned to deny that there has been an increase in the consumption of liquor which, I would attribute in late years, to the great increase in wages and partly, perhaps, to increase of population. I am disposed to concur with the Honourable Member that there has been a tendency in the past to increase the number of shops beyond what was necessary, particularly in the large towns, and most particularly in the city and cantonment of Poona. I took up this question very shortly after taking charge, but was not able to deal with it before the shop auctions of March last. But I informed the Poona Temperance Association of my intentions when they made a petition to me just before the auctions, and I may mention that two shops were in fact reduced at once. I hope next year to make very substantial reductions. I may also remark, though the honourable member has not referred to the subject, that I see no objection to such association of non-official gentlemen with the Collector on the question of licensing shops as has been introduced into Bombay in the current year, at any rate in the larger towns. If Government think fit to introduce anything of the kind it will have my ready acquiescence.

I now crave Your Excellency's permission to refer to an episode which occurred last year when the Honourable Sir PHEROZESHAN MEHTA took the occasion of certain comments of mine in answer to the Honourable Mr. PAREKH to make an attack on me of a somewhat personal character, which I have had no earlier opportunity of answering. I am under the great disadvantage that the Honourable Sir PHEROZESHAN MEHTA is not here today, and for this reason I will shorten my remarks to the smallest compass necessary to justify my own position, and will give nobody an opportunity of saying that I am attacking the honourable member behind his back. It will be remembered that I stated that the land assessment was really very light and left a high margin of rental. The Honourable Sir PHEROZESHAN MEHTA talked of a great many things in his reply, but he did not say anything to meet this point, except that my statements were old fallacies which had been long exploded. Old, Sir, they may have been, for the facts have been notorious these forty years; but fallacies they are not. They have been established in the most authoritative way by the Government of India. It will be remembered that eight years ago Mr. DUTT and others made representations to the Government of India regarding the alleged over-taxation of the land in this Presidency as elsewhere, and the Government of India held an inquiry which lasted two years, and ended with the publication of the great Resolution on Land Policy in India in 1902. In that Resolution it was shown that the land tax of the Presidency did not exceed 10 per cent. of the gross produce on the average, and left net assets of 200 to 300 per cent., that is to say, for every rupee of revenue taken by Government the land will yield a rental of two or three rupees. When, I should like to know, were these facts exploded, or how can they be exploded when today half the land in the Presidency is in the hands of *savkár* landlords who are drawing these rents? There is one other point which I must touch. The Honourable Sir PHEROZESHAN MEHTA was particularly violent in repudiating a remark of mine, that the agitation against the land-revenue was a political one. But unless the honourable member understood the word "political" in a sense different from the usual one, it seems to me that he was very courageous in repudiating the political connection. The honourable member and his party desire to enjoy a larger share in the Government than they at present enjoy and this is a political object. That the ryot is being impoverished by heavy taxation and a merciless system of collection is one of the principal grounds on which they claim that the constitution ought to be modified in the direction they desire. It is one of the principal planks of their political platform and therefore I say that the agitation is unquestionably political. But there is more than this to be said. In the Deccan at least the agitation is closely connected with the political campaign of the Poona Extremists. They frequently address meetings of agriculturists, and as an illustration I may mention that about a week before the Honourable Sir PHEROZESHAN MEHTA was denouncing what he had the presumption to call my "unpardonable insinuations" on the subject, one of the most notorious of these Extremists was addressing a meeting in Sátára. He asked the ryots why they paid any land-revenue to Government. They owed nothing, he said, to Government: all their debts were due to their *monpy-lender*. He went on to say that if they did pay revenue to Government they should take care to get back 15 annas out of every rupee. This was very wholesome and disinterested advice to give to these agriculturists. I think I have now said enough, Sir, to show that the statements I made last year were in accordance

with existing facts, and I consider that the Honourable Sir PHEROZESHAH MEHTA showed a want of sobriety in denouncing them as he did.

The Honourable SHEIKH SADIK ALI said :—Your Excellency,—The Budget Estimate in its present form does not show Receipts and Expenditure under various heads for different Circles separately in an abstract form similar to that used for the whole Presidency on pages 2 and 3 of the Civil Budget Estimate for Receipts and 4 and 5 for Expenditure. It is therefore difficult to know the total amount of receipts contributed by each Circle and that assigned for expenditure. The Sind officers always complain that their Province is not so liberally treated in the distribution of assignments for irrigational and local works, salaries of establishments and other charges, owing to its position beyond the seas and the desert of Rajputana, and want of proper representation on the Council. The Commissioners of other Circles are always in touch with Government House and the Secretariat, being in close proximity, whereas Sind has no such advantages to profit by. How far these remarks may be accepted as correct, depends upon the details given in the Budget Estimate which however throws very dim light upon the above points. The details given in Appendix D merely show the numerical strength of the establishments under each department, but not the amount of their salaries and no satisfactory comparison is therefore possible. I would suggest that in future Budgets a general abstract of Revenue and Receipts for each Circle may be added separately to enhance its usefulness.

On page 146 of the Budget Estimate I find provided for: (1) Grants to village sanitation committees, Rs. 19,322; (2) Grants for special expenditure in connection with sanitation, Rs. 4,50,000.

In paragraph 17 of the Financial Statement it has been stated that the item of Rs. 4,50,000 is to be expended at the discretion of Government on sanitary improvements with special reference to the prevention of plague. It is therefore clear that only the item of Rs. 19,322 remains for grants to village sanitation committees.

The Budget Estimate for 1907-08 shows Rs. 10,425 and the revised estimate exhibits Rs. 17,000 under the same head. There are no details given for each Circle separately, but the rise from Rs. 10,425 to Rs. 17,000 in 1907-08 shows that the provision made for the present budget year of Rs. 19,322 will not be sufficient unless it is supplemented afterwards from the grant of Rs. 4,50,000. In Sind there is a great need for extending the provisions of the Sanitation Act to many villages, but want of funds interferes with the application of this most useful provision of law. Last year I had called the attention of the Council to the inconvenience caused to the staff of the village sanitary committees by withholding their pay by the Local Boards until the Government contribution was paid. I hope Government have taken the necessary action and remedied the evil.

In Appendix B, page 189 of the Budget Estimate I find no provision for village water-supply. The accounts for 1906-07 show that under this head a sum of Rs. 52,233 was expended in that year; the Budget Estimate and Revised Estimate for the past year 1907-08 exhibit provision of Rs. 60,000. I presume that in pursuance of the new policy described in paragraph 15 of the Financial Statement provision for village water-supply has been made in Appendix E, "Statement showing the revenue and expenditure of the District Local Boards" under the head "Medical." Under this head however I find no separate provision for "village water-supply" as appears in the preceding year's

Budget Estimate in which the head for "village sanitation" was separate. In Appendix E, a provision for Rs. 1,80,264 has been made for sanitation and vaccination, but I cannot say whether that provision includes a grant for village water-supply also. In Sind provision for village water-supply is most necessary, and I expect it has been made under some head which I have not been able to discover. I may take this opportunity of bringing to the notice of the Council that owing to long delays in the payment of Government grants for village water-supply people are put to great inconvenience and trouble in carrying on the work of construction of wells and tanks for drinking purposes to their completion. I suggested at the last year's meeting of the Council that pending receipt of Government contribution for Sanitary Committees, the Local Boards should pay it from their own funds and recoup them when they got the Government grant. The same procedure, I suggest, may be followed in payment of grants for village water-supply also.

In Appendix A, page 188 of the Budget Estimate under head "Contributions to Local" an item of Rs. 7,00,000 has been provided for grants-in-aid to District Local Boards under Government of India, Financial Department, No. 1854-A, dated 30th March 1905, which I have not seen and should like to see it. This item has been excluded from Appendix B, "Contributions from Provincial to Local" under which it appeared in the previous Budget Estimates. It is not clear from Appendix E, whether this amount is included in Rs. 23,01,806 under contributions shown at the end of the items of receipts, or forms part of any other item.

On page 23 of the Financial Statement I find that the item of Rs. 7,00,000 is intended for grants-in-aid to District Local Boards for "Civil Works" the nature of which is not specified. In Sind there is great necessity for constructing bridges for communication over Government canals as well as over private water-courses and for improving the condition of many public roads which have been neglected for want of funds. It would be a boon to the Province of Sind if a substantial grant is made for these purposes annually.

Your Excellency, having offered my criticism on the general form of the Budget Estimate and some items in it, I now come to its bright side and am bound to congratulate the Honourable Member in charge of the Budget Estimate, who despite the prevailing scarcity and adverse season for land-revenue, assures us that it is on the whole exceedingly satisfactory, that we should find ourselves again with a "record revenue", and have also estimated for a "record expenditure." There is no reason to despair as the weather prophets at Simla and Bombay assure us that the season will be normal but somewhat late. In the record expenditure it is most gratifying to notice that our Province is to get certain special grants, *viz.*, that it includes provision for (1) the revision of the subordinate district and village officers' establishments, the former of which received no increase in their strength and pay since the year 1853 in which they were first properly organised and fixed; (2) additional police which is most urgently required and part of which Your Excellency was graciously pleased to sanction promptly for the town of Larkána and the city of Karáchi, which temporarily suffered from the unpleasant incursions of parties of dacoits, and for this gracious act the Province of Sind owes a great obligation of gratitude to Your Excellency; (3) the improvement of secondary education; and (4) improvement of the pay of teachers in primary schools. It is in the

primary and secondary schools that the children receive their real training to form their character and develop its effects in after life. But unfortunately on considerations of economy very little attention is paid to the class, character and standard of education of the teachers employed in these schools, and the neglect of this precaution causes great mischief. The increase in the pay of teachers, specially in the primary schools in which a large number of untrained teachers is appointed on a very low pay not exceeding Rs. 10 in Sind, will enable the Educational Department to secure better qualified men for these appointments. Government have provided only Rs. 50,000 for the improvement of the pay of the teachers in primary schools for the whole Presidency, but that grant appears to be inadequate, as it has been remarked that a substantial share of the cost should be borne by the Local Boards. The Local Boards in Sind are already in straitened circumstances financially, and unless they are largely supplemented by Government from Provincial Revenues, they are not capable of meeting even their ordinary requirements as already remarked above. It is hoped Government will not depend upon them for any support and make a liberal provision from their own savings of the Provincial Revenues, as it is the duty of Government to provide funds for primary education in the first instance. (5) Provincialization of the Sind Village Officers' Cess Fund. This cess was in fact part of the assessed land-revenue, $\frac{1}{8}$ part of which was deducted and set apart in the accounts for payment of salaries and other expenses of the village establishments in Sind. Through misunderstanding the cess was assumed to be an additional impost like the local cess and a great noise was made over it in the papers. Its omission in the accounts removes an unnecessary misunderstanding without causing any loss of revenue to Government, but the revision of the village establishments had increased the expenditure very much beyond the village cess fund and the excess is now to be borne from the Provincial Revenues for which Sind has to be highly thankful to Government.

The Honourable Mr. CHIMANLAL HARILAL SETALVAD said:—Your Excellency,—I may be permitted to thankfully recognise the liberal spirit with which Your Excellency's Government have decided, as just announced, to increase the elective element in the mofussil municipalities. Honourable Members must also have heard with equal satisfaction that the Reform proposals now under consideration by the Secretary of State would be soon ripened and would be so designed as to give the people a larger share in the administration. This is neither the place nor the time to discuss the Reform proposals. I and those who think with me have in other places given expression to their views about them and we earnestly hope that the reforms as ultimately shaped would be of a substantial character and would mark a distinct step in advance towards giving the people a steadily increased share in the administration. My honourable friend Dr. BHANDARKAR has already referred to the new and welcome feature of the Financial Statement. Honourable Members, specially the non-official members, are henceforth not to proceed on the usual assumption that the items, at least on the expenditure side, are unalterable, and it is stated that Government are ready and anxious to receive suggestions and criticism and act upon them if they approve of them. This naturally takes my memory back to what things were in 1893 when I first entered this Council. Time was when non-official members were described as a body of irresponsible and untrained advisers imperfectly acquainted with matters on which they advised. And yet the then finance member who used that description was a person of high culture and large

sympathies not likely to unnecessarily offend any one. But what he said really reflected the impatient attitude of the official mind towards non-official criticism in the newly expanded Council. Things have very much changed since then and it is hoped that in the immediate future this Council will get a potent and effective voice in the financial administration of the Presidency.

Turning first to the head of education in which I am specially interested, the reflection comes upon one how poor is our expenditure on education. The total revenue of the Presidency is put down at Rs. 14,95,62,000, roughly fifteen crores. I have advisedly taken the total revenue and not merely the provincial share of it, for in considering what proportion of the revenue is spent on education, the whole revenue taken from the tax-payer must be taken into account. The budgeted expenditure on education is 43,82,000, roughly forty-four lakhs which gives a percentage of a little less than three per cent. of the revenue. How poor this percentage is compared with the percentage spent on education in England and other civilised countries. The budgeted expenditure on Police is more than double that on education. I beg to urge upon Your Excellency's Government the immediate need of very largely increasing the expenditure on education. For I feel convinced that many problems in Indian administration can only be solved by the somewhat slow but sure method of widespread education.

Coming to the provision regarding the University and Government colleges, I find that it is proposed to strengthen the staff of the Elphinstone, the Deccan, the Medical and Engineering colleges. (The answer to one of my questions tabled today and which I have not yet studied, also gives particulars of the manner in which some further improvements are in contemplation in these colleges.) But the direct grant to the University remains practically the same as last year and sufficient to meet the travelling expenses of Fellows and charges of that character and no attempt is made to provide funds for making the University a teaching university. I am not referring to this by way of complaint, but with a view to point out that, what we said about all the tall talk that was indulged in at the time of the University legislation has come to be true. I am not sure whether Your Excellency is aware that a great deal was said about shifting the centre of gravity of the University from examination to teaching, and it was said that because the University was to be turned into a teaching university instead of being merely an examination body, it was absolutely necessary that its control should vest in expert hands. We then pointed out how futile it was to talk of a teaching university circumstanced as we were. With the affiliated colleges scattered over the Presidency, it was not possible to bring together all the students for teaching within the University, and the only way to improve university education was to reform the colleges by providing proper professors and adequate equipment. It is satisfactory to find that that is the policy that is now followed as the only practicable one to be adopted. It was said at the time of that university legislation and it has been also recently said that our present university education is superficial, that it encourages cramming, that it merely makes the student store up certain information in his brain to be exhibited at a particular time in the examination hall and that it fails to build up the character of the young men passing through our University. Now while I quite admit that there is a certain amount of truth in all this and our system of education is capable of improvement in various directions, I venture to say that our university system instead of being the dismal failure it is represented to be in certain quarters has achieved considerable success. It has been

often acknowledged by Government, and I have heard it said by successive Chancellors and Vice-Chancellors that the large number of university graduates that are employed in the Judicial and Revenue services as well as those in the Medical and Engineering Departments have shown great ability combined with high integrity of character and have considerably raised the tone of those services. It has also been acknowledged that the university graduates who are practising the profession of law have, both in Bombay and the mofussil, as a class maintained a high standard of honour and respectability. And I can say from my personal experience of a large number of university men that as a rule they have as high a character as that of the university men of other countries. But while, as I have said, I recognize the correctness in a certain measure of the faults found in our present university system, I may be permitted to inquire who has been responsible for perpetuating those faults. Certainly, not the Indian gentlemen who were in a position to wield a certain amount of influence in the councils of the University. I do not know whether Your Excellency is aware of the efforts that the late Mr. Justice Ranade, himself a great scholar and thinker and of whom the University was justly proud, made to reform the university examination system and the fate that those efforts met with. He suggested that, if a student attained high proficiency in a particular subject or group of subjects at an examination by scoring 60 *per cent.* or some such high percentage of marks but failed in the examination as a whole by reason of his failing to obtain a sufficient number of marks in some other subject or subjects, he should be exempted from further examination next year in the subject or group of subjects in which he had shown high efficiency, thus leaving him to devote all his time to make a deep study of the subject or subjects in which he had failed, instead of compelling him as at present to fritter away his energies in getting up a number of subjects at the same time. His proposals were accepted in the Senate by overwhelming majorities, but Government acting presumably on the advice of some educationists, who were opposed to them, refused to sanction them. When implicit reliance is placed on the opinion of these educationists and the analogy of English Universities is invoked to justify giving them a determining voice in the management of University affairs, it is forgotten that the professors in the English Universities belong to the same nationality as that of the students, while the European professors at our colleges, however sympathetic, cannot in the very nature of things have that intimate knowledge of the capacity, the defects, the requirements and the necessities of the Indian students that Indian members of the Senate can have.

With regard to the Elphinstone College, I see from the answer tabled today that no decision has as yet been arrived at as regards its location. But it is determined that the teaching of higher science should be given at the Engineering College, and the Elphinstone and Deccan Colleges should cease to teach higher science as they are not properly equipped for the purpose. But whatever is done about the location of the Elphinstone College, I say that something must be done about the residential quarters of the students of that College. I would request your Excellency to visit the present hostel and see whether it is a desirable place for the students of the premier college in the Presidency. It is hemmed in on all sides by tall buildings and is, in many respects, unsuited for hostel life. I trust something will be done to provide better residential quarters for the students of this college.

With regard to the Medical College, it is satisfactory that the hostel for the students is now under construction and will be ready for occupation some time next year. With

reference to the college, I again beg to draw attention to the system at present followed about appointing professors. The professorships at this college are treated as the monopoly of the Indian Medical Service with the result that indigenous talent is altogether excluded from the chairs at this college. The Colleges Inspection Committee of the Syndicate said, in this connection, that it was "rather odd that in 50 years of its existence the Medical College has not produced any Indian Graduate fit to hold professorship. Of Arts Colleges, at least the same could not be said."

Coming to the aided colleges, I venture to repeat what I have said so often in this Council about the Gujarát College and the Sind College. The Gujarát College has now been many years in anything but an efficient state. The resources at the disposal of the Board that controls it are limited and it is not possible to pay adequate salaries to get proper professors. Moreover, with no prospects of promotion and pension, it is not possible to attract good men. The college has been singularly unfortunate with regard to its Principal. Principal after Principal is brought and somehow or other he is found unsuitable and he goes. The Board, moreover, consists of the Collector, the District Judge and the Educational Inspector as ex-officio members, and certain other members selected by the subscribers and various other bodies. Last year I got from my honourable friend Mr. SELBY, in answer to a question, a list of the present members. And one finds that, barring the Inspector, there is not one among them with any special educational qualifications for managing such an institution. Your Excellency will be surprised to learn that during the whole period of its existence, now 25 years, not a single student from the college has obtained a First Class at the B.A. examination. I submit that the only course is for Government to take over the college and make it thoroughly efficient and maintain it as a Government college. Government are maintaining a very efficient college, the Deccan, in Poona, although you have another efficient college the Fergusson. I must not be understood as grudging the people of Deccan two efficient colleges. But I say that Gujarát also can justly claim that Government should maintain a first class college in its midst. The remarks that I have made about the Gujarát College apply in a great measure to the Sind College and I urge that Government should maintain a first class college also in Sind.

Coming next to Primary Education, I do not propose to enter into a discussion about the desirability of free or free and compulsory Primary Education, as I understand that the Government have already submitted their views to the Government of India, who are now considering the subject. I will only observe that in the adjoining State of Baroda His Highness the Gaekwar has introduced free and compulsory education in the whole of his territory and I understand it has so far been successful. But whether you make education free or free and compulsory, or not, I think you must immediately take measures to largely extend it. At present a large majority of the villages in the Presidency are without a school and that, I venture to think, should not be. Primary Education should be placed within reach of every child of school-going age. I am glad to find that provision is made in the budget for increasing the salaries of primary school teachers. I remember the days when they were paid Rs. 3, 4 and 5 per mensem, and I was pleading in the early nineties for doing away with those starvation salaries. They were then raised to Rs. 7 and I am glad that a further advance is now to be made.

With regard to the Primary school buildings in Bombay I am sorry some delay has occurred in maturing and submitting the proposals. But the matter was not free from

difficulties, and various enquiries had to be made and materials collected before submitting a scheme to Government. The Honourable Mr. DUNN will bear me out that we have not been idle over it, but have done all we could to expedite it. It is very difficult at the present juncture to secure at reasonable prices land for building school-buildings in suitable localities and my honourable friend Mr. DUNN is doing his best to assist us in getting suitable plots falling within the various City Improvement Trust schemes.

Coming next to the head of Law and Justice, I beg leave to refer once more to the present system of filling the judicial appointments in the districts, I mean the posts of Judges, Joint Judges and Assistant Judges. At present, these appointments are virtually the monopoly of the Covenanted Civilians. And the system followed is this. A Civilian works for some years as Assistant Collector and then he is suddenly made an Assistant Judge and then Joint Judge and District Judge, and is then called upon to sit in appeal over the decisions of experienced Subordinate Judges. Now, it is well known that for a proper discharge of the duties of these posts you not only require an intimate knowledge of the complicated systems of Hindu and Mahomedan laws, but also a thorough acquaintance with the principles of English law and equity and the mass of case law that has grown up. And how is the Civilian Judge equipped by his training for the task? Besides, it must be remembered that the subordinate judiciary is composed of people who are trained and experienced lawyers, and in the districts there has now grown up an able and efficient bar. The result is that the Civilian Judge, ill-equipped as he is, suffers in comparison. When I say this I do not forget that this service has produced some eminent Judges of the High Court. But these were exceptional cases of people who became such eminent Judges in spite of the system and not because of the system. In very few civilised countries any but trained lawyers are allowed to occupy the bench. And there is no lack now of trained lawyers in this country, whatever might have been the justification for the present system in the early days. I submit that this is not a question of employing more Indians instead of Europeans. It is a question of judicial efficiency. And I venture to think that judicial efficiency requires that these appointments or at least a good proportion of them should be filled from among the bar and by promotion from the subordinate judiciary. But if judicial efficiency must yield to vested interests, do something to give the Civilian Judges legal training before making them Judges and thus minimise the present evil. I had repeatedly pressed this matter on the attention of my honourable friend Mr. FULTON and he had said that the matter was being considered and means would be devised to give the necessary legal training to these officers. Since then I have on several occasions inquired what measures have been taken, but I have not yet heard what has been done.

While on this head I beg to draw attention to the present system regarding the disposal of important judicial work by His Excellency the Governor in Council. I mean the Civil as well as Criminal appeals from the decisions of the various Agency Courts. I am referring not to disputes between State and State and Chief and Chief, which disputes partake of a political character, but to litigation purely between subject and subject. In the numerous petty States the Chief has jurisdiction in Civil cases up to a certain amount and in Criminal matters as regards certain offences. Everything beyond this and what is styled residuary jurisdiction is dealt with by the Agency Courts, and in Káthiáwár you have a judicial assistant for the purpose. Appeals from the decision of these Agency Courts go to the Governor in Council. Now the system followed is this.

Neither the parties nor their counsel are heard but the Governor in Council decides on written arguments submitted to him. The appellant puts his appeal and arguments in support thereof in writing and so does the respondent what is called his rejoinder. Now every one with any acquaintance with Law Courts knows how often it happens that the Judge starts with a certain view of the case but when his doubts are cleared by discussion he comes round to the view which at the start he was not prepared to accept. And it is patent how utterly hopeless, therefore, it is for any counsel to anticipate any doubts or arguments that might suggest themselves to His Excellency in Council and answer them by anticipation in his written appeal or rejoinder. It is patent, I submit, that this is not a satisfactory way of disposing of this business. The evil is accentuated when, as it sometimes happens, neither of the two members of Council, as is the case at present, has had any judicial training. The only satisfactory way is that these appeals should be decided after hearing counsel for both sides in open Court in the usual way. If I remember rightly the late Sir MAXWELL MELVILLE had inaugurated the system of hearing parties, but for some reason or other the same was discontinued. I quite recognize that the Judicial Member is very busy and possibly has no time to sit as a Court to hear parties. But that is no reason for following the present system. If the Judicial Member cannot spare time to hear parties the best way would be to appoint a properly qualified Judicial Officer as Judicial Commissioner to hear these appeals and then report to Government who can then dispose of the appeal in accordance with such report, just as the Privy Council hear appeals and make their report to His Majesty who in law dispose of the appeal on such report.

Before I sit down I feel bound to refer to what has fallen from my honourable friend Mr. LOGAN about the passage at arms last year between him and my honourable friend Sir PHEROZESHAN, who, I am sorry, has not been able to be present today. My honourable friend first complained that he had to hold his soul in patience for one year before he could get the opportunity to reply to what he considered the unjustifiable attack made on him by Sir PHEROZESHAN. Now I fully sympathise with the honourable Mr. LOGAN on this, but I am glad that he has experienced this inconvenience, for he will now appreciate the position in which honourable non-official members find themselves placed year after year. As a rule, all the official members speak after all the non-official members have spoken and the latter have to bottle themselves up for one year before they can reply to the statements made or arguments used by the official members. We have patiently borne the inconvenience of this arrangement, and my honourable friend Mr. LOGAN need not be impatient at getting the taste of it in one year. Mr. LOGAN has stated that when he spoke of orators and political agitation and their connection with the contumacy on the part of the ryots to pay the assessments he had in mind some mischievous agitation in the Deccan and that he did not insinuate anything against any honourable member of this Council and the attack therefore made on him by Sir PHEROZESHAN was unmerited and unjustifiable. Now, whatever the intentions of my honourable friend Mr. LOGAN might have been, I am afraid he has forgotten the language that he actually used last year. Now I will remind my honourable friend of what he said, from the authorized printed report of his speech that I have here. He said: "I was twice in the district of Broach which has always been the particular field of the honourable member's activity. I was there before the political propaganda disguised as a championship of the interests of the ryots began in that part of the Presidency and also after it. My experience is that formerly land-

revenue was paid by the ryots with marvellous punctuality. . . . and now we find both there and everywhere else that on the least appearance of scarcity the Government is expected to suspend the revenue—and the honourable member says it should, as a rule, be remitted.” The honourable member referred to in this passage is, it will not be denied, my honourable friend Mr. PAREKH and when we remember the agitation that he had started about the methods of revenue collection in the district of Broach, the language used can only bear the construction that it was suggested that the contumacy of the ryot was traceable to the agitation of my honourable friend Mr. PAREKH. Moreover it is plain that Mr. LOGAN was then speaking of political propaganda in the Broach district, and Gujarát, and not in the Deccan as he says today. Besides, the temptation in the way of my honourable friend to sneer at political propaganda was so great that he forgot that it was not historically correct to attribute the readiness on the part of the Gujarát ryots to pay the assessment before 1896 to the absence of political propaganda. The real reason was that for nearly a century before 1896 Gujarát had never known any famine or any scarcity on any scale and there was therefore no occasion to refuse to pay the revenue. Then, my friend Mr. LOGAN further said, as follows :—“The interests of the ryots are not independently represented here by any person except myself, the honourable Mr. DEEW and perhaps the honourable Mr. BARROW. The landlord’s interest is practically the sole interest which is represented by the *Indian Members*. It is because these landlords’ interests are so well represented in this Council that we hear so much about these matters.” Can language be plainer than this? Did not Mr. LOGAN here refer to non-official Indian members and question their honesty of purpose by saying that they supported landlord interest and sacrificed those of the ryots, whose only friends he said were himself and Mr. DEEW and perhaps Mr. BARROW? It was these unworthy and utterly unjustifiable charges and insinuations against non-official members that my honourable friend Sir PHEROZESHAH promptly repelled and took exception to, and not Mr. LOGAN’s denunciation, if any, of the mischievous Deccan agitator. And I venture to think that what Mr. LOGAN calls Sir PHEROZESHAH’s attack on him and of which he complains, was perfectly justified and well deserved and that Sir PHEROZESHAH had not, in saying what he had said, lost his sobriety as suggested.

The Honourable Mr. GOKULDAS K. PAREKH said :—Your Excellency,—Before offering my observations on this year’s Financial Statement I note with pleasure the improvement that the manner of its preparation is undergoing at the hand of the Honourable Member who is in charge of it. The Financial Statement is no longer an uninviting pile of dry and tiresome figures, but is full of short but clear information on some of the most important financial topics, which makes it a very readable and interesting document. The intimation on the part of Government that they would be ready and anxious to receive suggestions and criticisms particularly relating to the provisions on the expenditure side of the budget, will be received with much satisfaction both by this Council and the outside public. The observations and the comments on the Financial Statement till now used to be made upon the understanding that the budget figures are unalterable and the discussion is of an academical kind and not of any practical value. Several members will feel much greater interest in their work when they find that their criticisms may lead to good results, and it may be practicable to give effect to their suggestions even during the year to which the budget relates.

The failure of both the kharif and rabi crops over large areas, owing to the late commencement and the early stoppage of the rains last monsoon and the low inundation of the Indus, naturally led Government and the people to apprehend that the year would prove one of great distress, and the inhabitants of this Presidency appreciate the anxious and timely preparations made by Government to meet distress as soon as it appeared in such form as to require relief from the State. But in consequence of the contraction of the population of the labouring classes during the visitations of the famine and plague and the large demand for labour in the big cities of the Presidency that has arisen from the expansion of Mill industry and other causes, the labouring population was not generally found to suffer during this year from lack of employment. This averted the necessity of opening, except one or two places, famine works of any importance.

I now refer to the observations which were made today, by my honourable friend, Mr. LOGAN. Looking to his speech as it appears in the official report, I submit that it appears very clearly that, when he was referring to the people who were responsible for inculcating contumacy and to those who represented the interests of the richer classes and not the interests of the ryots, he was alluding to his colleagues on this Council. The non-official members try to collect facts before they appear before this Council, and I do not dispute the right of the official members to question the correctness of the facts that they bring, but I do submit that no member would be justified in saying that it is their object to inculcate lessons of dishonesty and contumacy and that they were representing the interests of a particular class and not the general interests.

Now in connection with what he said today with regard to the land assessment in this Presidency, namely, that it was not heavy but was rather light, being only 10 *per cent.*, what I submit is that it is certainly no consolation to tell people who are forced to pay a very heavy assessment, that, "if you take the whole Presidency, the average payment is only 10 *per cent.* There are other places where the assessment is less than 10 *per cent.* and, therefore, you cannot complain that your assessment is heavy." What I would point out is that there are six districts in the Northern Division and with the exception of the Panch Maháls, every district is very heavily assessed. With reference to Broach, it has been said by Government officials, by the Commissioners of the Division and by other officers, that there is no district so heavily assessed and one said that, so far as he was aware, there was no other district in India so heavily assessed. It has to pay 21 *per cent.* on the amount of the value of the outturn. Then in the other districts, in Ahmedábad, Surat and Kaira—the assessment is between 16 and 17 *per cent.* Looking at these figures, I submit that it cannot be said that these are districts which are lightly assessed. Your Excellency will find a very easy proof of the effect of the assessments in these districts. If Your Excellency look at the estates which are managed by Government officers, for instance, by the Tálukdári Settlement Officer, and the estates managed under the orders of the Collectors, you will find how little is left to the land-lord.

So far as the complaint of contumacy is concerned, one fact is very clear, and that is that from year to year the difficulty of recovering the Government demands is increasing and coercive processes are being resorted to more and more. I am prepared to give an instance of a small village in which a large number of notices of forfeiture were issued against the villagers. In this village—the village of which I am now speaking is the village of Magod in the Bulsár táluká in the Surat district—In this village—

His Excellency the PRESIDENT :—May I ask the name of the village?

The Honourable Mr. PAREKH :—Magod, M-a-g-o-d. In this village the crops had failed to such an extent that the Revenue authorities felt themselves justified in directing that only half of the year's assessment should be collected and the collection of the other half should be suspended. The villagers did not feel quite satisfied with the order, as they believed that the failure of their crops was such as to justify the collection of the whole instead of half of the Government demand being suspended; but as they found that the officers of Government would yield no further, they any how procured the money that was needed to pay off the moiety of the village assessment that was not suspended and paid it off. After this the villagers were called upon to pay the arrears of 1904-5, 1905-6 and 1906-7 and because they were unable to pay this, a large number of the villagers were given notices for the forfeiture of their lands. The villagers approached the Assistant Collector, the Collector of Surat and the Commissioner, N. D., but without success. Orders forfeiting the lands have been passed and proclamations to sell away the occupancy rights by auction sale have been issued. There are about 400 acres of arable lands in the village and I have been informed that about 125 acres of lanā have been ordered to be forfeited and sold in this manner. I submit that the use of coercive processes for the arrears of previous years is altogether unjustified after it is decided that the occupants would not be able to pay more than half of the assessment of the current year, and therefore the collection of the moiety of the Government demand should be suspended. It is opposed to the principles upon which the rules for giving suspensions and remissions of revenue are framed to enforce the demands of Government of previous years under such circumstances. I submit that in order that the doubts about the intentions of Government may be removed, they should issue distinct orders that when the failure of the crops require whole or partial suspension of the collection of the Government demand for the current year, no attempt should be made to recover the arrears of previous years. Government may consider or refuse to consider the hardship of individual cases; but where there is an important question of principle involved, I should submit that they ought to consider all the arguments and decide about it finally and not leave different officers to deal with it differently according to their individual whims. I have also been informed that very harsh measures were adopted in collecting the revenue of some of the villages in the Kaira district.

The rules which have been issued by Government in matters of suspensions are on the whole fairly good, but we find that in numerous cases they have been hardly observed, and I think that we, as members representing the people, are bound to bring these facts before the notice of Government. Government may accept our facts or they may not. If there are allegations made to the contrary, all I can say is that the people are entitled to have an inquiry into these matters. If our facts are not accepted, we are prepared to adduce evidence to prove them. There is no dispute about the fact that the difficulties in recovering the Government dues are increasing every year. The difference is on the point whether the differences are to be attributed to contumacy or to the inability of the people to meet the demands of Government. I submit that this is a matter which ought to be inquired into.

I have next to draw Your Excellency's attention to the demand of the inhabitants of certain villages of the Nandurbār talukā in Western Khandesh for conferring on them

transferable tenure. In this *táluká* there is a large amount of aboriginal population and there is also a large population of the non-aboriginal classes. The non-aboriginal population came in at a time when the Nandurbár *táluká* was very sparsely populated and when there was a dense jungle and the climate was much unhealthier than at present. These people have spent much labour and money in making their lands fit for cultivation and in sinking wells. Most of the improvement work of the land in this *táluká* has been done by them. They did this upon the understanding that they would acquire rights of ownership over these lands. The survey settlement was applied to some of the villages of the Nandurbár *táluká* before the amendment of the Land-Revenue Code in 1901. The settlement proposals of the remaining villages of the *táluká* were before Government some time before the Amending Act of 1901 was passed, and with a view to protect the interest of the aboriginal classes, Government decided not to give to the people in these villages a transferable tenure, but to give them only a restricted tenure under the new Act.

On behalf of the non-aboriginal inhabitants of some of the villages of the *táluká*, questions were asked, and the members of Government gave assurances that they were quite willing to confer transferable rights to such of the holders as were found capable of protecting their interests. After this, Government conferred transferable interests on the Bráhmín and Vánia occupants. As regards the applicants of the other castes the Mámálat-dár of Nandurbár required them to appear before him. He questioned them and he was satisfied in connection with most of the applicants that they were men with capacity for business, were not improvident and were competent to protect their interests in a proper manner, and he assured the applicants whom he considered proper for having transferable interest being conferred on them that he would report in their favour. Then there was a further inquiry made by the Assistant Collector who was in charge of the *táluká*, before whom a large number of the applicants appeared, and he too after independent personal inquiry gave the applicants to understand that he would recommend transferable interest being conferred on them. Then the matter appears to have gone to the Collector and the Commissioner, but none of these officers appears to have made any personal inquiry of the landholders. Finally, the matter seems to have come before Government and Government issued a notification in the *Government Gazette* stating that they had conferred transferable interest to 16 out of 95 applicants who were mentioned therein. The persons whose applications have been refused have not been informed of the grounds of such refusal. Among the persons whose right to transfer has been recognised there are some who are unable to read and write. In Western Khándesh there was formerly much less education than in the other parts of the Presidency, but notwithstanding want of education, in many of those landholders the business faculty has become much developed, their habits are very thrifty, they are industrious, are not given up to use of intoxicants and are fully able to take care of their property. Most of these people though themselves uneducated have given a fair business-like education to the younger members of their families. In cases of such persons, I submit that inability to read and write would not be a proper ground for depriving them of the right of transferring their property. Then again among those whose applications have been refused, and whose right to transfer is not recognised, there are several who stand higher in wealth, education, social status, financial credit, business habits and thrift than persons whose right to transfer has been recognised. The people are at a loss to understand what were the principles adopted by Government

for determining who should be given transferable right and who not. They feel that the matter was arbitrarily disposed of without reference to any principles. They feel that facts were not fully placed before Government when they arrived at their decision in this matter. In the case of one applicant Vithal Khushal he held lands in Kotli and Natavad; by the Government Resolution he was recognized to have transferable rights in his Kotli lands and not in his Natavad lands. Similarly one Madan Ram had lands in 3 villages, namely Kotli, Umarā and Natavad. Under the decision of Government his right of transfer was recognised in Kotli and Umarā and not in Natavad. These discrepancies in the orders of Government were subsequently brought to the notice of the Collector and have been set right, but the fact remains that the decision was not arrived at with a full knowledge of facts. I submit that among persons of the same caste it would be found very difficult to differentiate between the different individuals as to who should be given rights of transfer and who not, and such an inquiry under the present conditions must open the door for much corruption and jobbery. I submit that Government instead of entering into inquiries of individual cases should confer the right of transfer on all holders of lands who do not belong to the aboriginal classes, or if they are not inclined to go so far, they will be pleased to lay down certain broad principles capable of easy proof for determining who should be given the right of transfer and should then cause a general inquiry to be made on the basis of these principles. The landholders of the non-aboriginal classes regard the right of transferring their lands as one of great value and I trust Government will restore them such right, except in cases where they are satisfied that they belong to castes the members of which are known generally to be thriftless and improvident and unable to protect their interests.

I shall now beg to refer to the question of leases and rents on lands used for building purposes at Bandora and other places in the island of Salsette. One of the conditions for maintaining a high standard of health in the City of Bombay is to prevent overcrowding by offering to the people inducements for staying out of the city. The rents proposed by Government are very high and they keep back a large number of persons from purchasing or renting property outside the island of Bombay and they wish that Government should fix for these lands rents on much less higher pitch than they have hitherto been doing.) But irrespective of this there is another ground of complaint. A large number of landholders claim that they are protected against any enhancement of their rent by Regulation 1 of 1808 and the fact that the appropriation of the lands for building purposes had taken place not only before the Act of 1879 but even before the Act of 1865. A suit against Government has been filed by one Kuvarbai for testing the legality of the claim to enhance rent under such circumstances. There are numerous holdings to which the question of law which would arise in Kuvarbai's case would apply, and most of the holders are willing to abide by the final result of Kuvarbai's case, and have offered to do so. But it appears that notwithstanding these offers, the officers of Government are using the large powers with which they are provided for enforcing their rights. This would cause unnecessary harassment to the people and would result in a large number of suits being instituted against them.

I submit that when there is a *bona fide* dispute about any question of right and the matter is awaiting decision at the hands of a Civil Court, Government ought to suspend further action, particularly against persons who are prepared to agree to bind themselves to abide by the decision of the Civil Court in the main case. I respectfully

submit that it is neither fair nor dignified that a powerful Government should use the powers inherent to their high position in enforcing rights which may ultimately be found not to exist at all.

✓ The next matter on which I wish to offer a few remarks relates to the Tálukdárs of Gujarát. There is a general complaint of the Tálukdárs particularly of those of the Ahmedabad district that the pitch of assessment which forms the basis upon which their Jama is calculated is very high. } A few illustrations will show that the Tálukdárs' complaints are deserving of consideration. Thus in the Dholka táluká though the Tálukdári villages are no way better situated than Khalsa villages, the maximum rate in Khalsa villages of the First Class is Rs. 2-8-0 per acre while the corresponding rate for Tálukdári villages is Rs. 3 per acre. Again taking a group of three villages, namely, Gangad, Begva and Koth, Your Excellency will note that while in the Khalsa villages of Kariani Khareta, Simaj, Valthera and Dhanvada which form the eastern boundary of the group the maximum rates are Rs. 2 and Rs. 2-4-0, in the Khalsa villages of Ramsar and Bhayali which form its northern boundary the maximum rate is Rs. 2-4-0, the maximum rate of the Khalsa villages of Memar and Kesarandi which form the western boundary of the group is Rs. 1-12-0 and the maximum rate of the Khalsa villages of Vejalka and Dholi which are on the southern boundary of the group is Rs. 1-12-0 and 2, the maximum rate of the 3 villages in the group itself is Rs. 3. Again while the maximum rate in the Khalsa villages of Dholi and Raipur which form the eastern boundary of Bhumli is Rs. 2 and that of the Vejalka and Jhankda which form its western and southern boundary is Rs. 1-12-0, that of the Tálukdári village Bhumli itself is Rs. 2-8-0; again the maximum rate of the Tálukdári village of Vataman is Rs. 2-8-0 while it is Rs. 2 in the Khalsa village of Ráipur and Rs. 1-12-0 in the Khalsa village Jhankda that are on its boundary; without troubling Your Excellency with any more instances I may say that it will be found almost everywhere in the Dholka táluká, that where Tálukdári and Khalsa villages adjoin, the maximum rate of the Tálukdári villages is much higher than that of the Khalsa, and this is not confined to the Dholka táluká, but the same thing is found in the other tálukás in which there are large estates belonging to Rajput Tálukdárs.

There is another matter in connection with the administration of estates by the Tálukdári Settlement Officer, about which I propose to address a few remarks. I had an opportunity of looking into the accounts of a few estates administered by that officer and I was unable to find that they were administered in the best interests of the Tálukdárs. This is not at all surprising. The Tálukdári Settlement Officer has to administer a large number of estates big and small over a considerable area. He has to place their direct management in the hands of low paid subordinates and he is unable to exercise very strict supervision over them. There is a general complaint that these subordinates underlet lands to tenants and are for the most part lax in recovering rents. In connection with several of such holdings the uncollected arrears were equal to the rents for several years. In one case the tenant was able to keep a certain land at a rent of Rs. 175 for a number of years. The relations of the Tálukdár came in and got the old tenant ejected and the same land is now able to yield a rent of over Rs. 1,000. All the Tálukdárs are not able to get such friends to help them. This is I think one of the main reasons, why in several estates no material financial improvement is found, even after they have remained in the management of the Tálukdári Settlement Officer for

considerably long periods. The Tálukdárs have been much pleased to learn from the Administration Report of the last year that a minute inquiry has been made into the circumstances of each estate under the Encumbered Estates Act, and that proposals for the liquidation of the debt within a reasonable time of each estate are under consideration. They are also much gratified to learn that large remissions have been given to the Makhiav estate and inquiries are conducted about 21 other estates similarly situated and they await with anxiety the result of these inquiries. I submit that the schemes for the liquidation of the Tálukdári debts should be so framed that the Tálukdárs should be able to get them back free from all debts after twenty years' management. This was the longest period of management under the Act of 1862.

I next proceed to offer a few remarks on the experiment that Government are making in the financing of cultivators who grow rich and assured crops which cost them much money in the commencement. It is a good thing that arrangements are made to enable cultivators to rear up rich and assured but at the same time expensive crops with considerable advantage to themselves, but it would be much better if Government instead of assuming the role of the broker and money-lender would make some arrangements under which respectable capitalists may take up such work at moderate rates of interest and brokerage. It is not that the private capitalists would not advance money to cultivators on terms easier than those of Government, but Government debts are more secure and they have greater facilities of recovering them than private capitalists. The recovery of debts become very uncertain when the creditor has to go to Civil Courts and particularly when the debtor has the protection of the Dekkhan Agriculturists' Relief Act behind him. If Government can in case of advances made for financing cultivators for raising particular crops in particular areas and for like beneficial purposes help the capitalists in recovering their dues without resort to courts, I am sure the agriculturists will be able to get financial help at even less cost than from Government. I would also wish for a substitution of private agency for that of Government, inasmuch as we practically observe that where Government take up the work of lending money there is generally some leakage before the money reaches the hands of the borrower. Then again if the State takes up the financing of agriculturists under these conditions, the machinery that they would have to employ would be more complicated and proportionately more expensive than of any private agency which would run such a business. Then again to provide for such financing for the whole of the Presidency would involve the employment of much money, and I do not think that Government would always find it convenient to do so. To me it appears that the hard conditions with which an agriculturist is beset in obtaining financial help from private capitalists is the result of the recent trend of legislature and executive measures which regard an agriculturist's credit as a dangerous asset and have attempted to impair it as much as possible. If Government can provide reasonable facilities for the recovery of loans required for carrying on expensive agricultural operations, they would find no lack of capitalists who individually or by forming Joint Stock Companies will be ready and willing to lend on conditions which would be of economic advantage to the borrower.

I will now say a word in connection with the pay, prospects and pension arrangements of the stipendiary village accountants. Their pay was fixed in 1864-65; very little of educational and other equipment was then needed and their work was then much lighter than what it now is. The salaries of Talatis range from Rs. 10 to Rs. 20 and

on retirement after 30 years' service they get a pension of Rs. 4 only. For the purpose of pension they are treated as inferior servants like peons. I submit something ought to be done to improve the lot of such a useful body of public servants.

I now beg to offer a few remarks in connection with the administration of forests. In almost all districts and from almost all the local sabhas there is a serious complaint that the area left to people for grazing their cattle is exceedingly inadequate. The livestock is the principal wealth of the agriculturist and almost everywhere it is found that their number is diminishing. This is mainly owing to the fact that the grazing area is insufficient, the cattle cannot therefore be well maintained and in consequence of the limitation of grazing area they also become more exposed to epidemics. I think Government should give as much help as possible in maintaining the agriculturists' cattle in good condition, and some arrangement should be made under which all villages get as much grazing area as is required for the needs of their cattle.

Then I wish to offer a few remarks on the question of education. In the matter of primary education I understand our position is this. The Government of India have been making a special grant for the promotion of primary education and are quite willing to increase this grant if we fully utilize the present grant and satisfy them that we have need for more money and we would be able to apply it immediately towards the spread of primary education. There is no denying that we have great needs in this direction; we want a large number of new schools, we are not able to give some of our teachers adequate salaries and there are many schools for which suitable school houses and educational equipments have to be provided. Looking to the Educational Reports it does not appear that we have been very quick in making the best of our opportunities. The department should always have in readiness schemes, approved of by Government when necessary, for utilising the whole of the special grant. These were first of Rs. 6,00,000 and commenced in 1902-3. But till 1905-6, the greater portion of them was applied to purposes which did not directly lead to the spread of primary education. I have nothing to say against the objects to which they were applied, but the greater portion of the grants spent should have been applied in opening new schools, improving the condition of teachers, etc. The question of opening new schools was put off on the ground that they would require an extra number of new teachers and the department had not the means of preparing them. But the department has always employed a large number of untrained teachers. One fails to understand why the department would not allow the new schools to be put under untrained masters so long as trained ones were not available.

In the matter of the education of girls it is a matter of regret that the advance is exceedingly slow. Only five per cent. of the girls receive education sufficient to be able to read and write. I think strenuous efforts should be made to secure a better progress, and to create a larger interest in the people in giving education to their girls. I suggest that the Revenue and Educational Departments should co-operate in forming local committees in towns and villages, whose business should be to approach such people as are indifferent to the education of their girls and give them advice and encouragement from time to time. In the earlier times officers of all departments used to show much interest in education. But the present-day officers generally remain confined to the work of their own department. It will lead to creating the interest of the people in the edu-

cation of their girls if the higher officers of the various departments shewed that they appreciate the growth of the people's interest in this direction.

From time to time various complaints have come before Government against the new series of the Vernacular Readers. I have also been of opinion that a revision of the Gujarati series is very desirable. The books are full of provincialisms which fairly educated people would generally like to avoid. The orthography of the books is also objectionable in some places. But independent of this I consider some of the lessons very objectionable in a book of the reading series. In lesson 19 in the First Book there is the story of a Raja's son who was staying with a rishi in a jungle; this boy was swinging under a *vad* tree when a *bava* descended from it. This *bava* gave the boy a stone and asked him to take it to his mother. On the way the stone fell on his silver anklet, whereupon it turned yellow; this stone was given by the boy to his mother. The mother told the boy that it was no stone but a *mani*. She advised the boy to make as much gold as he liked with the help of the *mani* and when he grew up to build a palace of gold and live in it. In the Second Book there is lesson No. 16 which is headed young Ramchandraji. In this lesson there is the following passage: "Mother Kaushalya took him on her lap and sang a sweet lullaby. But Ramji did not cease crying. Some maid-servant said the boy was possessed by an evil spirit, therefore some person versed in incantations should be sent for. He came. He wrote down a *jantra* (talisman). It was enclosed in an ornament and tied round his hand; but Ramji did not give up crying." In my opinion lessons like these put in the hands of little boys would create or confirm in them a belief in such superstitions as philosopher's stone, charms, spirits, &c. Even grown up men would use these lessons as confirming the general belief of uneducated people in such matters. I submit that it is very objectionable to have lessons of this kind in the reading series prepared by the Educational Department of Government.

At the time of discussing the Financial Statement of the last year I and my friend Mr. DIKSHIT drew the attention of Government to the fact that though nearly one quarter of century had passed since the elective system was introduced not the slightest attempt was made to increase the power of the people and that both on the Local and Municipal Boards the number of elective members was not allowed to exceed the minimum provided by the law and that there were many towns with large population including many well-educated and intelligent inhabitants which without any adequate reason are treated as backward and deprived of the elective franchise. To these criticisms Sir STEYNING EDGERLEY on behalf of Government replied that he would take a survey of the Municipalities and obtain reports to see whether Government could take a step forward in the extension of the elective principle. I am glad to learn from the announcement that Your Excellency made at the commencement of to-day's proceeding that Government have decided to give to the people a larger and more effective voice on these Boards. This announcement cannot fail to give much satisfaction to the public.

In concluding my remarks I beg to join in the hope of the Honourable Mr. MUR MACKENZIE that we may have a long series of good and prosperous years which will enable Government to carry out without any difficulty the different reforms which the people of this Province require.

The Honourable Mr. DAJI ABAJI KHARE said :—Your Excellency,—As the Honourable Members, who preceded me, have travelled over the whole ground, I will confine myself

to those points only which I wish to bring to the notice of Your Excellency's Government.

In the first place when you look to the land-revenue as shown in the Financial Statement under the head "Provincial" we find in it at page 5 an entry of 2, 12, 50 which, I submit, gives a wrong idea of our real resources. That land-revenue includes alienated revenue to the extent of 92 lakhs of rupees. This is a revenue which cannot be said to be that of the Government. However, that is a small matter and I do not wish to take up the time of the Council.

Passing to the head of expenditure, I would ask the Government to devote larger funds, especially to primary education. As has already been stated, a correspondence and controversy is going on as to whether primary education should be free alone, or should be free and compulsory or should not be made free at all. For myself, I say that unless you introduce compulsory education all our attempts to improve the condition of the ryots are bound to fail. It is education that will give them the necessary understanding to appreciate their relations with the savkars and that will make them understand the true value and importance of agriculture. If there is any difficulty in the matter of funds, and if it is thought that that difficulty is so overwhelmingly great as to disable the Government from introducing free and compulsory education throughout the Presidency, I submit that while admitting the difficulty of introducing that sort of education throughout the whole country, the Government can do it in a selected area. I think the experiment is worth making and it should be made. Free education would be meaningless unless it is made compulsory and means are devised to make education compatible with the life and conditions of our villagers. As to the desire of the peasantry to learn reading and writing, such a desire does exist. I have known of instances in which some villages having no Government schools have raised funds by subscription and started and maintained their own schools. Instances such as these show that if the Government make an attempt to introduce free and compulsory education they would succeed to a certain extent and that in the end the attempt would be fruitful of beneficial results.

While on the head of "Education", we find that the expenditure is not increased, though side by side there is an increase of 13 lakhs on the Police. In view of the fact that we have to maintain such a costly police, we must spend more money on a department of Government which will teach the people to live in a peaceful and law-abiding manner and thereby removing the necessity of keeping up an expensive police.

The question of primary education brings me to the subject of salaries paid to teachers of primary schools. The salaries are very low and I think it is a calamity to keep them so very low. If I am permitted to make comparisons, I must say that these teachers are worse paid than even ordinary labourers, and that is not a position which a teacher ought to be allowed to occupy having regard to the influence which he should exercise over the people among whom they move.

Then in the matter of industrial education, I find that last year the amount budgeted for was Rs. 1,86,000; while this year it is Rs. 1,54,000. I presume from this that the last year's amount was not expended. I do not know whether I am right or wrong in presuming this; but I see no figure in the revised estimates and that makes me presume so. It would be desirable to know why that amount of Rs. 1,86,000 was not devoted to the purpose for which it was set apart.

{ While still on the head of "Education", we find that money is being spent on colleges. Of course that is a thing which everyone will like; but we have to remember one thing, and it is that while we try to keep up the College of Science at Poona the prospects of students attending that institution are growing less than ever. Some years ago the students of this College had a right of entry into the Engineering Services in which he could rise to the highest post. But under the reorganisation scheme, a check has been put on the ambition of Native engineers, and the present students of the College find their prospects considerably reduced. I request this Government to move, if possible, in the interests of these students and to get restored to them the same prospects which they formerly enjoyed; for no grounds have been made out to deprive them of the privilege on the score of either ability or efficiency. }

{ In the same connection I beg to refer to another cognate matter, which is worth the attention of the Bombay Government. I learn that some very important charges like Poona, Násik, Kárwár and Ahmednagar are given to officers who are on the temporary establishment, and the claims of the persons on the permanent establishment are overlooked. This is really a great injustice both to the Indian and European employés on the permanent establishment, and I submit the Bombay Government should look into the matter. I believe there is a rule that important charges should be given to persons on the permanent establishment of the Engineering Department. }

I have already stated that the pay of the schoolmasters is very low. But the complaint is not confined to them only. The salaries paid to the subordinates of the Revenue and Judicial Departments are also very low. The present pay of the Mámátdárs was fixed 20 years ago, but since that time their work has tremendously increased, and, in fact, they are a sort of pivot on which the whole of the administration turns. I think that when the money is available it would be very useful to spend it in this direction, because it will be the means of encouraging a class of zealous Government servants, who deserve consideration at the hands of Government.

We find the same state of things in the Judicial Department, where also the pay of the subordinate judiciary has remained stationary for years past. They are a body of able and painstaking officers, and notwithstanding the fact that they have not been granted any increase in their salaries for so many years, additional work is being added to their duties without additional remuneration. For instance, men drawing Rs. 500 a month are very often doing the duty of Civilians getting Rs. 900 and 1,000, and even Rs. 2,000. I hope Government will look into the matter and find its way to increase their salaries.

Then passing on to the question of Excise, I am very glad that the Honourable Mr. LOGAN expresses his sympathy with what has been said outside in the public and has shown his willingness to consider the representations of the people and act upon them if he thought them proper. The Honourable Mr. LOGAN has said that in this case the question at issue is a conflict between the claims of morality and those of individual liberty. But I submit that the people outside consider that the question really is between morality and Government revenue. For instance, when there was some agitation in favour of temperance in the Kolába district in 1885-1886 the then Commissioner of A'bkári wrote a letter to the Government in which he said :

"The question for decision is shall we sit quiet and allow the temperance movement in the Kolába district to continue and to spread and thereby forfeit

a large amount of revenue or are measures to be adopted which will bring the people to their senses."

Now, what does this expression "bring the people to their senses" mean? It means nothing else but that it will make them drink. /The Government looked at the matter from the point of view of the revenue; and even now as I told the Council, the same impression exists, because people find somehow or other that when any organized temperance work is done in some districts prosecutions are suddenly started, summary trials are held and generally result in convictions. I have nothing to say against the Magistrates who deal with the cases on what the people depose in their Courts. But there are genuine grounds for the impression of the people. In several instances the people take care that they do not commit any breach of the law, and yet they find themselves in its clutches. Recently one or two cases were decided at Belgaum in which the Magistrate said that although the accused had not transgressed the letter of the law they had transgressed the spirit of the order of the Collector. Whatever that may be, whether it be a question between morality and individual liberty or a question between morality and Government revenue, it should not be a question between Government revenue and friendly advice. I have a right to give advice to any friend of mine, I have a right to advise him not to do a particular thing; and if I do that I certainly do not come into the clutches of the law. I will not pursue the subject any further, because Your Excellency has invited a deputation to discuss the point, and we will all then know the views of the Government on the subject.

I will now shortly refer to what occurred at the last meeting of the Council between the Honourable Mr. LOGAN and the Honourable Sir PHEROZESHAN MEHTA. I wish after what Lord Lamington, the then Governor, said about it, the Honourable Mr. LOGAN had not revived the question again. I would only say that whoever reads the speech made by the Honourable Mr. LOGAN, as printed in the *Government Gazette*, would feel no doubt that there was a direct attack made by him on my honourable friend Mr. GOKULDAS PAREKH, because it was due to the efforts made by the Honourable Mr. PAREKH that the Government was obliged to appoint a commission to inquire into the complaints he made with regard to the collection of land-revenue in certain parts of Gujarát. That inquiry ultimately resulted in favour of Mr. PAREKH. After that nobody had any right to grumble as to what Mr. PAREKH did. I am glad to see that the Honourable Mr. LOGAN now says that he attacked nobody but the agitators in Poona. Now, it is my experience that whenever there is an agitation against a public measure, however legitimate the agitation may be, both the subordinate and high officers of Government take it for granted that there is some danger in it and bring to bear all the power and machinery of the Government against the question and ultimately discredit it. But without digressing any further, I will say that in that speech the Honourable Mr. LOGAN was unjust not only to the Honourable Mr. PAREKH, but also to other members of the Council. He said that we were representatives of the landlords and the *sávkárs*, and went further than that and arrogated to himself the title of an independent representative of the ryots. As I said last year, would the ryots accept the Honourable Mr. LOGAN as their representative? In a matter of such representation there must necessarily be the willingness of two parties. The Honourable Mr. LOGAN says he is the representative of the ryots, but I am very doubtful if the ryots would ever accept him as such. However that may be, I wish that this incident is the last of the kind that would come before the Council. As the Honourable Mr. SETALVAD has stated we were once dubbed by a high officer as performers in a circus; and last year we were exhibited in the Council as

agitators, excitors of contumacy, and disguised champions of particular interests. The Honourable Mr. LOGAN has a right to think that what he says, he says honestly ; so we also say that what we say here we say honestly. We are not posing as disguised champions of particular interests, and I trust that every member will give another member the same credit which he wants to take to himself for honesty of purpose and disinterested motives.

The Honourable Mr. LOGAN said :— Your Excellency,—May I be permitted to close this controversy as a personal one between Honourable Members and myself by saying once for all that in speaking last year of orators who inculcated dishonesty and contumacy among the people, I did not refer to anything that has ever happened in this Council, and I cannot understand how Honourable Members should have supposed that I did. Why, Sir, the country is covered with orators. I did not restrict my remarks to Poona as the Honourable Mr. KHARE now professes to understand. I referred to agrarian agitation throughout the Presidency, but I did not refer to anything that has happened here.

The Honourable Mr. VITHALDAS D. THACKERSEY said :—Your Excellency,—My first words on the financial statement that has been so ably placed before us by the Honourable Mr. MUTIE MACKENZIE must be words of cordial congratulation. Notwithstanding an unfavourable season involving a considerable loss of crops in the Presidency proper as well as in Sind, the revenue member is able to give us an account of the financial administration, which is extraordinarily satisfactory. This to a large extent is due to the soundness and liberality of the principles of the current provincial settlement introduced last year. But I note with greater interest the statement that the very small degree in which the failure of the crops last year affected our finances, was due to improvements in the economic conditions of the Presidency. On page 5, I find it stated that the main cause of the trifling expenditure required (on direct famine relief) is undoubtedly the high rate of wages now prevalent, and the keen demand for employment in relation to the number of labouring population. Wages are everywhere extraordinarily high and the demand for labour in Bombay, Ahmedabad and other centres seems to be well-maintained in spite of the depression, which we all hope may be temporary, in the yarn industry. I am sure the mill-owners of this Presidency will keenly appreciate this sympathetic recognition, on behalf of Your Excellency's Government, of the important share borne by their industry in maintaining the economic equipoise in times of large crop failure and they confidently trust that the weight of the Government of Bombay will be thrown on the side of moderation and sympathy in the formulation as well as in the administration of any modifications that may be made in the Factory Act.

Your Excellency's Government has given fresh and unmistakable proof of an earnest desire to increase the scope of the non-official members of the Council in the financial administration, by declaring itself "ready and anxious to receive suggestions and criticisms particularly relating to the provisions on the expenditure side of the Budget." Such suggestions and criticisms have hitherto been offered in the pious hope that they may be taken note of in framing the Budget for the succeeding year. Your Excellency's Government now hold out the promise of giving immediate effect to suggestions for amending the Budget either by reappropriation from one head to another or by obtaining the sanction of the Government of India to defray any increased expenditure out of the cash balances. The public will take this concession on the part of Your Excellency's Government as an indication of its views on the larger questions of political and administrative reforms which are now awaiting decision at the hands of the Secretary of State. As

things stand at present, however, the non-official members can only avail themselves of it in cases where they have, in some capacity or other, taken a personal part in the framing of projects. Otherwise, they have no means of knowing that schemes are ripe for actions, and what their urgency may be from the public point of view. This defect can be removed only by providing an opportunity for consulting with non-official members when the Budget is being prepared, and I was glad to hear from the Honourable Mr. MUIR MACKENZIE, that such an opportunity will be accorded to the additional members of Your Excellency's Council in future years. Such a procedure will be greatly facilitated if the eminently reasonable opinion expressed by Your Excellency's Government that with regard to the several grants which owe to the liberality of the Government of India the Local Government should be given some latitude in respect of their disposal, receives the favourable consideration of His Excellency the Viceroy and his colleagues.

Your Excellency, the feature of this Budget, which is most striking, is the judicious choice that has been made of the objects for special expenditure in the Budget. The abolition of tolls at 50 toll-bars in the Presidency is sure to prove extremely beneficial to the poor, and I welcome the desire of Government to extend the policy as circumstances permit. Education in all its stages, sanitation and the lower grades of the administration, which are most in contact with the people,—all have claimed the attention of Government and these are objects every rupee spent on which will directly add to the prosperity and contentment of His Majesty's subjects in this Presidency.

There is only one more point on which I should like to say a few words. I have read with great interest the suggestive paragraph in the financial statement dealing with the interesting experiment in the financing of the cultivation of sugarcane in the area under the Nira Canal. I have not the least doubt that the experiment will prove a decided success and that ultimately it will be possible to induce some banking agency to take up the business with every prospect of earning a good dividend.

I have been considering the subject for some time and from what I have read of the Agricultural Banking in other countries, I find that three conditions are necessary to the success of such an enterprise. First, cheap money, which can be only got through the co-operation of the State; secondly, assured crops not liable to wholesale loss from seasonal conditions; and thirdly, the extension of the system of co-operative credit societies. The first is easy of realisation if Government seriously take up the subject. The second condition can only be realised in a country like India by extending irrigation works.

In this connection, I cordially support the suggestion of Your Excellency's Government that instead of having to wait on the surplus of each year to provide funds for our irrigation projects, the Government of India should devise some scheme whereby the full amount that can be spent can be made readily available. With regard to the third condition it is gratifying to note that the Registrar of the Co-operative Societies has been able to show satisfactory progress in this Presidency. I have taken some interest in our societies and I think that their usefulness can be very greatly increased if a Central Bank is established to help them. I may mention here that I have drawn up a scheme, under which State aid can be given to such a bank without the slightest risk of loss. I have not been able to bring forward the matter before Government until now owing to my absence from Bombay, and I am encouraged by the remarks contained in the financial statement to hope that when the scheme comes before Your Excellency's Government it will receive sympathetic consideration.

I see it stated that there has been a complaint that by the experiment which Government had undertaken in regard to the financing of a small portion of sugarcane cultivation under the Nira Canal, Government was interfering with private enterprise. Those who made the complaint could not be aware of what is being done in such progressive countries as Germany and Japan by way of starting or subsidising Agricultural Banks. Private enterprise alone can never solve the problem of organising agricultural credit on a sound and stable basis. I am glad to note that reference is made to the Agricultural Bank of Egypt, which, everybody knows, could never have been started without substantial help from the State. If even in a country like Germany where co-operative methods have been applied with great success to almost every branch of industrial and commercial activity, State help was needed to start and maintain such institutions, the need for it in India must be and is ten times greater. I trust that when the time comes to start a Central Agricultural Bank in Bombay, Your Excellency's Government will not be deterred by academic objections from lending its strong moral and material support which alone can make the concern successful.

THE HONOURABLE THE JÁGHIRDÁR OF ICHALKARANJÍ said:—Your Excellency,—I join the previous speakers in offering congratulations on the announcement about the future concessions in respect of Local Self-Government and on the greater privileges which it is proposed shortly to give to the members of the Council. The most prominent feature about this year's financial statement is the assurance contained therein that Government are ready and anxious to receive suggestions and criticisms on the expenditure side of the Budget, and in case the suggestions are accepted it is possible to adopt them. It is a progress in the right direction and honourable members will thereby be encouraged to take a keener interest in the study of the financial statement. It is to be hoped that in the near future this Council will get the same privilege as regards the other side of the Budget, *viz.*, receipts as well. It is a cardinal principle of representative governments that the people should have a control over taxation. [As the honourable members will begin to study the financial statement more closely with the object of making practical suggestions as regards the working of the different departments, they will feel the more, as I observed last year, the want of actual experience of administrative matters and this experience cannot be gained by any appreciable number of Indians under the present limited scope for them in the higher branches of the Public Service and the Englishmen who get that experience return back to England to the great disadvantage of this country.]

While explaining the phenomenally small expenditure on direct famine, my friend the Honourable Member in charge of the financial statement says on page 5 "considering the extent of failure of the crop this is a matter for profound congratulation. The main cause of the trifling expenditure required is undoubtedly the high rate of wages now prevalent and the keen demand for employment in relation to the number of the labouring population." This is no doubt true as far as it goes. It is really an unusual phenomenon that the need for relief should be very small in spite of the large extent of the failure of the crops during the year. But we must also bear in mind the abnormally high prices of almost all commodities. It seems it has become a permanent factor in the economic conditions of this country.

The high rate of wages is I am afraid due to the abnormally high prices and a labourer now finds it impossible to subsist on the rate of wages which he earned before

the prices went up. This rise in the prices has been causing serious anxiety to all thinking people as it is pressing very heavily not only on the poorer classes but even on the middle classes. Similarly the apparent demand for labour is due not so much to the opening of new industries but to the after effects of famine and the ravages of plague which every year take away a very large number from the poorer classes which supply the labour market both for agriculture and other industries. In villages, land-holders are unable to get labourers to cultivate their lands. It is very dismal to contemplate the consequences that would follow if this state of things were to continue for some years more. The high rate of wages cannot in my opinion be looked upon as a mark of prosperity when the high prices prevailing are taken into consideration. As the population is greatly diminished one would think the prices of such food stuffs as are not exported out of the country should go down but nothing of the sort has taken place. In this connection I would humbly ask Government to institute an inquiry into the causes of this phenomenon and if they have already done so, to publish for general information the result of the inquiry.

On page 7 of the financial statement it has been said about tolls that they constitute a tax which in some cases may press heavily upon a poor class of the community and Government have resolved to abolish the tolls levied at certain toll-bars. So far as the poor are relieved of a burden however slight this must be regarded as satisfactory. But it is really a question whether this tax falls upon consumers or the producers. On the other hand, the income derived from toll-bars is utilised towards the upkeep of roads and when that is done people appreciate the necessity of it. To my mind the principal objection to this tax is that it is very annoying, as it necessitates frequent stoppages on the road and looked at from this point of view it is a relief to the travelling public.

We find that Government is making some experiments in the financing of the crops of sugarcane irrigated by the Nira canal. The experiment is started, it is said, with the sole object of securing to the cultivators better profits than they at present get by taking loans from Sāvkar. As the Honourable Member has observed in some quarters it is alleged, that this is an unjustifiable interference with private enterprise. But it is stated that the object of Government is simply to demonstrate that there is an opening for Banking enterprise. As Government simply want that the scheme should be self-supporting I am afraid the rate charged by Government, viz. 9 per cent., is rather too high. The Sāvkar no doubt in many cases charges higher rates but taking into consideration the risk which the Sāvkar runs and the expense he has to incur as regards the recovery of the loans, it will have to be admitted that he has some grounds for charging a higher rate. It is also not in all cases that he charges a higher rate. From cultivators whom he knows to be solvent and reliable he often charges the same rate, viz. 9 per cent. Besides the Sāvkar himself has to pay a high rate of interest when he himself is in need of a loan. Government can get loans in the Market at 3½ per cent. It would, therefore, be worthwhile considering, whether the rate of 9 per cent. at present charged by Government cannot be reduced, say to 6 per cent. Though the Sāvkar charges higher rate of interest he cannot enforce his demands and often the rayat gets easier instalments than he contracted for. Such however is not the case when the cultivators have to deal with Government. So unless a lower rate of interest is fixed the rayat will not derive all the benefit he expects to get at the hands of Government.

[It is a matter of gratification that provision has been made in the Budget for freeing the Tálukdárs of Gujarát from their indebtedness. I do not know if provision is also made to give relief in this direction to the old aristocratic families in the Deccan. If it is intended to embrace them also in this scheme I must express gratitude to Government on behalf of the families concerned. If it is not proposed to include the Deccan nobility I would again press the claims of the Deccan on Your Excellency's attention. I have been doing it here every year and I earnestly hope that more systematic and sympathetic efforts will be made to give relief to the Deccan gentry and aristocracy in this direction.

As regards the aristocracy of the Deccan I would urge the necessity of opening a suitable institution for the education of their sons in these parts. The Rajkumar College at Rájkot is very expensive for the majority of these people and the curriculum of the studies in that college is not sufficiently high. The few students, that are now sent to Rájkot from the Deccan, have to remain in that college even after completing their studies. I would suggest that these students should be asked to attend one of the arts colleges either here or in Bombay, at any rate the lectures in some subjects, after they finish their course at Rájkot. In this way they will come in contact with the Professors in these colleges and will receive a much higher education than is imparted to them at Rájkot. By adopting this course their time will be well utilised and they at the same time can if necessary be made to attend the High Court or the District Court, where they can see how cases are argued by counsel.

I shall now say a few words about the Inámdárs. The class of Inámdárs has undoubtedly fallen upon evil times. This is no doubt the result of their own apathy. If this class were as watchful of its rights, as several other classes, they would certainly not have been reduced to their present condition. There is no doubt that the Inámdárs had originally the rights to collect the revenue of their villages. If they had properly represented the matters to Government when the Land-Revenue Code was before them, some provision to safeguard their rights would certainly have been introduced in that Code. As they however did not do anything at that time they were reduced to the status of ordinary land-holders, who had to seek the assistance of revenue courts to recover their rent from their tenants. The distinction between the holder of an entire inám village and an ordinary holder that the former took only the assessment from the tenants and the latter recovered the full rent from his inferior holder was lost sight of. Really speaking the Inámdár having come in the shoes of the State so far as the revenue of the village at any rate was concerned, ought to have been given the same facilities which the State possesses as regards the collection of their dues. In practice, however, he is no better than an ordinary landlord. Perhaps he is much worse inasmuch as he is held responsible for the payment of the holders of cash allowances from the village, for the payment of the village officers, for the collection of local funds and so on.

To make matters worse Government did not even acknowledge that there was any difference between the provisions of the Land-Revenue Code as regards the collection of the land-revenue of Khálsa villages and those relating to the revenue of alienated villages. For in the beginning in reply to a question on this subject I was told by the late Honourable Mr. NUGENT that there was no difference between the provisions relating to the collection of land-revenue of Khálsa villages and those relating to the collection of revenue of inám villages.

Latterly however more sympathetic consideration is being shown to this question. Sir James MONTEATH, the late revenue member of this Council, issued some orders to District officers to pay greater attention to the collections of Inámdár's revenue. My friend the Honourable Mr. MUIR MACKENZIE has shown still greater sympathy for the Inámdárs and last year he made a declaration in this Council that Government intended to confer powers under section 88 of the Land-Revenue Code more generally than they had done before, and a Government Resolution has since been issued that in the absence of special reasons to the contrary, every Inámdár who introduces or has introduced a survey settlement into his village should be granted a commission provided that he agrees to give suspensions and remissions according to the rules applicable to Government villages. The Inámdárs would get relief if they are granted powers under section 88, but then I can say from my personal experience that the difficulties of the Inámdár are not solved even if he is given powers under section 88. The Inámdár is still under the necessity of depending upon the village officers. In an answer to one of my questions Government have said that since the passing of the Government Resolution of the last year they have granted only five commissions to Inámdárs and six more are under contemplation. I am not at all satisfied with this very slow progress (if this can at all be called progress). Government ought to be more liberal after their declaration of the policy in this matter. The appointment of village officers is not in the hands of the Inámdár and they also get their remuneration independently of him and consequently they do not care to do the work of the Inámdár. It has to be said with regret that all these measures are more or less in the nature of makeshifts. I am really not able to understand why the Inámdár should not be allowed to collect his revenue. The Honourable Mr. MUIR MACKENZIE thinks that this would interfere with the rights of the vatandár kulkarni. But then I submit it is unjust to make the Inámdár suffer for the supposed preservation of the rights of the kulkarni. The remuneration of the kulkarni is now fixed in accordance with certain scales. So long as he gets this remuneration I do not understand what ground he has for complaint, if he is relieved of his work of revenue collection. Besides if he wants that he should not be deprived of this right it must at least be obligatory upon him to be diligent in his work. But when the kulkarni is proved to be habitually negligent and when he allows large arrears to accumulate from year to year, I do not think that Government should still preserve him in his rights. If it is apprehended that the Inámdár may abuse his powers if he were given the right of collecting his revenue, I submit Government are at liberty to deprive him of this right in case he were found to abuse it. In short, I am firmly of opinion that the Inámdár's grievances would not end unless they were allowed to recover their own revenue.

If Government cannot see their way to do this for the present they should at least prescribe the same procedure for the collection of the Inámdár's revenue, as is at present in force relating to the collection of the revenue of Government villages, *i. e.*, the Inámdár should not be under the necessity of going to the revenue court for assistance. If by a prescribed date the tenants do not pay their revenue, notices, *etc.*, should be served on the defaulting tenants just as is done in Government villages. Compulsory processes should similarly issue in the same way as they do in Government villages. As it would not be possible to do this under the present Land-Revenue Code it will be necessary to bring in a Bill amending the present law. As this would take some time I would request that the principle laid down in Government Resolution No. 1469, dated

21st February 1905, should be extended. That principle is that the collections in a Sarakati village should be divided among the sharers, *viz.*, the Government and the Inámdár in proportion to their shares. Now I submit that in almost all the villages some judi is due to Government. Similarly there are holders of cash allowances in every village and the amount of scale to the village officers has also to be paid. These may be regarded as so many sharers in the revenue of the village. The practice is that the Government judi and the cash allowances are first paid out of the collection in an inám village and then comes the remuneration of the pátíl and kulkarni and the bad debts fall to the share of the holder of the village. In some cases if the revenue of the inám village is not collected, the movable property of the Inámdár is attached and is liable to be sold for the payment of the judi and cash allowances and remuneration of the village officers. If then payments are to be made out of the revenue of the village it is not possible to understand how,—when the revenue is not collected or recovered only in part,—the Inámdár can be held personally responsible for them. These items can at the most be treated as shares of the revenue of the village and it is but equitable that they should get their share proportionately with the Inámdár out of the actual collection of the revenue and the loss if any should be borne proportionately by all.

Government have recently ordered that powers under section 83 of the Land-Revenue Code would be conferred upon those Inámdárs only who would introduce or who have already introduced the survey settlement into their villages. The introduction of the survey under the present system is likely to entail a loss of revenue to the Inámdár. It is therefore necessary to pitch the survey assessment in an inám village so as to give the Inámdár at least what he has been getting from ancient times. I submitted a memorial on this subject to Government last year. I hope a speedy and favourable consideration will be given to it.

Since the passing of Government Resolution No. 4168, dated 3rd June 1897, the Kadim allowances due from the inám villages have ceased to be paid from the village and they are now sent to the Táluká treasury for disbursement to the Hakadárs. The Inámdárs on the one hand complain that since the passing of this Government Resolution the Hakadárs do not perform the services for which the allowances are intended and on the other hand, the Hakadárs complain that they do not get their allowances from the Táluká treasury. As instances, I may mention two names (1) Dhundiram Bhimrao Deshpande who holds cash allowances from Sankeshwar, Ankli, Kothli and Shahapur villages in the Chikodi táluká in the Belgaum district, and (2) Gajanan Amrit Deshpande who holds cash allowances from a village in the Junnar táluká of the Poona district. These people complain that they are not paid their allowances regularly, even though they make a demand for them and afterwards a certain amount is deducted from their allowances on the ground that they lay in the State treasury. Formerly while these amounts were being paid by the Inámdár they could at least bring a suit against him when he did not pay but now no remedy is left to them beyond making applications to District officers who do not take any notice of them. I would, therefore, recommend that inquiry should be made into this matter.

The class of Inámdárs has in the past enjoyed the confidence of the Government. They are so to say the backbone of the country and no efforts should be spared to preserve them in the enjoyment of the rights and privileges which they have been exercising for a long time. It is a pity they should be given ground for complaint

inasmuch as their grievances having been brought to the notice of Government, serious efforts should not have, during so many years, been made to redress them. An impression is gaining ground that Government does not want this class of "drones" to exist. They are however the natural leaders of the people and representatives of the ancient aristocracy. It is a force that will be useful to Government in their endeavours to better the condition of the people. I would therefore urge that no more time should be lost in giving substantial relief to them.

I would draw the attention of Your Excellency's Government to one more question. Certain Dharmadaya and Devasthan Nemnukas (religious and charitable allowances) are existant practically in every village. There are also in many places public temples and the men in charge of these temples hold lands in inám or receive from the Táluká treasury allowances for the performance of the services of different kinds in connection with the temples. It is very often found that these Nemnukdárs do not properly perform the services as there is no proper supervision over their work, nor do the officers who are entrusted with the duty of making the disbursements make any inquiries as to whether the services for the performance of which lands are held or the payments are made are efficiently discharged. The Government in its anxiety not to interfere with religious matters on the one hand and with their solicitude as Christians to show that they do not encourage idolatrous worship on the other, remain indifferent to these matters. The former Hindu as well as Mahomedan Governments never showed such apathy and expenditure on such objects was incurred and controlled without any distinction of religion being taken into account. We see grants from the Mahomedan kings made to Hindu shrines and *vice versa*. They thought it to be their duty to give active State aid to all religions that were under their rule without distinction. Now however the villagers who have a reverence for these institutions, observe with grief, that they are neglected and they naturally lay the blame on the shoulders of Government whom they are accustomed to hold responsible for proper management of those things. In their simplicity they regard famine and plague as Divine dispensations meted out as a punishment for allowing the temples and religious rites to fall into decay. The odium thus falls on Government. At present the only remedy against this is the resort to civil courts which is both costly and unpopular. In Native States the Ruler takes a personal interest in these things and therefore there is no danger of misunderstanding accruing or the temples being neglected. I would therefore suggest that the District and Táluká officers be asked to make particular inquiries, as to whether the services for which these lands or allowances are intended, are properly done, before the payment or the adjustment of the revenue of the inám is made, and also to make inquiries into the matter if a complaint is received from the residents of a village that these services are not properly performed. It may also be ordered that such complaints should be exempted from stamp duty.

✓ I do not agree with my honourable friend Mr. Setalvad when he says that this is not the time for urging the claims of free education on the attention of Government as the matter is under consideration. I think that for this very reason we should place our views on this question before Government, as they have not yet come to any final decision on this point.

Since the Government of India issued a circular to the Local Governments calling for their views on the question of making primary education free, people have been eagerly

expecting to see what views this Government held on the subject. Last year several honourable members of this Council expressed their views in favour of abolishing fees in primary schools. However the Honourable Member the Director of Public Instruction who may be said to speak for this Government gave expression to the view that he did not think much of this measure. So far as I was able to understand the Honourable Member in charge of Public Instruction, he thinks that unless Government are prepared to make education compulsory it would serve no useful purpose to make it free. With regard to this it may be said that if this principle were adopted it would not be possible to make any progress in making primary education free. I do not think that because the time for compulsory education for each and every district of this presidency has not, in the opinion of Government, yet come they should postpone the abolition of fees in primary schools to an indefinite period.

The Honourable the Director of Public Instruction further remarked that the remission of fees in primary schools, he regards as criminal waste of money, as the money derived from fees could be much better utilised in opening schools in villages where none now exist. If the Government really do spend the income derived from fees in primary schools, along with a substantial further grant of money in opening schools, in villages where none now exist, I would be the first to congratulate Government. But I am afraid the object in putting forward this alternative scheme is likely to be misunderstood as trying to veto the measure recommended by the Government of India. Objections can be taken to every constructive scheme but then it is not a good policy not to move unless an ideal scheme free from all possible defects can be found out.

Last year I made several suggestions for making education more popular and general by opening new schools with the co-operation of villages and securing larger attendance in the schools already existing and the new schools that would be opened. The Honourable Mr. Selby observed that there were several difficulties in adopting the suggestions made by me. I do not say that one and the same 'Modus operandi' would be suitable for each and every place but then if one wants to do a thing it is not very difficult to find out some workable plan. Where there is a will there is a way. I would now ask the indulgence of this Council, while I state what has been done by two small States in this respect. The villages comprising them are scattered and so they are representative of many districts. I am doing this at the special request of some my friends in this Council. When I told them my experience in this connection they urged me to place it before this Council.

In my State I have made it a rule, that in villages where there do not exist State schools a teacher who succeeds in opening a school with a minimum average attendance of 15 children should be paid Rs. 5 a month. In cases where this average exceeds 20, the teacher should be given an allowance of 4 annas per month per child, in addition to his pay. Besides this, the teacher is paid an extra allowance of Rs. 12 a year, if the general condition of the school is reported to be satisfactory and if the results of the examination are good. Thus the teacher who has about 25 boys in his school gets Rs. 8 per month. No fees whatever are to be charged by these teachers. The school which shows a minimum average of 30 children is taken over by the State as a regular State school and the teacher to be regarded as a State servant. In this way about 25 new schools with an attendance of about 500 children have been started, at an yearly expenditure of Rs. 2,800. The instruction given in these schools is confined to the three R's.

Some of these schools are I am glad to find very efficiently conducted. None of them are bad. In some cases the teachers do not possess much learning but then they are quite able to teach the three R's. As the saying goes it is better to have half a loaf than no bread at all and if the State aid is withheld till a fully qualified man comes forward, no body knows when and whether a school will ever be opened at all.

It has been the policy of Government and a very sensible one, that when they determine upon a reform they utilise the material that is at hand and they do not wait until the men necessary to carry out the reform are trained in schools and colleges. This is accomplished in course of time. When the Government took upon themselves the administration of this country they appointed the best qualified men that were available, to the posts of the Mámlatdárs and Munsiffs. They did not wait till they got men who had passed the examinations that are now prescribed for qualifying a man for those posts. Similarly Government organised the Educational department with men that were available. Government must begin opening new schools with the material that is at hand. It would not in any way be a bad policy to do so.

The Honourable Mr. Selby is of opinion that as there are factions in villages, if the teacher is selected by one faction the rival factions would not patronise the school. I do not agree with this view. As all the State and village officers take interest in the school no mischief generally speaking will take place. If there are factions in a village I think it will serve as an impetus to both the parties to show that they are doing the best in the matter at any rate. The party who selects the teacher endeavours to secure the necessary attendance to enable him to earn his living. In any case it is better to have a school patronised by one faction than to have no school at all and under proper supervision it does not do any harm.

My friend Captain Burke, the able and sympathetic administrator of Súngli, is among other important reforms, now trying to carry into effect a scheme of educational reform somewhat similar to that which I placed before this Council last year. The scheme launched by Captain Burke would attain completion in the course of 3 years when there will be 18 new first class schools and 60 second class schools; I hope it may serve as a model for many other Native States and one which this Government can adopt for some districts at least in the not very distant future.

The following are the prominent characteristics of this scheme.

Every village in the State with a population of 800 and over shall have a first class State primary school while every village with a population of under 800 but over 400 shall have a second class State primary school.

Every village with a population of 900 and over and in which the daily average attendance at the school for the past year has been 45 shall have a State building as a school house.

Schools in all other villages shall be located in temples, Dharmashalas or other place provided by the village.

In the second class schools the course of primary education will be arranged to last only three years during which time the pupil will be taught to read and write and to do simple accounts. No attempt will be made to teach a more advanced standard to boys who do not require it. Special arrangements will be made in such schools for boys who

wish to undergo the present regular primary course in order to enable them to take up further studies.

A minimum attendance of 4 *per cent.* of the population is required from every village where there is a school. If the average daily attendance falls below this figure education in defaulting villages will be made compulsory. And here you have a beginning of compulsory education.

To encourage the education of the lower classes such as Mahars, Mangs, etc., a special allowance will be made to the school master in every village where there is not a regular school for such classes, of two annas per head for each boy or girl of such lower classes over the age of 6 who attends a school for 20 days in each month. Arrangements should be made to seat such children in a verandah or in some temporary erection in the school compound. Precisely the arrangement that I proposed last year.

In the interest of female education a similar allowance will be made for every girl over the age of 6 who attends a school for a similar period in each month.

I also give similar allowances for low caste children and girls that attend ordinary schools in villages where there are no special schools for them.

As regards the arrangements about supervising these schools I read an extract from Sāngli State Gazette.

"All touring officers of the State will be expected to take an active interest in the schools in the villages which they visit. They should invariably visit the schools accompanied by one or more of the members of the village committee and they should make it their duty to ascertain the amount of zeal the local committee and the village officers take in their work encouraging them with praise and reporting them to the Huzúr when found slack. All Mámlatdárs should submit a monthly report to the Huzúr in English stating briefly the schools visited by them during the month and making any remarks which may seem necessary. A sum of Rs. 3 per annum per school will be allowed to the Mámlatdárs for the purchase of sweetmeat for distribution on the occasion of their visits amongst the most regular attendants among the pupils. A similar report should be made by the Chief Revenue and Assistant Chief Revenue Officer from the 1st November to 31st May. Similar reports should be submitted by the Chief Medical Officer and Nyayadhish (a judicial officer) when on tour."

"The Munsiffs should inspect the Táluká Head Quarter schools once during each of their circuits and submit a brief report. Every effort must be made to encourage the Táluká Educational Board and village committees in their work, for to a great extent the efficiency and life of these bodies depends upon the amount of active interest and sympathy taken in them by the State officials."

This is a concrete instance of what can be done by the efforts of a sympathetic ruler. The success or failure of the new experiment would entirely depend upon the zeal of the officers of the different departments and the zeal of the officers would in its turn depend upon the degree of interest which the Head of the administration would take in this measure.

I had asked a question with the intention of knowing what the sacrifice of revenue would be to Government and Municipalities and Local Boards if fees are abolished in

the first four standards, but I am sorry Government are not in a position to supply the information.

/ As regards the abolition of fees in primary schools I do not think it would entail an appreciable loss of revenue. Some of the small States in the Southern Mahratta Country such as Sangli, Jamkhandi, Mudhol, Jath, Vishalgad, Kurundwad, Ichalkaranji and Bavda have been able without any difficulty to bear this loss and I am sure some more would have followed suit if Government would have shown their anxiety to adopt the measure. Under these circumstances I do not think this Government possessing such large resources would find it difficult to put up with the loss of revenue derived from fees and it would not thus come in the way of its opening more schools. In these matters of free and compulsory education the administration of Baroda has shown great progress.

When the necessity of educating the masses is once admitted I do not think it would be possible to deny the advisability of making it free, and more or less compulsory.

One more educational reform which I wish to bring to the notice of Government is the introduction of vernaculars as a medium to impart instruction in the High schools. This subject has engaged the attention of the public for a long time. But until now I believe it has not been discussed before this Council. The experience of almost all the teachers in High schools is that a good deal of energy of boys is spent in studying the language of the text books on History, Science, etc., as they are taught all these subjects in English. Boys in the fourth and fifth standards find it very difficult to understand the text books on English History and the teachers have got to explain the language and the boys generally learn the contents of the book by heart as they have to answer the questions in English and do not pay sufficient attention to the contents. Similarly in studying Arithmetic, Geometry and Algebra much of the attention of boys is directed towards mastering the language. In solving an example in Arithmetic the first anxiety of a student is to understand the meaning of it. In this way boys in the High schools while studying the different subjects in English find that they are out of their element. In fact there is very little scope left to them for thinking on these subjects. Thus there is very little opportunity for original thought amongst the students and the same defect is accentuated in the colleges in after life. The students naturally take to cramming. The imparting of instruction through the mother tongue of the student would remove many of these mischiefs and the students would find it much easier to study these subjects. The difficulty of having suitable text books written in vernacular may be experienced. But as there are already several works written in vernaculars, this difficulty will gradually disappear and when there is a demand for such text books a number of new books would be forthcoming in no time. The course prescribed for the third year students in the training college is I believe, with the exception of English, nearly the same as that which is prescribed for the Matriculation and some higher examinations. A boy completes the course in the Training College in three years while the boy who joins a High school takes seven years to complete the course prescribed for the Matriculation. It may perhaps be said that only those boys who pass the vernacular seventh standard are admitted into the Training College while boys join the High school after studying the first four vernacular standards only. But then boys who join the High school even after passing the vernacular seventh standard have got to commence from the first English standard and thus take seven years to appear for the Matriculation. There is thus a difference of four years

between the time required to study the subjects in the vernacular and that required to study them in English as the boy has to study in a foreign language. A period of two years may be allowed for the study of the language. Thus two years of the best part of the lives of our young men are lost simply because in High schools education is imparted through the medium of English.

One other thing I am not able to understand is the insistence on the students learning what is called here "a second language" in the High school and especially in the Colleges. The battle between the ancient and modern languages has been fought and won, I think, by the modern and more useful languages. Whatever that may be, I fail to see when a student knows his own vernacular and then studies English also why it should be necessary for him to learn a third language say French or Sanskrit. The course seems to have been framed under the supposition that English is the mother tongue of the students in India and therefore another modern or a classical language becomes necessary. I have the greatest respect for Sanskrit. I think every thinking Hindu ought to study it. It is a connecting link between the past and the present. But it is one thing to study for one's pleasure and another to study for qualifying examinations, especially examinations in our Universities in this subject of Sanskrit.

I would now make a suggestion which may perhaps not be liked by some. I suggest that in schools and colleges double fees should be charged from married students. I recommend this as a remedy to prevent early marriages among the Hindus. This custom of early marriages has a very bad effect upon the health of Hindu boys and interferes with their studies. This is not altogether a novel suggestion. This rule prevails in the Central Hindu College at Benares. Government, I think, can put a check on early marriages if they introduce this rule as the parents would find it to their disadvantage to marry their children while they are in schools or colleges.

One hears complaints on all hands that there is a growing tendency among the school and college boys to be insubordinate and disrespectful to authority and there is a general feeling that measures ought to be devised to improve this state of things. On the one hand it is alleged that this has arisen owing to the illiberality and want of sympathy on the part of the parents and teachers and Government officers generally and on the other hand the blame is put upon the writings of irresponsible people. No doubt the latter theory is partly correct, but we must bear in mind that this phase of mischievous activity is in itself an outcome of other circumstances. This is not the root of the disease but only a symptom of the malady deeply seated somewhere else. It is a very serious and complicated subject because this refractoriness in students is in its turn a phase of the general restlessness prevailing in India. To bring about this state of things various causes have contributed and efforts in one direction would not suffice to remove it. In my humble opinion, however, the principal cause of all this evil is the defective education that has been all these years imparted in our schools and colleges. The pioneers of Western Education in India had no regard for the social and religious institutions of the Indian people. They called the Hindu religion idolatrous and many of the social institutions immoral. Besides the people who received English education in the beginning had no great attachment for their old institutions. Thus respect for their elders and their institutions was annihilated and here the seed of the future trouble was sown. When this habit of irreverence is once created you cannot say how far it will go and it is only a short step from irreverence to

parents and elders to be disrespectful to civil authority. The youths were in the beginning encouraged by their teachers when they showed this spirit of independence as it is called in social and religious matters. They little thought at the time that this spirit of independence would assume its present form. The main guiding principle of eastern philosophy is contentment with one's lot while the central idea of the Western philosophy is struggle for advancement. It is no wonder therefore that the effect of putting the latter ideal in place of the former should have produced general restlessness in India. Thus strikes, lockouts, terrorisms, leagues, and antileagues, active and passive resistance are seen in Western countries while in India we see passive submission to the ravages of plague and famine, indolence and procrastination, dependence on others, want of union and patriotism. These are no doubt the results of a false conception of Indian philosophy. But then this much is certain that violence and bloodshed are rare here.

All the reformations and revivals of religion in India have taken place without bloodshed. Violence and bloodshed were the province of ruling classes. Your Excellency struck a true note when you suggested that an advancement on true national lines was the thing for this country. I am strongly of opinion that to achieve this purpose the present divorce between secular and religious education must be put a stop to. Really, speaking spiritual, moral, mental and physical are the four component parts of education. Instruction in one or two of these only cannot be said to complete one's education. It has been the duty of the Rulers from ancient times in India to make their subjects conform to their ancient religions. Manu and other ancient law-givers insist upon this duty of the kings. This was recognised by the Mahomedan Emperors with the exception of a few bigoted Rulers. The British Government have accepted the principle in civil law as regards inheritance, marriage, etc. They have simply to go a step further and enforce it in schools. It should be a rule that every boy until a certain age should receive religious instruction in the faith of his parents. There is so far as I see no valid objection to this. The question of text books is a complicated one. But I think it is by this time so far solved that a working plan can be adopted. So far as the Mahomedans are concerned they have solved the question for the purpose of their schools and colleges. For the Hindus it has been materially made easy by the Sanatan Dharma Series. This is now in use in the Central Hindu College at Benares and it has been adopted by some Native States as well. It has been recommended by the Directors of Public Instruction in some British Provinces. This series is also in use in many private Hindu schools. This is an admirable series and its author has laid the Westernised India under deep obligation. If there are any defects they can be removed in course of time. So also many non-sectarian Stotras and prayers both in Sanskrit and vernacular can be easily selected from the composition of distinguished authors and saints of this country. Though I am not a theosophist, I think there are many theosophical works that can be taught to, or read by, Hindu boys with profit. Above all in schools and colleges, respect for the past, reverence for religious and social customs and many of the ancient usages must be inculcated. As it is, the boys in colleges and schools and even in the hostels are allowed to do as they pleased as regards these matters. There is no sort of check on them. I have to make a suggestion for the consideration of Government. Before a boy is admitted into a Government school it should be insisted that he should name some one who would be responsible for his conduct out of the school. I would urge also upon Your Excellency's attention the necessity of increasing hostels

attached to high schools and colleges of the different faculties. Parents are often blamed for not supervising the conduct of their children. This is no doubt partly true, but young boys have often to live in towns all by themselves and the parents cannot have an eye upon them. To have a sufficient number of hostels is a very costly matter and Government cannot do it all at once, private munificence must come to their assistance. Philanthropy and public spirit are not wanting in India. They have with few exceptions until now been flowing in certain channels only. An appeal from a sympathetic Head of the Government like Your Excellency would, I believe, divert at least a part of these in this direction. In this connection I would strongly suggest the advisability of encouraging teachers in high schools and other educated gentlemen to receive pupils at their houses. Various ways of doing this can suggest themselves. The Central Hindu College at Benares in its various departments is a bright example in all these respects, and whoever visits it does not fail to observe a distinct and superior atmosphere of love and good will on the one hand and respect for authority and good behaviour on the other. It would be advisable for one of our experienced educationists to visit the institution to observe their ways and to adopt them for the benefit of this Presidency.

Above all there is no use of having simply the outer forms. The teachers both Indian and European must be imbued with this new spirit of due mixture of the new and old civilisations and an advance on national lines.

In conclusion, I would express my thanks to Your Excellency for giving me a patient hearing.

The Honourable KHA'N BAHADUR NAVROJI P. VAKIL said :—Your Excellency,—With your Excellency's permission I should like to make a few remarks on the present state of primary education in the British districts of the Bombay Presidency. From the very able and interesting report of the Director of Public Instruction on the progress of education in the Presidency, I find that many new schools, both for boys and girls, have been opened, that more intelligent methods of instruction are being introduced, and that masters are being trained in them ; while earnest efforts are being made to better the condition and prospects, as well as to raise the efficiency of these teachers. And with this object Your Excellency's Government have this year made a special grant of Rs. 50,000. It is particularly gratifying to me to note that special attention is being paid to the education of females,—a matter of such vital importance to the intellectual and moral progress of the country. Again, the persistent and zealous efforts of the Department of Public Instruction to spread education among the backward classes such as the Bhils and other aborigines and hill-tribes by giving them scholarships, etc., and opening special schools for them, are deserving of unqualified praise. And the Department has been placed under the fostering care of the Honourable Mr. SELBY, than whom a more able and sympathetic officer it would be hard to find. Still as more than 61 per cent. of the total population of this Presidency depend upon agriculture, and as for obvious reasons it is desirable that some at least of these be enabled to have recourse to other occupations and industries, or to acquire improved methods of agriculture, and as this can hardly be done without giving them some kind of education, the question of primary education becomes one of special importance. Besides, education alone can enable the masses to understand simple rules of sanitation, and to make some stand against the ravages of plague and famine ; it would also enable them to protect them-

selves from the usurious practices of the money-lender, and help them to some extent in the renewal of old and introduction of new industries. It is for such reasons, and not because I consider that as much as might be done is not being done for primary education, that I submit for Your Excellency's consideration certain facts and figures deduced from the Census Returns of 1901 and the last quinquennial report of the Director of Public Instruction. I know that the question of primary education is a large one and that it is not easy to find ways and means for its immediate extension on a large scale; but the figures I shall now present will serve to evidence and emphasize the desirability of such extension of primary education as may be feasible.

In the British districts of the Bombay Presidency there are 25,915 towns and inhabited villages, while the number of primary schools for boys in the same area is 7,204. In other words, out of every 100 towns and villages 72 are without boys' schools. It is true that some of the villages are very small and insignificant; still the number of villages without schools is, I submit, very large. With reference to this remark of mine, however, I would respectfully suggest that careful lists should be prepared for each district by the Educational and Revenue authorities in consultation with the Taluka Local Boards of all villages which have no schools at present, showing the population by caste of such villages, the probable number of children of school-going age, and the probable number of children likely to attend the school when opened. A minimum might be fixed,—say 25,—and if a village is found to be likely to provide that number of boys for the school-register, that village should be regarded as one deserving to have a school. All concerned would then have by them complete lists showing for each district and each taluká, the villages which deserve to have schools and yet have none. Government might examine these lists, and in proportion to the number of such villages, lay down for each district the number of new schools which should be opened every year in that district. The lists would, of course, be periodically revised. If carefully prepared they would show the authorities concerned how they stand in regard to the provision made for this most important requirement of their respective charge. Provision for real requirements could then be arranged for on as rapid a scale as possible, and vague complaints as to there being too few schools in a particular locality would be avoided.

The 7,204 schools above referred to, include Board schools, of which there were 4,545 in 1896-97, and of which there are at present (I mean on the 31st of March 1907) 5,586. There were 315,061 pupils in these Board schools in 1896-97, and there are 326,434 at present. This shows that there has been an increase of only 11,373 pupils in ten years. The insignificance of this increase in the number of pupils may be due entirely to plague and famine, or partially to these and partially to other causes. Mr. Gait, the Census Commissioner, says: "The masses do not appreciate the benefit of education; they can ill-afford to pay for the tuition of their children, or even to spare them from their work at home".

With regard to the education of females, I find that in 1907 there were only 762 schools for girls, Government, Board, Aided, and Unaided,—in all the 25,915 towns and villages above referred to. Thus 97 per cent of inhabited places were without girls' schools. I may, however, add that a certain number of little girls attended boys' schools. I am in favour of encouraging this practice of co-education; still, an increase in the number of schools for girls only, conducted by well trained female teachers, would, I am

sure, be attended by a corresponding increase in the number of girl pupils of a more advanced age, and would result in a wider extension of female education,—a thing so much to be desired for the good of the country.

The total population of the British districts of the Presidency amounted, according to the Census of 1901, to 1 crore, 85 lakhs, 73 thousand, 7 hundred and 67. Taking 15 per cent. of these, as computed by the Director of Public Instruction, to be children of school-going age, the number of such children would be 27,86,065. Of these only 443,819, or merely a sixth, actually attended primary schools in 1907.

Now as regards literacy, out of the total population of the British districts, 1,176,016, or only about 6 per cent. are returned as literate. But if cities and towns like Bombay, Ahmedabad, Karáchi, Poona, Surat, etc., were excluded from the calculation, the number of literates among the rural population would be less than 5 per cent. But it may be noted that these 5 per cent. of the rural population include Bráhmins, Baniyas, and other not strictly agricultural classes. Among the strictly agricultural classes, such as the Kunbis and Kolis, literacy amounts to little over 1 per cent. only.

The case, however, of the poor depressed classes, of whom there are 20,56,453 souls in the Presidency, is still worse. Literacy among the Dheds and Mahars, the most numerous of these low-castes, stands, according to the last Census, at less than half per cent. Mr. Gait says in his report: "The children of castes regarded as unclean are not wanted in the ordinary schools, either by the teachers, or by the other pupils, and the needs of the lower castes generally, are apt to be overlooked by the subordinate inspecting officers of the Education Department. In such circumstances it is not to be expected that they can be brought within reach of our system of instruction, unless special treatment is meted out to them." As other Hindus do not touch them, some of these low-castes seek service as domestic servants in European households, and make good and faithful servants. Mr. Francis, the Census Commissioner for Madras, says: "These people have little to lose by forsaking the creed of their forefathers. As long as they remain Hindus, they are daily and hourly made to feel that they are of commoner clay than their neighbours. Any attempts which they may make to educate themselves or their children, are actively discouraged by the classes above them. Caste restrictions prevent them from quitting the toilsome, uncertain and undignified means of subsistence to which custom has condemned them, and taking to a handicraft or a trade. They are snubbed and repressed on all public occasions; and refused admission even to the temples of their gods But once a youth from among these people becomes Christian, his whole horizon changes. He is as carefully educated as if he was a Bráhman; he is put in the way of learning a trade or obtaining an appointment as a clerk; he is treated with kindness and even familiarity by Missionaries" Indeed, very great credit is due to the Missionaries for their work in educating and bringing up the children of these unfortunate people. Similar praiseworthy efforts for the amelioration of their condition are being made by the Depressed Classes Mission of the Prarthana Samaj of Bombay, the only native agency of this kind so far as I am aware, on this side of India. Both these agencies, I humbly submit, fully deserve all the aid and assistance that Your Excellency's Government should be pleased to extend to them in the shape of grants-in-aid, building grants, &c., &c.

The state of education among the Mahomedans of Sind is, I am sorry to say, nearly as bad. Out of the 2,446,489 Mahomedans there, only 18,177 were returned as literate

in 1901. And allowing liberally for some error which the Census Commissioner believed to have crept in the education returns for Sind, the ratio of literates among Sind Mahomedans to their total population does not appear to be much above 1 per cent.

Commenting upon the present position of literacy in the Bombay Presidency, the Provincial Census Commissioner, Mr. Enthoven, remarks: "The addition of one million to the number of those who can read and write in this Presidency, is the result of 30 years of effort. At the present rate, more than 500 years would be required to transform the present position in which literacy is an exception, to one of general literacy among adults, with an illiterate minority." He has, however, added that "it would not be safe to predict that no acceleration may occur in the future." This acceleration, I am glad to say, has been going on, and is actively helped by Your Excellency's Government. Large sums of money are spent on education,—Rs. 52, 56,000 are provided for the current year from Provincial revenues alone,—and every attention is paid to its promotion in the Presidency. The Government of India have recently made a series of large grants to local Governments for educational purposes, and have at the same time laid stress on the principle that primary education has a strong claim upon the sympathy of Government, and should be made a leading charge upon the Provincial revenues. And I am confident, that under Your Excellency's sympathetic Government, primary education, both for boys and girls, will receive every encouragement.

In conclusion I beg to congratulate Your Excellency upon the well-advised step taken by Government in abolishing the tolls levied at certain toll-bars: Many a poor cultivator will bless Your Excellency for it. It is a very obnoxious, and very vexatious tax.

I will refer to one more act of grace on your Excellency's part and then I shall have done. Upto the present the Financial Statement has been presented to the Council on the understanding that figures of the Budget estimates were unalterable. Members are now assured that Your Excellency's Government are ready and anxious to receive suggestions and criticisms particularly relating to the provision on the expenditure side of the Budget, and that these provisions are capable of alteration by re-appropriation. I consider this concession a valuable one, and for my own part, I beg to thank Your Excellency's Government very much for the same.

The Honourable Mr. MONTAGU DE POMEROY WEBB said:—Your Excellency,—The adequacy or otherwise of our revenues depends so very largely upon the success of the crops that I cannot refrain from giving expression to the uneasiness which I felt this morning when I heard the Honourable Mr. MUIR MACKENZIE's somewhat gloomy news regarding the progress of the monsoon rains. That uneasiness however has quite disappeared when I remember the downpour through which I have myself just passed during the last two days on my way here from the north, and also the general feeling of satisfaction with which the general public are regarding the development of the monsoon current. The barometer too is very low in Poona at this moment. In addition to this, we have to remember that after all, this is only the 20th June—far too early to allow any feelings of anxiety regarding the progress of the monsoon to assert themselves. Everything is going well, and I trust and pray that in the end the current monsoon may exceed our highest expectations, and that when, this time next year, we are scrutinising the revised Estimates of 1908-09, we may find, in place of the small excess of expenditure over income for which the Honourable,—the Financial Member,—has now budgetted, a

substantial surplus to swell our unexpended balance. As it is, I may, perhaps be permitted to congratulate Your Excellency's Government on the presentation of an exceptional budget,—a record not only in the matters of estimated income and proposed expenditure,—sure indications in ordinary circumstances of advancing prosperity,—but a record also in another respect. The Explanatory Statement accompanying the budget informs us that Government are now prepared to consider, and possibly accept, suggestions for modifying the expenditure side of the Budget. This, Your Excellency, is a step forward that will be received with the utmost satisfaction by all interested in the welfare of the country. The Honourable Member in charge of the Budget has also now informed us that he hopes it may be possible next year to consult a Committee of this Council before framing the 1909-10 Budget. This is indeed good news, and marks an important epoch in the development of the functions of this Council. Satisfactory as these announcements are, I hope and believe they are but auguries of greater things to come, and that the time may not be far distant when responsible sections of the public will be permitted a voice, not only in the appropriation of revenues the sources of which have been already decided upon, but also—what is of greater importance—in the selection and determination of those sources. When the thinking public can exercise some influence in the collection of the revenues of this country, then perhaps we may expect that measure of fiscal autonomy without which I venture to believe that the commercial and industrial interests of India cannot be developed to the best advantage.

In referring to the subject of possible modifications in the expenditure side of the Budget, the Honourable Mr. MUIR MACKENZIE mentions, by way of examples, Education and Public Works,—the two departments to which I now desire to make a brief reference. I notice that provision has been made for an expenditure of Rs. 43,82,000 on Education. After allowing for the transfer to this account of ten lakhs that were formerly debited under another heading, the figure is still a record one, in that it represents the largest sum yet allotted by the Bombay Government to this perhaps most important of all departments of progress, and is, for this reason, a matter for congratulation. I am unable to trace exactly what proportion of this increased allotment will go to Sind, but if I may judge by the Supplement to the last Quinquennial Report of the Director of Public Instruction, it seems to me that Sind has hardly been getting its full share. I believe that Government usually grants to each district a sum approximately equal to that expended from purely local resources. Judged by this standard, we, of Sind, have certainly some further claim on Government, and I beg therefore that this point may receive attention.

The Honourable Mr. SETALVAD has made various criticisms and suggestions on the subject of the administration and executives of many of the schools and colleges in this Presidency. Amongst other things he advocates in certain instances a species of home-rule or self-Government, and he mentioned in this connection the Dayaram Jethmal Sind College. The affairs of the Sind College are managed by a mixed Board representing various interests, and if this Board can be judged by its extraordinary proceedings of October last which resulted in the immediate resignation of the Principal of the College—a most able educationalist, then the fewer such Boards, and the less home-rule we have in these matters the better. Both the Honourable Mr. SETALVAD and the Honourable Mr. KHARE drew attention to the relatively small sums allotted by Government to Education, and expressed a hope that the time was not far distant when every

village in the country would have its primary school. Everybody will share this hope, and nobody more earnestly, I am sure, than Government itself. At the same time it is necessary to interpose a word of caution as to the nature of the education given. I should like in this connection to emphasise what has just fallen from the Honourable the JAGHIRDAR of ICHALKARANJI on the subject of religion in education. I am strongly of opinion that our educational system should include a large leaven of moral and religious training. To commence building a house without mortar or cement would not be a more futile proceeding than to attempt to cultivate and expand the minds of the young without impressing upon them the vital bearing of moral and religious considerations. Unless therefore, a large portion—I will go further—unless the major portion of the 43 lakhs now entered in the Budget is to be devoted to the inculcation in the young of a sense of loyalty, discipline and self-control—unless it is to be utilised to form character by developing in each member of our Empire a strong perception of his social and political duties and obligations, a proper respect for authority and—in short—a due reverence for both God and man, then, Your Excellency, I submit we should do better to strike the Educational allotment out of our budget altogether.

The next matter to which I desire to refer concerns the Public Works. Your Excellency is aware that the Trustees of the Port of Karachi have undertaken the onerous work of doubling the existing import, export, and shipping facilities of the Port. This involves not only the expansion of the harbour itself but also very considerable re-arrangement and development of the railway approaches from the land side. We have, to come to the gist of the matter, to carry the main lines of the North-Western Railway across the chief thoroughfare to Keamari and the wharves, and this involves the building of an overbridge on the site of the existing Customs House. Over a year ago these facts were represented to the local Officials who were asked to obtain the sanction of Government to the removal of the old Customs House. No answer has yet been received and the consequence is that important portions of our scheme of development and improvement are at present hung up pending Government's reply. I am not sure how much, if at all, this Government contributes towards the cost of erecting Customs Houses, or whether these matters are within the scope of the Provincial Budget. Should however any portion of the sum which Government have been asked to contribute, be payable by the Bombay Government, then, Sir, I beg to move that the sum in question be provided for in the Budget for the current year. I suggest that one lakh of rupees be entered as Government's contribution towards the cost of the new Karachi Customs House.

The other Public Works matter about which I should like to say a word, is related to the question of improved irrigation facilities for Sind. It is impossible to regard the huge irrigation projects which Government are at present carrying to completion in the Punjab, without a feeling of some anxiety for the water-supply of Sind. Engineers have assured me that up to the present the canals of the Punjab have made no difference in the levels of the Indus at Sukkur and Hyderabad. At the same time I cannot but feel that every new canal opened in the Punjab *must* of necessity delay the rise of the river in Sind, diminish the period for which it remains at its highest, and hasten the rapidity with which it sinks back to its low levels—all most serious disadvantages to the cultivators of Sind. Then we have our existing canal systems of the East and West of Sind, also the mighty project for a high level canal from Rohri to the Hyderabad districts. All

these schemes would be vastly improved—seasonal flows being converted into perennial streams—and the risk to Sind attendant upon current irrigational developments in the Punjab, entirely removed by the construction of a weir at Sukkur. This weir is, of course, no new idea. It has, I believe, been advocated by most of our irrigation experts, its financial aspects are no longer considered insuperable, and its construction has practically been decided upon by Government. At the same time, I find no mention of it in the Budget now before us, nor can I discover any trace of it in the Public Works Budget, or in any of the statements that accompanied these Budgets and that have been made today. I beg therefore to inquire, Sir, what has become of the Sukkur Weir? And when we expect its construction to be commenced?

In opening today's proceedings Your Excellency referred in grave words to the recent deplorable outbreaks of sedition and anarchy of which we have seen evidence in more than one locality on the other side of India. I should like to take this opportunity of assuring you, Sir, that the words and actions of the extremists and bomb-throwers of Bengal find no echo amongst the people of Karáchi with whose feelings on this subject I think I can claim to be quite familiar. The leaders of Sind are well aware of the generous intentions of Government, and, in no part of India will the steps which Government have at length reluctantly found themselves compelled to take to maintain security and order and to keep in check the least informed and therefore most malicious sections of the press, be received with greater sympathy and satisfaction than in that part of the Presidency which it is my honour, for the moment, to represent.

The Honourable Mr. H. E. E. PROCTER said:—Your Excellency,—A Budget which estimates not only for a record revenue but a record expenditure is certainly a bold one, seeing that a bad monsoon would reduce the former and probably increase the latter. It might perhaps have been safer, until our monsoons once more become normal, to have curtailed the expenditure somewhat, but one must admire a bold policy and I trust it will meet with the success it deserves. I have not had so much experience of monsoons, as some of the other Honourable Members, but what I do recollect is this, that heavy early rains often mean the failure of the later rains and it is upon the latter that we depend. Of this we had an example last year so that I do not take a pessimistic view because of events up to the present.

I should like to associate myself with the remarks of the Honourable Dr. BHANDARKAR in fully agreeing with the remarks in the Financial Statement regarding the disadvantage of ear-marking the various grants allotted by the Government of India. The value of these grants would undoubtedly be greatly enhanced if Your Excellency's Government had the allocation of them and I trust the Government of India will see their way to meet the wishes of Your Excellency's Government in this respect.

I would also like to associate myself with the expressions of other Honourable Members regarding the reduction proposed in the matters of tolls, and I hope the day is not far distant when there will not be a toll-bar left in the Presidency.

I am sorry to see that the allotment for protective works is not larger. I understand the four Deccan Canal schemes will cost 824 lakhs, so that at the present rate of expenditure they will take about 55 years to complete! As stated by the Honourable Mr. MUIR MACKENZIE when once these schemes are decided upon the only true economical

policy is to complete them as rapidly as possible, and I trust therefore the Government of India will see their way to granting an annual allotment of not less than £0 lakhs so as to ensure their completion in about 16 years.

On the revenue side I notice under assessed taxes that the tax on profits of Companies is put down at Rs. 4,75,000 slightly more than what was realised in 1907-08. Looking at the present conditions of trade, I hardly think this is justified and should be reduced. I should think it more than likely that it would be a lách less than has been estimated for.

There are two other matters I should like to refer to. The first is that of a bridge over the Kalyán Creek. The Honourable Mr. PAREKH asked a question about this on the 31st of March 1906, when Government stated that preliminary designs and estimates for possible bridges at both Kalyán and Kalher Creeks had been called for and they hoped to have a report from the Commissioner the following October. I spoke myself at the Council Meeting in August 1906 on the same subject and emphasised the need there was for the bridge. The Honourable Mr. WHITE stated in reply that he recognised a bridge was wanted on the Bombay-Agra road and that Government had been considering for the past six months whether the bridge should be at Thána or Kalyán. The necessity of the bridge asked for is more apparent than ever, especially in view of the increase that has taken place in motoring. I see that in reply to a question by the Honourable Mr. GOKULDAS K. PAREKH, Government state that the design of the bridge, which is estimated to cost about 4½ láchs, is practically ready, but that no funds are available. I trust Government, however, will see their way to having the work taken in hand as soon as possible.

The other matter I wish to refer to is that about which I have already asked a question—the matter of the silting up of the Dharamtar Creek and the Savitri River which has caused great inconvenience to the inhabitants of the districts served by those waterways. It seems to me that the keeping open of these waterways is as much the duty of Government as the maintenance of high roads, more especially when they constitute the only means of communication for the inhabitants of those districts, who have no roads and no railways. The reply to my question on the subject is that the Government has long been aware of the silting up of the creeks, but the cost of keeping them open and dredging them would be prohibitive. Government may have information at their disposal which I have not, but I should not have thought that the cost would be prohibitive.

If Government were to enter into negotiations with the Port Trust concerning the matter, I think that that body would be willing to do all that is required and that the cost would not be prohibitive.

In addition to these two places and the question of silting up, there is the question of providing landing facilities on the other side of the harbour. This is not a new question. A petition was presented to Lord Lamington on the subject, pointing out the absolute lack of pier accommodation at Uran, Rewas and other places, and asking that a pier should be built at Kalgan, four miles from Mandwa and, in view of the pressing want of housing accommodation in Bombay, I am of opinion that Government should do everything in its power to encourage people to live on the other side of the harbour. I

trust Government will give this question their earnest consideration. I believe these places are under the administration of the southern ports whose invested funds amount, I believe, to about 1½ lakhs of rupees. I should have thought these funds might have been utilised for the purpose, unless Government has views as to their disposal in some other manner.

On the subject of education I do not desire to speak. It has already been exhaustively dealt with by Honourable Members who know a great deal more about it than I do, but I do wish to associate myself with those members who desire to see an increase in the salaries of the teachers. I am sure that if there is any class of people in this Presidency who deserve such an increase it is the teachers.

The Honourable MR. R. A. LAMB said :—Your Excellency,—my position outside this Council does not make it proper for me to speak on matters relating to the executive departments of Government, but I happen to have with me the papers relating to a point raised by the Honourable MR. PAREKH with regard to the question of building areas in Salsette. I understood the honourable member to say that demands were still being made on certain landholders, who claimed that they were not liable to enhanced assessment under Regulation I of 1808, regardless of the fact that one Kuvarbai had brought an action against Government to establish her claim for freedom from any enhanced assessment. I understand from the papers that I have here that Kuvarbai has brought this action and that the Settlement Officer reports that now that she has brought the action demands in similar cases are not carried on, but are held over pending the decision in that case. The officer further reports that there are some cases in the Island of Salsette which are dissimilar from that of Kuvarbai, and in these cases demands are enforced as Government are entitled to do under the opinion given to them by their legal adviser, the Advocate-General. In the particular cases which are exactly on the same footing as that of Kuvarbai the demands are not enforced pending the decision of this case.

✓ There is another small matter on which I wish to say a few words. The Honourable MR. LOGAN referred to the question of local option or appointment of committees to decide the number and allocation of liquor shops. From the answer given to the Honourable MR. DIKSHIT to his question No. 6 it will be observed that the Government is making a departmental inquiry into the matter, and it is proposed to issue orders when the report of the Honourable MR. LOGAN is received. In the Financial Statement it is remarked that this Government has never advocated "the system of auctioning the shops which has been deliberately prescribed by the Government of India contrary to the advice of the Excise Committee. The system will have to be carefully watched, and if it be found, as there are grounds for suspecting, to stimulate consumption unduly, the Government of India will have to be asked to modify it." I am sorry to observe that my honourable friend, DR. BHANDARKAR, and others made no reference to that statement, because in my opinion it touches closely the question of temperance, and it would have been well if there had been an expression of opinion on the point from those members of the Council who are interested in the question. I read in the daily papers that the Temperance Conference which met at Surat last December put in the forefront of their programme this question of the abolition of auctioning shops.

The Honourable Mr. KHARZ appeared to refer to the superfluity of entering under land-revenue in Appendix B of the Financial Statement 91, 73 on account of alienated revenue. This is only a book entry, and the amount is excluded altogether from the land-revenue which is divided between the Imperial and Local Governments; the expenditure has to be shown under the several appropriate heads on the expenditure side, and the total of these items is shown on the receipts side under land-revenue in order to balance the account.

His Excellency the President then adjourned the Council until 12 o'clock noon on the following Monday.

By order of His Excellency the Honourable the Governor,

A. C. WILD,

Secretary to the Council of the Governor of
Bombay for making Laws and Regulations.

Poona, 20th June 1908.

Abstract of the Proceedings of the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 and 25 Vict., c. 67, and 55 and 56 Vict., c. 14.)

The Council met at Poona on Monday, the 22nd June 1908, at 12 o'clock noon.

P R E S E N T :

His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E.,
Governor of Bombay, *Presiding*.

The Honourable Mr. J. W. P. MUIR MACKENZIE, M.B.A.C., C.S.I., I.C.S., J.P.

The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I.C.S.

The Honourable Dr. RAMKRISHNA GOPAL BHANDARKAR, C.I.E.

The Honourable SYED ZAIN EL EDRUS.

The Honourable Mr. ALEXANDER COCHRANE LOGAN, I.C.S.

The Honourable Mr. GEORGE OWEN WILLIAM DUNN, M.Inst C.E., J.P.

The Honourable Mr. F. G. SELBY, M.A., C.I.E.

The Honourable Mr. W. L. S. L. CAMERON, A.M.I.C.E., J.P.

The Honourable SHEIKH SADIK ALI *walad* SHEIKH SHEER ALI.

The Honourable Mr. CHIMANLAL HARILAL SETALVAD, B.A., LL.B., J.P.

The Honourable Mr. GOKULDAS KAHANDAS PAREKH, B.A., LL.B., J.P.

The Honourable Mr. DAJI ABAJI KHARE, B.A., LL.B., J.P.

The Honourable Mr. VITHALDAS DAMODHER THACKERSEY, J.P.

The Honourable Meherbān NARAYANBAO GOVIND *alias* BA'BA SA'HEB GHORFADE,
Jāghirdār of Iebalkaranji.

The Honourable Mr. RICHARD AMPHLETT LAMB, C.I.E., I.C.S.

The Honourable Khan Bahadur NAVROJI PESTANJI VAKIL, C.I.E.

The Honourable Sir WALTER C. HUGHES, Kt., C.I.E.

The Honourable Mr. MONTAGU DE POMEROY WEBB, C.I.E.

The Honourable Mr. H. E. E. PROCTER.

The Honourable Mr. F. G. SELBY said:—Your Excellency,—A gr̄at many members in the Council spoke on Saturday on matters pertaining to education, but on the whole I do not think I have very serious criticisms to answer.

The Honourable Dr. BHANDARKAR began with the suggestion that the balance of the funds of the Government Book Dep̄t should be handed over to the University for the encouragement of research and for the foundation of scholarships and fellowships. In this matter I find myself in a peculiar position. As Vice-Chancellor of the University I should naturally be inclined to the proposal which is to the benefit of the University; while as Director of Public Instruction I represent Government in some measure and should be in favour of using the money for the encouragement of literature in the Presidency. I quite agree that this sum ought not to be allowed to be swallowed up in the gulf of provincial revenue; but at the same time I think that it can more properly be used for

the encouragement of literature in the Presidency. / This Council might perhaps be aware that there is a Bombay Sanskrit Series, which consists of a number of Sanskrit books, edited and published by the best oriental scholars in this and other countries. These books are a credit to the attainments of the scholars of this country. Hitherto the Book Depôt fund has performed the function, which the University Press at Oxford has been doing, namely, to bring out scholarly books, which it is desirable to publish, but which no private publisher can afford to produce. It is indeed a very useful function. The fund is also used for the encouragement of writers in all parts of the country, and as a matter of fact Government have been able to buy and distribute copies of such books amongst schools and colleges and amongst the principal libraries of the country. On further reflection, my honourable friend, Dr. BHANDARKAR, will see that the use of the fund as I have suggested is a reasonable one.

The Honourable Mr. ZAIN EL EDRUS made some remarks about the low pay drawn by the vernacular teachers, and the Honourable Mr. KHARE also spoke to the same effect. With these remarks I am in perfect sympathy. I think the under-payment of these schoolmasters is a public scandal and a public danger. I have represented the matter to the Government and I feel sure that measures will be taken to improve the present state of affairs. I am also in sympathy with those of the humbler members of the public service generally who have the same complaint to make. I have under me hundreds of men with regard to whom my daily wonder is how they manage to live and bring up their families. Now in these days when we are constantly demanding more work and more qualifications from our men, and when the cost and standard of living has gone up in the Presidency, the scale of their remuneration has remained the same since about thirty years ago when I joined the service.

The Honourable Mr. SETALVAD began by alluding to the comparatively small amount which is spent on education in this country. With regard to this matter I may explain that the amount that has been spent is considerably increased and is increasing, and Rs. 10 lakhs have recently been added to the expenditure on primary education, and over 1½ lakhs to the expenditure on technical education. We have also to take into account the additions which have been made to the buildings of schools and colleges throughout the Presidency.

The Honourable Mr. SETALVAD next alluded to the absence of any grant to the University. It is true, of course, that no direct grant is made to the University by the Provincial Government, but, on the other hand, I am sure Mr. SETALVAD will agree with me that the money spent by Government on colleges is a contribution to the University, because the work done by the colleges is practically the work of the University. We know that money is spent by Government for providing and maintaining large buildings and staffs for colleges for which they are responsible and that additional professorships in science have only recently been sanctioned and will soon be added. I may point out further that if Your Excellency's scheme for centralised teaching of science in Bombay and Poona laboratories is carried out, it will be in the nature of a direct grant to the University.

In the matter of endowment of the University I may suggest whether Bombay might not do something in the way of building up a revenue for it such as is done in the Universities at Home. In regard to my own University, I mean the University of Oxford, the colleges affiliated to it are rich, while the University itself is extremely

poor. Practically its income is derived from examination fees and degrees. In this country we do charge fees for examinations, but that money is swallowed up in the payment of examiners. We charge no fee to those who receive their degrees and to those who participate in the government of the University. I may mention that the University of Oxford derives an income of £ 6,000 a year from those who take their M.A. degree alone. Again, besides the charge made for the degrees of B.A. and M.A., if those, who take the M.A. degree, wish to enjoy the shadowy honours of the degree, they have to make a yearly contribution as long as they live both to the University and to their college, or if they do not want to be troubled with a yearly contribution they give a lump sum as a final payment. When I took my M.A. degree, the possession of which has no value to myself, I paid to the University and to my college something like £ 60, and when a great many men like myself do that it is a great aid to the University. The payment is in the nature of a thank-offering to the University. I think possibly something might be done in this country in that direction as a means of building up a revenue for the University. Then also perhaps the honourable member might with advantage imitate the example of Lord Curzon, who, since his return home, recognising the poverty of his University appealed to the public for benefactions. The stream of benefactions has not flowed in recent years and possibly our University might do something to induce rich men to contribute.)

The Honourable Mr. SETALVAD then went on and made some remarks on certain vague condemnation which is very often heard in this country of the character and superficiality of the educated Natives. I quite agree that there is a great deal of loose talk on this matter. Mr. SETALVAD took up first the character of the educated people of this country. I think I may say that he made a mistake in understanding the word "character" in too limited a sense. I think he understood by character common honesty and integrity, and if we are to judge from that standpoint I may say that authorities of all kinds in this country have for years borne witness to the fact that it is difficult to find in any country a more upright class of men than those who are engaged in the various public services of this country. But I think those who talk nowadays of character, as, for instance, when we hear people talk about formation of character in connection with the proposed establishment of a Parsi College, use the term 'character' in a somewhat wider sense. In the address which I made to the University in the convocation some eighteen months ago I alluded to the damaging effect on the character of the young men who come in premature association with politics. The remarks which I then made were received with approval by a great many people in this country. Then, again, Mr. SETALVAD has perhaps left out of account this fact, namely, that the number of boys and young men who go to schools and colleges has increased enormously in recent years and goes on increasing, and that a great many of the boys who come up to the college live in very disreputable and disgraceful places which are called hotels in the Poona City and in other cities. It is no wonder that a boy's character should suffer if he is allowed to be brought up in that way far removed from the influence of his parents and natural guardians and from the supervision of his teachers. When the people talk about paying attention to the formation of character, what they allude to is the danger to which students are subject when young and to the conditions in which many of them live. The truth of my remarks is borne out by the fact that a great many people are perpetually pressing

upon Government the necessity of attaching hostels to colleges and schools, so that boys might be brought under proper control. I know I was constantly pressed, especially in the beginning of the terms, and received most earnest entreaties from parents to find room for their children in the hostel attached to Deccan College on the ground that they were not willing to send their children to Poona otherwise, as they would have to live in some hotel. This is the point of view from which people speak of character at the present time.

Then the Honourable Mr. SETALVAD went on to talk about the charge of superficiality which is brought against those who pass out of colleges and the University. I imagine that in any country the superficial constitute the majority. On the other hand, unfortunately, superficiality comes more to the front in this country than in any other country. I think the people in this country are by their nature good tempered and suffer fools gladly. We find here that the boy, who speaks, finds hearers; and if he writes he finds readers. That being so the majority of sensible people, who have something or other to do, hold their tongues, and thus superficial youngsters, who are heard, come to be taken as typical of the educated class. There is an Italian proverb (*chi scrive non sa, chi sa non scrive*) "He who knows does not write, he who writes does not know." This seems to be pretty much the case in this country. Unfortunately in this country the number of those who speak and those who write on political matters has enormously increased. The majority of them are very young people and it follows that their speeches and writings on politics cannot be worth anything at all. That also produces the general impression of superficiality. In fact, I suppose, it may be taken as a truism that the political atmosphere of the country is vitiated by the rubbish that they are writing. It is not written with a serious intent, but as a means of livelihood. It seems as if what is good enough to bring money into the editor's pocket is considered good enough to be put in print. In this way a good deal of superficial rubbish is printed in the papers. I would now ask the Honourable Member to consider one other thing. Mr. SETALVAD has lived for the greater part of his life in Bombay. During the last two years accident has thrown me a good deal into contact with writing in Bombay. I confess I am most profoundly impressed with the intellectual difference between Bombay and Poona. Bombay admittedly is superior. When one goes to Bombay one meets men of every caste and creed, men with different interests, up-bringing, and ideas and so forth, and there one's own opinion is put to the test at the bar of criticism. In that way a thoughtless speech is rendered impossible there, unless the speaker says that his idea is worth everything, and then he will be taken at his proper worth. In the Deccan society, speaking generally, the articulate portion of the society is comprised entirely of men of the same type and therefore no man has ever to justify his opinion at the bar of criticism. He knows that what he says is the opinion of those who hear him. Therefore his opinion, expressed or written, becomes superficial, because it does not stand the test of criticism. It is necessary that these young men should be obliged to go down to Bombay, to take part in debates there, to come in touch with men of ideas different from their own, and to feel that their opinions could not be accepted without a test of criticism. What we find in the Deccan is that the man who shows a little more energy than the rest is regarded as an oracle and followed by the others like a flock of sheep. But that is not found in society in Bombay. I remember the late Mr. Justice Telang, who

was one of the most distinguished graduates of the Bombay University, once wrote deploring the want of intellectual conscience among his country men. By this he meant that they shut their eyes to facts, and even perverted those facts in the interest of their own opinions. I therefore say that the men who use arguments which are superficial, must not complain if the charge of superficiality is brought against them.

Then in connection with the University, the Honourable Mr. SETALVAD told us in a reminiscent mood of battles that were fought in the Senate long ago in regard to the late Mr. Justice Ranade's scheme for examinations by compartments and the presence of educational officers in the University. I may at once say we look with no feelings of dislike or jealousy whatever on the presence of laymen in the University. At the time when the Indian Universities Act was brought in there was a great deal of talk of securing experts in the government of the University. I do not think it is maintained in this country that the government of the University should be in the hands of the teachers to exclusion of the laymen altogether. It can be easily understood that when a law is to be framed the services of trained lawyers become necessary; but if one wants to know whether a law should be passed, one does not necessarily ask a lawyer about it. In the same way, education is a matter which requires just as much special knowledge and special training. When an educational scheme is drawn up the presence of experts is necessary, and once the scheme is prepared the time comes for criticism by the common sense of educated men of the world. I am quite sure that the majority of teachers in the University recognise the many advantages which they derive from the criticism of men like the Honourable Mr. SETALVAD and others that meet in the Senate.

✓ On detailed matters, the Honourable Mr. SETALVAD referred to the hostel attached to the Elphinstone College and alluded to the unsuitability of its situation. I am afraid there is nothing to be said in defence of it. Recently when I visited these quarters I found that they were very unhealthy and unwholesome. There is a large block of Catholic buildings opposite to them and the room of the student whom I visited was in front of the kitchen, which cannot be quite agreeable to the Brahmin student. But I am afraid nothing can be done to make them thoroughly satisfactory.

Then the Honourable Member naturally put forward his plea once more for the endowment of the Gujarát College, that is to say, that it might be taken over by the Government. I quite agree that the Board of the college as it exists at present is not very well constituted. But I am sure as a lawyer Mr. Setalvad has respect for legal instruments. The state of things is that the Gujarát College belongs to a Society which is established for the promotion and spread of education in Gujarát. It is impossible to hand over the college to the Government unless the Board makes a proposal which should be endorsed by the Society to the Government and it is agreed to. This is the legal position with regard to the college. I must also say that the college at the present moment is in a bad way and if it continues so it should not be allowed to go on. I must say that I was rather surprised at the dilatoriness of the Board, considering the fact that people in Gujarát are known for their shrewd business capacity. Recently I made a proposal to the Board to improve their staff, but it fell to the ground, because after first promising to do certain things, they stated they could not do them. If the people of Gujarát can get Rs. 20,000 a year they can put their college in a satisfactory condition. It is not impossible for a rich province like Gujarát to raise that income. I do not advise

✓ Government to take over the college. We have a very limited sum of money available and that limited sum will be necessary for the improvement of those colleges for which the Government is responsible. I think until Government is prepared to put down money for this college in addition to other colleges, the Gujarát College must be left to itself. It is no good multiplying colleges if they cannot be maintained in proper efficiency.

Another point was raised as to when the report of the Committee on primary education in Bombay may be expected. On this point I can speak with some feeling. The Honourable Member's suggestion is that it is somebody's fault, or rather the Government's fault, that the report is not forthcoming. I do not know why the meetings of the Committee are not called. I attended two out of the three meetings called, and the Committee was broken up because nobody went to it. When I attended on the last occasion the Honourable Mr. SETALVAD and Mr. CHICHGAR only were present, and it was decided that as nobody was present it was useless to meet, and I came back to Poona.

The Honourable Mr. SETALVAD: I have always attended every meeting of the Committee.

The Honourable Mr. SELBY: I did not refer to you personally. Under these circumstances I say that I am quite willing to go to any meeting to which I am called provided it is sure to meet.

Then there was another point mentioned by the Honourable Mr. SETALVAD. He and also the Honourable the Jághirdár of Ichalkaranji made some remarks about the ✓ extension of primary education in this country. The Honourable Mr. SETALVAD argues that if you want to give primary education you must make it free. I think in the first place we ought to get rid of this expression "free education." The expression is misleading. When you talk of free education it means education for nothing to anybody who applies for it. The Government of India circular contemplated nothing more than remission of the fee that is at present charged. Instead of free education we may talk of remitting fees that are now paid. My contention is that in proportion as you make education free you limit its extension by letting go the income which you would otherwise derive and make use of. I have carefully considered the matter and find that if you remit the fee it means an increase of seven lákhs in the annual cost to the Government for primary schools in the mofussil. To this might be added perhaps, though I am not sure of the figure, another seven lákhs, which is the cost in the city of Bombay. What I propose is that the fees that are derived in the mofussil are paid perfectly willingly by the parents and it is a gratuitous waste of money to hand back money which the parents do not object to pay. The Honourable Mr. KHARE practically bore me out in that because he laid stress upon the fact that the people of this country do want some education. Hardly a day passes when the inhabitants of a village do not ask me why there should not be a school in their village. They always say, "give us a school," and the only reply which I can send is that the whole grant given by the Government of India is actually expended and I cannot start any more schools before I get further grants. Therefore when people make claims for schools to hand back money which is willingly given is in my opinion a criminal waste of public money.

✓ The question of compulsion has also been referred to. Now, if, as the Honourable Mr. KHARE says, people in villages do want schools, why does he argue for compulsion?

Where is the necessity in that case of compelling people to send their children to schools. It is time enough to compel when the people do not want to send their children to schools. Indeed, I am surprised to see him speak of compulsion, because he has said that he is not in favour of introducing compulsory education in the city of Bombay. I think compulsion must in any case be introduced. The demand for compulsion does not come from Government. It comes from portions of the educated class, and therefore if the demand is conceded they must bear the odium, as the saying is that the man who calls the tune must pay the piper. The proper proceeding for the Government would be to say that if any Municipality asks for legislation giving it power to exercise compulsion within its limits, then it would be a matter for consideration whether that power should be given or not. If the Government think that it is necessary as the demand is from the municipality, the odium of enforcing it must also be on the municipality and Government should not go out of their way to take the odium upon themselves.

The Honourable Mr. PAREKH had one or two criticisms, the first of which I could not quite follow. He complained that out of the grant made by the Government a sufficient portion was not used for primary education directly, and that more should have been spent on schools. This could not have been done until there was a sufficient supply of trained teachers. At present I am pressed with demands from day to day and from week to week for more trained teachers than we have.

(The Honourable Mr. PAREKH's second complaint was in regard to Vernacular Readers' (Gujarati) Series. There again there are a few considerations which I would put before the Honourable Member. In the first place he said that these readers were disfigured by provincialisms. Now, I submit where there is no fixed literary canon it is difficult to say what is a provincialism. A few days ago a gentleman told me that in the Gujarati readers there are vulgarisms; but when I took another gentleman's opinion he said there was no vulgarism, but there were provincialisms. It is difficult to say what is a correct expression and what is provincialism. Mr. PAREKH will probably find that though his own vernacular may be natural to him, what he speaks and writes will not be considered quite correct by a person living in a district different from his own. Indeed, it is simply difficult to draw a line between a correct expression and provincialism. As to correct orthography, again, it is at present a subject of acrimonious dispute among the Gujaratis.)

The Honourable Mr. PAREKH then read out two stories from these books and complained that they tended to encourage superstition, which should not be done under British Government. I must confess that they do not seem to me so very awful. The idea kept in view was to include in these books fairy tales and folklore as they are amusing to the children, and I do not think that the matter needs to be taken so very seriously.)

(Then the Honourable the JA'GHIRDA'B of ICHALKARANJI made some remarks about free education; but I think I have sufficiently answered them when dealing with the remarks of other speakers on the same subject. I confess I found it difficult to follow him, because he read his speech somewhat quickly. But I gathered that what he said was that a good deal of encouragement was given to education by himself in his own State and by the ruler of the Sangli State, and that we do not do much. I say that we have done what we can. But one point he has overlooked. If he reads the chapter on

indigenous schools in our Code he will find that we have done the best we can for making the village schools useful.)

The Honourable the JA'GHIRDA'R of ICHALKARANJI also said that a great deal of harm is being done by teaching every thing in high schools in English rather than in the vernacular. I may say that in a large school at Poona the experiment of teaching in vernacular up to a certain point has been introduced with my sanction. The result of that experiment is not known, but at any rate a beginning has been made in the direction indicated by the Honourable Member.

The Honourable Member also made a proposal for doubling the fee of boys and young men who were married and raised the question of including religious instruction in the school curriculum. He also said that by the revival of certain domestic customs and practices we will be restoring good ancient manners. I fail to understand how we can restore ancient manners by customs the beliefs underlying which have lost their hold on their minds; and as to the introduction of religious instruction in schools, it does not appear to be possible in the composite schools that we have.

The Honourable Mr. VARIL read out a very careful paper analysing the position with regard to primary education. He will recognise that his paper contains a large mass of figures which it is impossible to take down and which he has just put in my hand. The paper is evidently compiled with great care, and I assure him that I will read it very carefully and do what I can to meet him. One of his suggestions has been anticipated. We are preparing at present a list of villages in the Presidency in which it is possible to open schools when the money is forthcoming. We have a list of villages, a list of population of villages, a list of the probable attendance at school, and the estimated cost of schools. The list is complete for parts of the Presidency and in a few months it will be complete for the whole Presidency. When we have money we can utilise it to the best advantage.

✓ With regard to the educational requirements of Sind I would ask the Honourable Mr. WEBB to remember that the contribution which we make depends upon local conditions. Sind is a small province and if it gets a small sum, it means we receive a small sum. On the other hand, large building grants have been made for schools in Sind and I can assure the Honourable Member that any particular representation which he may make with regard to Sind will receive careful consideration. Sind is essentially a Mahomedan province and success must depend upon measures which would attract Mahomedan students. If they do not come to us we must go to them, and anything relating to Mahomedans will receive our careful consideration.

Now, I have to appeal to the business members of the Council in a matter of education in which the Government is much interested and in which the business members can give us very great assistance. This matter relates to commercial education and any suggestions that they will make will be carefully considered. Firstly, taking the heads of great commercial firms in Bombay and Karáchi, we see that they employ a large number of native clerks. What we want to know is what qualifications they require from them. Then also I presume that members of European and Native firms employ not only clerks, but they also want subordinate managers in different departments. These people, I presume, must be somewhat better educated, and I shall be very glad

to have any information on that point. On the third point, my honourable friend Mr. THACKERSEY can help us. There are large numbers in this country who trade on their own account. What we want to know is whether their business is impeded by want of education, and, if so, what education and what information we should give them in order to enable them to extend their business. The Honourable Mr. THACKERSEY, the Honourable Mr. WEBB and the Honourable Mr. PROCTER know exactly what they want, and if they will be kind enough to give any information it would be of great assistance to us.

The Honourable Mr. SETALVAD:—Your Excellency,—The Honourable Mr. SELBY stated that if the fees in the primary schools are remitted the loss to the Government in the mofussil would be seven lakhs, and a similar loss in Bombay. I beg to point out that he is in some error. The budget itself shows that school fees come to Rs. 1,40,000. So far as Bombay is concerned the fees derived from municipal schools come to Rs. 20,000 and those from the aided schools amount to Rs. 53,000. It cannot be seven lakhs at all.

The Honourable Mr. SELBY:—I was not quite sure about the correctness of the figure relating to Bombay, but I am quite sure with regard to the figure given for the mofussil. The Honourable Mr. SETALVAD does not take into account the high compensation that would have to be paid to the aided schools in the event of the fees being remitted.

The Honourable Mr. SETALVAD:—But the fees in the municipal schools are Rs. 20,000 and in the aided schools Rs. 53,000.

The Honourable Mr. SELBY:—I give up my figure as regards Bombay city. The fact is that a very high compensation would have to be paid to the aided schools for the loss caused to them by the remission of the fees.

The Honourable Mr. J. L. JENKINS said:—Your Excellency,—I propose merely to say a few words regarding those branches of the administration which are more immediately under my control.

The Honourable Mr. SELBY's interesting speech has left me little to say on the subject of education. I have had to do with many departments in my time, but in none have I received so much advice as in the Educational Department. If there is any truth in the saying "In a multitude of counsellors there is wisdom" the Educational Department ought to be very wise indeed. The difficulty is to choose between many conflicting opinions. Thus the Honourable the JAGHIRDAR of Ichalkaranji, to whose account of his experiments in the field of primary education I listened with interest, advocates a simpler course of instruction, cheaper school houses, and masters on very low pay; while we are at last making an effort towards improving the pay of primary schoolmasters. I think I know which side the masters would take in the matter. The Honourable Mr. SETALVAD desires that the Arts Colleges at Ahmedabad and Karachi should be converted into Government institutions. I agree with him that there would be an improvement in point of efficiency; but what becomes of the recommendations of the Education Commission and the opinions of those who hold that higher education can be greatly extended only by a system of aided colleges? Some again say, let us have a school in every village; others demand free education. Yet the provision of a school in every village must be greatly delayed if education is made free in villages which already

haya a school. I was much struck by the Honourable Mr. PAREKH's criticism of certain lessons in the new Reading Books. I am afraid he would be greatly shocked if he knew how English children revel unrestrained in fairy stories, tales of wonderful and supernatural events recorded in the beloved pages of Grim, and Hauff, Hans Anderson and Andrew Lang. Among us they are thought to stimulate imagination, one of the finest qualities of the mind. Mr. Andrew Lang has, I believe, exhausted all the colour of the rainbow in his titles of a series of such tales.

I can say no more than that all the suggestions which have been made for the advancement of education will receive the most careful attention.

The question of the recruitment and training of Judicial Officers has often been discussed in our Council. I believe the Honourable Mr. SETALVAD is wrong in thinking that the system which obtains in India is without precedent in any other country. On the contrary, the system of appointing lawyers to judicial offices is peculiar to English-speaking countries, and has frequently been criticised by continental jurists. Its origin is deep in the history of England and the annals of the Inns of Court. In most other countries the Judicial Officers belong to a service, and gain their knowledge and experience, not at the bar, but on the bench. I think there is a certain amount of cant about the phrase "a trained lawyer." There is much virtue in a barrister of seven years' standing. He may never have held a brief, or his practice may have been insignificant; yet as a trained lawyer he is eligible almost for anything. I have even heard it whispered that such trained lawyers have even been appointed to High Court benches; and surely a member of the Indian Civil Service who may have taken honours in the Law Schools at Oxford or Cambridge, as many do now, who has passed stringent examinations in the laws he has to administer, who has had some years of experience as a magistrate and in the practical application of many and various Acts may be considered fit to be an Assistant Judge. By their fruits ye shall know them. A system which has given to the High Court Judges such as Sir Maxwell Melville, Sir Raymond West, Mr. Birdwood and Mr. Parsons, Sir John Jardine and Mr. Batty, cannot be very bad. Nevertheless, I think it would be a good thing if candidates for the service could receive a better legal training in England before they come out, but that is too wide a question for discussion here. As regards appeals from Courts in Native States which come up to Government for disposal, I think it is hardly realised that the great majority of such appeals are in Political cases, in which political expediency has a great part. Civil appeals are comparatively few; and in many of these there is a salutary rule not to interfere with the decisions of the State authorities unless there has been a gross perversion of justice. In second appeals the power of interference is also greatly limited. First appeals are very rare indeed. There has been only one in nine months and that on a preliminary issue. The Honourable Mr. FULTON introduced the practice, which I think should be continued, of hearing counsel in first appeals; but I have only seen one case in which counsel actually appeared.

↓ I am glad to be able to relieve the Honourable Mr. SADIK ALI's anxiety regarding the provision of funds for Sanitary Committees, village water-supply and Local Fund grants. The money is all there: Rs. 19,322 for Sanitary Committees, of which Sind gets the hon's share Rs. 7,203; Rs. 60,000 for village water-supply under 45 Civil Works at page 184; and the grant-in-aid of seven lakhs included in the sum of Rs. 23,04,805

in Appendix E, and also in the sum of Rs. 7,50,000 at page 184. He will also be glad to know that orders have been issued which will prevent delay in the payment of the establishments of Sanitary Committees. When municipal self-government is extended in the manner outlined by Your Excellency, I sincerely trust that the tendency to call in Government whenever anything goes wrong will disappear. How strong the tendency is may be seen from some of the questions asked at this Council. Is a night-soil depôt a nuisance? Let Government interfere. Is there anything wrong in an octroi schedule? Let Government see to it. It seems to me that local self-government will never become a reality in this country until people learn to settle things for themselves, without appealing to Government to take their part if anything is done which they do not like. As long as Government officers are in control, official authority may be exercised over them; but when their control ceases Government can interfere only by the exercise of their powers under the District Municipal Act.

As Your Excellency is shortly to receive a deputation on matters relating to excise, I will not trench on that subject further than to say that Government intend to arrange for the appointment of committees in large towns, on the plan adopted in Bombay, for determining the number and situation of liquor shops. The recent increase in consumption in some districts, in spite of an increase in the taxation of liquor, is receiving the attention of Government, and it is hoped that, with the permission of the Government of India, the faults in the system of shop licensing lately introduced may be remedied. As regards the Honourable Mr. WEBB's request that provision should be made for a new Customs House at Karachi, I find that the proposal reached Government in December last year, and the work has been entered among "C" works in the Budget of Imperial Civil Works for the current year. The plan and estimate have not yet been submitted to Government. When they are ready I have no doubt that we shall be able to provide the requisite funds.

The Honourable Mr. MUIR MACKENZIE said—Your Excellency,—I observe that my warning words of Saturday regarding the opening of the monsoon in the Deccan have evoked something like a protest from several Honourable Members. I would not have it for a moment to be understood that there is not plenty of ground for hope of a good season. The fact is incontestable that in the Deccan the rains are starting very late. It does not, however, follow that the rainfall will be insufficient or the harvest bad. The key to the season lies in the month of September. Whenever September rains are good, the rest of the rainfall fits in somehow, and it is generally true that if September rains are bad, even copious and early rainfall in June and July seldom suffices to provide a full harvest. There has been no year, even the worst famine year 1899-1900, in which we have not had tolerably good falls in July, and I have no reason to suppose that this year will be an exception to the rule; and provided our certain July rainfall is followed by not too long a break and we get the all important September rains, I do not see why we should not have a good year even in the much oried Deccan. The latest intelligence seems to show that there is already fairly good rainfall over considerable portions of Gujarát. The Konkan seems as usual to be doing well.

The Budget has been criticised by the Honourable Mr. PROCTER as being a bold one. I would point out however that our revenue estimates are based on the assumption of a normal year and I do not think they can properly be based on any other assumption. With all our vicissitudes, the most probable event is, of course, a normal year and for

such a year the revenue estimates have been drawn with studious moderation. The tendency of Local Governments, the Government of India constantly points out, is to under-estimate the revenue receipts. I am therefore confident that in so far as our estimates have not been interfered with, we have not been oversanguine. Under land-revenue, for instance, I may inform the Council, that we took a far lower figure than was proposed to us by the Local Officers and, as pointed out in paragraph 13 of the Statement, we have calculated on collections exceeding current demand by no more than 4 per cent., notwithstanding that we count upon recovering a certain amount of the suspended revenues. This in a normal year is a perfectly legitimate expectation. As I have previously pointed out, if we are not to count upon that expectation, the suspension system must be confessed to be a failure. As to our expenditure we have fitted it to our revenue estimates, and we have had all the more confidence in doing so because we have a large balance in hand.

✓ The Honourable Members have alluded with satisfaction to the last paragraph of the first page of the Financial Statement, as if it were a new power conferred upon them. I desire to explain that this power has always been in existence. The understanding that the figures of the Budget estimate were altogether unalterable was a misapprehension. In every year considerable alterations are made by re-appropriation from one head of expenditure to another. We find that we spend less than we expected in one head and more in another. In former years when the Budget discussion was taken a good deal later, it would have been more difficult to give any effect to proposals which Honourable Members might make. It is the early discussion of the Budget which enables us to invite such proposals. On the present occasion, however, with the exception of the Honourable Mr. WEBB's suggestion regarding the Customs House at Karachi, none have been made and I hope I may take this as an indication that the Council is generally fairly well satisfied with the allotments. I sincerely trust that nothing will happen to prevent our carrying out the intention expressed in my opening speech of consulting Members at the time of the preparation of the Budget. Difficulties, if any occur, will not be of our making.

The head of the expenditure which has attracted most interest as usual is that of Education, towards which Honourable Members would evidently like to have seen larger allotments made. I can only say that out of the resources at our disposal we have allotted every available rupee to education, and I think that Honourable Members and the public will be interested by the statement which I beg to append which shows that in the Budget for 1907-08, Bombay allotted to education a larger proportion of its resources than any province in India. Thus Bengal out of a total Provincial revenue of five hundred and twenty lakhs allotted forty-six and a half lakhs or slightly under nine per cent. to education. We, out of total revenue of four hundred and eighty-six lakhs, excluding the item of alienated land-revenue, allotted close on forty-five lakhs or 9½ per cent. to education. If the expenditure were worked out per head of population the result would be even more strikingly in favour of Bombay. Indeed, it is not so many years ago since we were criticised by the Government of India in the days of Sir James Westland for the largeness of our expenditure on this branch of the administration, and we were told that it might have to be cut down. I can hardly believe that we should in any circumstances have been put to such a shift. Fortunately the era of tight money came to a close and that of surpluses began. The Government of India, so far

from obliging us to cut down, gave us handsome special allotments, with the result that we have been able to go ahead still further in this all important object of expenditure.

It is a great satisfaction to me that that keen critic of our revenue system the Honourable Mr. PAREKH should have declared that the rules of suspension and remission are on the whole fair and that he has no complaints to lay before us of that much troubled tract, the Jambusar taluká of the Broach district. He has mentioned one village in the Surat district however where recoveries of arrears of revenue are alleged to have been exercised with rigour. I regret that I have no particulars to give regarding this village. So far as I know no representation of its circumstances has reached Government. I should prefer in ordinary circumstances, before making any inquiry, to await representation from the people of the village, but in deference to the authority of the Honourable Member, I have directed inquiries to be made. Should the facts turn out to be as he has said, immediate measures will be adopted and precautions taken to prevent a recurrence of undue severity. But the Honourable Member will not expect me to accept the facts until they have been investigated. I should be painfully surprised if they turn out to be entirely correct as the Bulsár taluká is not one from which we are in the habit of receiving complaints. In the absence of specific allegations I cannot undertake to make any inquiry as to the alleged rigour in the Kaira district. The Collector is a most sympathetic and painstaking officer in this matter and is far from taking a sanguine view of the ability of his people to pay the Government demand. Of course, specific instances will be fully investigated if brought to notice.

The Honourable Mr. PAREKH repeats his allegations that the assessment of parts of Gujarát are excessive. I can only refer him to what I said in last year's statement that although the assessments are high and represent a considerable share of the produce, both in the Broach district and elsewhere, yet they are not disproportionate to the value of the land, that assessments in Gujarát have been more than once under examination, that where over-assessment has been found it has been reduced, and that long years of ready payment seem to demonstrate from experience that except in prolonged periods of scarcity the people have no difficulty in paying the assessment. I would myself, and I am sure any experienced cultivator would also, infinitely prefer to enjoy the most highly assessed and therefore the most valuable cotton lands of Broach rather than the most lowly assessed lands of a district like Sholápur.

I have read the papers relating to the discrepancy between the rates of the Tálukdári and Government villages of the Dholka taluká. The rates of the Tálukdári villages are those of the original settlement of 1865 which were confirmed at the revised settlement of 1891. Those of the Government villages are the result of the revised settlement introduced in 1888 and represent considerable increase over the rates affixed at the original settlement of 1858. The principal reason why the rates were not fixed as high as in the talukdári villages is that the resulting assessments would have entailed an enhancement exceeding the prescribed limit of 33 *per cent*. The "jamás," however, of the Tálukdári were not determined by the rates alone but were fixed with general reference to their resources.

Any further discussion would be of merely academic interest, inasmuch as the Jámás of all talukás were revised a few years ago on the basis of the exhaustive and

admirable report of Mr. Lawrence Robertson and were largely reduced to amounts which were from calculation of the income and the resources of the Tálukdárs, with full allowance for depreciation due to the famine, err, if anything, it may be confidently stated, on the side of moderation.

I am unable to admit that the discovery of one or two instances of failures to obtain the highest rental for lands proves that, in the words of the Honourable Member, "the Tálukdári Settlement Officer does not administer the estates in the best interests of the Tálukdárs." I freely admit, however, as would the Tálukdári Settlement Officer himself, that the method of direct management is by no means altogether satisfactory. Every effort is made by him to lease the Tálukdári estates during periods of management. This method has been found to be eminently successful in Sind. Unfortunately in Tálukdári areas, it is found by no means easy of adoption. It is difficult to get people to take these estates on lease, and the leasing of them is very often intensely distasteful to the Tálukdár himself. However, the present Tálukdári Settlement Officer, who has filled the office of Manager of Encumbered Estates in Sind with success and judgment, is doing all that can be done in this direction, and as regards the measure of success achieved in direct management I can say that I have seen instances in which conspicuous success has been obtained, notwithstanding the provision of large sums for maintenance, education, and even litigation, and I believe that the great majority of Tálukdárs would be the first to acknowledge that with few exceptions the Tálukdári Settlement Officer's management where it has had to be called for had been most beneficial. They certainly have in the Tálukdári Settlement Officer a most valuable champion of their interests, who never hesitates to make the most liberal proposals as regards their Jamas, and to prefer requests to Government for generous measures of assistance. It is largely due to the persistent efforts of successive Tálukdári Settlement Officers that the present debt settlement, of which the Honourable Member approves with the aid of loans from Government is now being brought into operation. I am surprised that the Honourable gentleman should reproach the Tálukdári Settlement Officer with failure to collect arrears. There can be no doubt that in recent years leniency with the tenants was the only possible policy; and I cannot help wondering whether if the Tálukdári Settlement Officer had collected more, he would not have been subjected by the Honourable gentleman to some of these reproaches which he has levelled against some of the Collectors in Gujarát.

The Honourable Member has stated that attempts are being made to levy building assessments in Sálsette upon lands of persons who claim a local exemption from them under the operation of a Regulation of 1808. That statement has been answered by my honourable friend Mr. LAMB. The Honourable Member also suggests that the building assessments are excessive. This is an allegation which I am utterly unable to admit. The rate charged under the rules is for the most part only two *per cent.* on what is known as the "situation value" (a term which doubtless will be understood by this Council in which the subject has been frequently discussed in previous years), and that two *per cent.* is levied not on the whole site but only upon the areas actually built over. Over the remainder of the area we take only one-tenth of the two *per cent.* or agricultural assessment whichever be greater. The total amount is an exceedingly moderate building assessment, far below the full competition rental. But the great fallacy which underlies the criticism of our building assessment in Sálsette is this:—It is assumed that with lower assessment the builder would have to pay less for the land. This, of course, is

by no means the case. These lands before being taken up for building were almost all of them in private occupation. Some of them which formed the best building sites were held on exceedingly low agricultural assessment, owing to the fact that the least valuable lands agriculturally are generally the best for building purposes. The question has been how much of the unearned increment due to the sudden demand of this land for building which has arisen in the course of the last ten years should be absorbed by the occupant who is paying only the light assessment or by the State. It has always been recognised by law and it is incontestable on principle that the State is entitled to a substantial portion of this increment. But whether the State takes much or little or nothing, the total payment by the builder for the land will be unaffected. What will be affected is the proportion of the payment which goes to the occupant or to State respectively. What is required to encourage building in Salsette is not, I am convinced, any radical alteration of the building assessment, but measures for the development of the tract by improvement of its communications, water-supply, and amenities. It will, I am sure, interest the Council to know that Government are about to appoint a special officer to inquire into the possibilities of the development in Salsette and a committee to draw up a scheme for the purpose.

I have been much interested by the remarks which have been made regarding the experiment which is being conducted in the villages commanded by the Nira Canal in the financing of the sugarcane crop, and it is a great satisfaction to me that that experiment should have met with the approval of such an excellent business man as the Honourable Mr. VITHALDAS DAMODHER THACKERSEY, of my honourable friend Dr. BHANDARKAR who has actually been into the tract and inquired into the subject for himself, and of an experienced landholder like the Honourable the Jágírdár of Ichalkaranji. I much regret that other Honourable Members should entertain doubts regarding its wisdom. The Jágírdár of Ichalkaranji has suggested that we might reduce the rate of interest. As regards this, I should like to explain that the rate fixed is merely experimental. It is intended to make the experiment, if possible, self-supporting, and our preliminary calculations show that in order to do this, it would not be safe to fix the interest lower than 9 per cent. As I already explained, Government do not propose to carry on the enterprise after the completion of the experiment, the whole accounts of which will be placed at the disposal of the public; and if it is found that a lower rate of interest can be allowed without loss and on the other hand that Government have had no difficulty in finding clients at 9 per cent. there will be all the clearer evidence of a handsome margin of profit for any private capital which may be attracted to the business.

There is an evident disposition to attribute any success which may be attained to the summary powers of recovery in the hands of Government. Regarding this, I am glad to have the opportunity of saying that our sanguine hope is that it will be absolutely unnecessary to exercise those powers. If it proves necessary to exercise them to any considerable extent, I should regard the experiment as something like a failure, and I shall be disposed to admit that it demonstrates the truth of the contention so frequently made, but not yet proved, that without summary powers cheap financing, even, of a valuable and assured crop, presents difficulties which may prove to be insuperable. But even that point will be worth proving since it may enable us to conquer the reluctance shown, not without, in my opinion, very good reasons by the Government of India, to allow powers of summary recovery to Banking Institutions, established specially for the

benefit of agriculturists. What I venture to hope with some confidence is that this experiment will be followed by the attraction of abundant capital to this industry in some form or other and that we shall demonstrate the extent to which the intervention and help of Government is required in order to enable reasonably cheap capital to be provided for these operations. At any rate, I repeat that Honourable Members and the public need none of them entertain the smallest suspicion that Government intend to undertake the whole of the financial operations required for the growing and marketing of this crop. We fully admit that as the superior landlords of the country at large it is our duty to assist the agriculturists by every means in our power. But the entire provision of agricultural capital for the valuable crops which seems to be contemplated by the Honourable Mr. VITHALDAS, is an enterprise beyond the power of any Government. Even our ordinary Tagai advances which aggregate now anything up to 40 lakhs a year represent but a minute fraction of the requirements of agriculturists. These 8,000 acres of sugarcane themselves require something like 30 lakhs a year. All that Government can do is to point the way to private enterprise in the case of these valuable crops; for the purposes of ordinary agricultural credit to encourage, as they are encouraging, and to guide the establishment and development of co-operative credit; and where all such means fail to supply the most urgent requirements for land improvement, seed, and cattle by means of Tagai.

And here I would venture to observe that of all criticisms and denunciations which I have heard and read of our measures outside this Council none have surprised me more than the attacks which have been made upon the Tagai system. It has actually been represented that the whole system has been organized with the settled object of getting the land of the cultivator into our grip and reducing him to the condition of a tenant-at-will. That, at any rate, is not the opinion of the cultivator. The famines have taught him the inestimable value of Tagai advances and there is no Collector, in the Deccan at any rate, who is not now flooded with applications for Tagai, far more numerous than he has been able to comply with. I am exceedingly glad that no support has been given in this Council to what I cannot but characterise as the gross misrepresentation of the intentions of Government in the grant of Tagai advances. Such misrepresentations hardly deserve an answer, but nothing is easier than to give one. The immense accumulation of arrears of Tagai advances during the famine would have furnished the Government, animated by an intention to reduce its ryots to the state of tenants-at-will, with unbounded opportunities. We could have forfeited tens of thousands of acres of land, sold up thousands of ryots. No attempt has been made to do this. The arrears of Tagai have been carried on from year to year and recently a comprehensive order has been issued that a general suspension of revenue will automatically carry with it a suspension of the Tagai instalments. Actual forfeiture of arrears of Tagai have been extraordinarily few, and severe process has, I believe, been confined to cases of indisputable contumacy or misappropriation of the loans. I have often wondered whether the agitators who denounce Tagai would venture, if they attained to power, to abolish or even materially reduce what is well known to be one of the concessions most popular among the agricultural population.

↓ With reference to what the Honourable Mr. GOKULDAS PAREKH observed regarding the exemption of certain persons from the operation of the restricted tenure in some

villages of Nandurbár taluká, the facts are as follows:—Government received a representation signed by 114 persons in 1907. Of these only 27 were able to read and write or to sign their own names. They included such people as Mahars, Chambars and Vanjaris and the question was not whether any among these should be allowed to execute a particular transfer but whether any or all of them should be exempted from the general restriction which requires the Collector's sanction to transfer. This tract was selected as one of the tracts to be notified under section 73-A of the Land-Revenue Code which empowers Government by notification published before the introduction of an original Survey Settlement under section 103 of the Land-Revenue Code to declare the provisions of this section applicable, upon which the occupancy or interest of the occupant in the land becomes non-transferable without the previous sanction of the Collector. Now the principle as regards these tracts was that as a rule land should be non-transferable and the policy of Government, therefore, was, not to grant general exemption except to the few classes the great bulk of whose members may be presumed to have sufficient business capacity and intelligence to be trusted to exercise prudence in the alienation of their lands. It seems to be overlooked that there is nothing to prevent any individual from obtaining sanction to a particular transfer. To make wholesale exemptions would simply be to defeat the object with which the tract was notified, and I may say I see no reason to extend general exemptions. The fact that the Mámlatdár and the Assistant Collector think to be fit for general exemption a number of people whom the Collector did not see fit to exempt in this manner proves nothing. I have not had the proceedings of the Mámlatdárs and Assistant Collectors before me but it is quite possible that they as well as other people have not perfectly understood the distinction between general exemptions and exemptions in particular cases.

I am glad that the conditions of our finance enables us to make proposals for the improvement of the pay and the position of the Talátis. These proposals will involve an expenditure considerably in excess of Rs. 25,000 a year and will therefore require the sanction of the Government of India and the Secretary of State. As the matter will be under reference to higher authority, it will be hardly in order for me to specify their exact character, but I think that they will effect sufficient improvement to give satisfaction to a deserving class of men. There is one feature of them which I will mention and that is, that we hope to provide increased facilities for the entry of efficient Talátis into the clerical service of the Revenue Department. There can be few more efficient subordinates in a Mámlatdár's "Kacheri" than a good Taláti. Commissioners have some power as it is, but I think it is probable that they do not exercise it with sufficient freedom. At the same time I cannot allow it to go out that I believe that Talátis' position to be as bad as has been sometimes represented. Largely as their work has undoubtedly increased, there still remain some portions of the year during which they have comparatively little to do and that the service is not altogether unpopular is shown by reports that the village school masters not infrequently apply to enter it.

✓ A very frequent argument for general increase of salaries is the prevalence of high prices. In urging this argument, it seems to be forgotten that high prices have occurred before. Thus in the sixties we had a period of five or six successive years of prices fully as high as at present. That period was followed by a drop which continued for some 20 years and I think it would be altogether premature to assume that the existing level of high prices is likely to be permanent. A drop to about the normal, if not below it, occurred

as recently as I think the year 1904 and the existing high prices so far as the mofussil is concerned are distinctly connected with a succession of bad seasons just as the period of low prices synchronised with a succession of relatively good seasons. Salaries must obviously depend to a large extent upon the supply of passed men of the requisite efficiency. There is some difficulty although I cannot say that it yet seems to me very serious in obtaining men for the lower posts in the Revenue Department. On the other hand, men qualified for Mámldárships including many graduates are so numerous that there is an undoubted block in promotion. That is one of the reasons why just at present the number of graduates entering the department is small. I anticipate that when the block shows signs of disappearing, we shall have at least as many applications from graduates as before.

With regard to the suggestions made by the Honourable the Jágírdár of ICHALKARANJÍ relating to the recovery of the dues of the Inámdárs and kindred subjects, I have to say in the first place that before we can give the Inámdár any substantial increase of powers beyond what has been already conferred upon them, it is, in my opinion, essential that there should be a general consent on their part to give in their villages the same liberal measure of suspensions and remissions that is allowed in Government villages. From the reports which reach me, I regret to say that there has been something like a general objection on the part of Inámdárs, at any rate in certain districts to grant these concessions. It is impossible for Government to increase the Inámdárs' facilities for recovery until they are satisfied that they will be exercised with moderation and liberality. There is still a large number of Inámdárs' villages to which the survey settlement has not been extended. We have been considering measures whereby the difficulties which Inámdárs feel in accepting the survey settlement may be overcome and here again I feel that I must state my own strong unwillingness to increase the powers of Inámdárs who will not apply a survey settlement to their villages. I will not describe the measures which we had under contemplation since before attempting to introduce them, the proposals will be circulated to my honourable friend and other members of this Council for opinion. The observations of the Honourable Member regarding the mode in which the payments which the Inámdárs have to make the Government are recovered and the payments to the Kadim hakhdárs are made will be inquired into.

With reference to the progress being made in Sind with the Sukkur Weir and other great irrigation works, we have obtained sanction to the necessary surveys required for the preparation of complete plans and estimates. The work is being pushed most energetically forward specially on the Left Bank of the Indus by that most able and enthusiastic officer Dr. Summers and there are hopes that sanction may be obtained and work commenced before the close of the calendar year 1909. Considering the vast character of the works, I think this is to be a matter for profound congratulation. I ought not to omit to say here that we owe a great deal to the extreme interest taken in these works by Mr. Benton, the Inspector-General of Irrigation for the Government of India, who regards Sind as the most promising field now remaining for the extension of irrigation throughout the Indian Empire.

Regarding the Protective Works in the Deccan, there is, I think, good progress to report. We have sanction for two large works and we may hope before long to get sanction for the third. The case in favour of these works has been eminently strength-

ened by the complete success of what is known as the Block System of Irrigation on the Nira Canal which has succeeded in paying nearly $3\frac{1}{2}$ per cent. on the capital outlay and we hope to see it paying 5 per cent. The development of this system is due entirely to the genius of Mr. Visvesvaraya, certainly one of the ablest officers European or Indian of the Public Works Department with whom it has been my pleasure and honour to work. The principle is accepted that Protective Works ought to be constructed in famine areas even although they may be unremunerative. But it is hardly too sanguine to say that the prospect is opening up of making these Protective Irrigation Works eventually remunerative by means of the Block System. The system, as organised by Mr. Visvesvaraya, was derived from the construction of a system of "phads" or blocks adopted by the cultivators themselves in their irrigation under "bhandaras." It found a further exemplification on the great Sone Canal in Bengal. There the Irrigation Department was confronted with the same difficulty as we have found here, namely that the cultivators would not take water regularly and put off doing so until it was certain that the rains would fail. In years of good rainfall the irrigation revenue fell considerably. In the years of bad rainfall the demand for water became larger than it was possible to supply. The principle was then adopted of guaranteeing water to those cultivators who would agree to take it for a series of years. This agreement, cultivators were found ready to make sooner than lose the water in a really bad year. The device at first sight might appear to be harsh and to be tantamount to taking advantage of the cultivators' extreme need in a bad year, to force them to take water in the years in which they did not require it. But experience soon showed that the cultivators benefited by the arrangement no less than the Irrigation Department. Every year long breaks were found to occur during which the cultivators having paid for the water did not fail to utilise it, thus making of their crop a bumper instead of probably six or eight-anna crop, which is all that a cultivator would have obtained if the water had not been guaranteed to him. The result has been that on the leased areas of the Sone Canal and the blocks of our Nira Canal—the cultivator uses the water to his great advantage every year. We have hitherto tried our blocks only in areas in which sugarcane is grown in rotation with other crops, but on the Sone Canal they have been found to be equally useful for cultivation of cereals, mostly rice, and we anticipate that we should be able to see the system employed in areas where sufficient capital cannot be found for cultivating sugarcane, for the rearing of rabi and eight months crops.

The one thing which we require to push on these Protective Works is assured allotment of funds. At present money is provided for Protective Irrigation Works out of the Famine Insurance Fund or in other words out of the current revenues of the Government of India. The consequence is that it is quite impossible to be assured how much it will be possible to provide in any year. Under such a system we contend that it is absolutely impossible to construct these works with proper rapidity and economy. The proposition needs no demonstration. We have strongly urged upon the Government of India the propriety of adopting the recommendations of the Irrigation Commission and constructing these works out of borrowed capital debiting the Famine Insurance Fund only the deficiency in interest charges which may result from the work proving to be unremunerative. I feel sure that this Council and the public in this Presidency will agree in the reasonableness of these views.

In conclusion it remains for me only to express my acknowledgments for the kind reception which the statement has received at the hands of the Council and for the entirely moderate and reasonable tone of the criticisms which have been made. I should like to express my regret at the absence of the Honourable Mr. RAHIMTOOLA and the Honourable Mr. DIKSHIT who never failed to make some useful contributions to the discussion of the statement. The Honourable Mr. DIKSHIT was successful in pointing our attention last year to a decided flaw in forest administration in the Nandgaon taluká of the Násik district with the result that we expect to curtail the area under forest in that taluká with the full concurrence, I believe, of the present Conservator of Forests. As His Excellency observed on Saturday, we have nothing but welcome for such criticisms as this when it is based on fact.

Before I sit down I desire to say with Your Excellency's permission that I should not like it to be supposed that the members of Your Excellency's Government do not fully associate themselves with your weighty words relating to the paramount importance of maintaining law and order. I venture to add my personal wish that the large body of persons who are at one with Your Excellency on this subject would show themselves more vocal, and protest more openly and energetically against disorderly and violent not to say murderous action.

Statement referred to in the first paragraph on page 73.

No.	Province.	Total Provincial Revenue.	Provincial Educational Expenditure.			Percentage of		
			Under 22—Education.	Under Medical Institution and contributions to Local.	Total of columns 4 and 5.	Column 4 to column 3.	Column 5 to column 3.	Column 6 to column 3.
1	2	3	4	5	6	7	8	9
Rupees in thousands.								
1	Bengal ...	5,20,28	42,96	3,64	46,60	8.26	6.9	8.95
2	Madras ...	4,89,31	25,83	13,11	38,94	5.27	2.67	7.94
3	Bombay ...	4,86,08 (excluding alienated revenue)	31,52	13,45	44,97	6.48	2.77	9.25
4	United Provinces ...	4,66,31	16,96	(a) 56	17,52	3.64	.12	3.76
5	Burma ..	4,53,43	13,50	45	13,95	4.08	.10	4.18
6	Punjab ...	3,14,38	19,50	5,96	25,46	6.19	1.89	8.03
7	Eastern Bengal and Assam.	2,39,76	12,50	(b) 54	13,04	5.21	.23	5.44
8	Central Provinces and Berar.	2,29,22	10,00	4,63	14,63	4.86	2.02	6.33

(a) This is the provision for Medical Instruction under 24—Medical. A lump provision of 24,13 is made in the Budget on account of contribution from Provincial to the District Board Fund, but it is not known whether any, and if so what, sum is included in it for educational purposes.

(b) This is the provision for Medical Instruction under 24—Medical. A lump provision of 14,65 is made in the Budget on account of contribution from Provincial to Local Funds "to supplement their receipts to enable them to meet their growing wants under the various heads," but the share, if any, for educational purposes is not ascertainable.

His Excellency the PRESIDENT in concluding the debate said :—We have heard some interesting and instructive speeches, ranging over almost the whole sphere of administration. In some few cases grievances have been mentioned. These, as the Honourable Mr. MUIR MACKENZIE has stated, will be inquired into. In other cases suggestions have been made, which will receive consideration. Some of the suggestions have, I may say, been anticipated by Government which is inquiring into their practicability. My honourable colleagues and the Honourable Mr. SELBY have dealt very fully with many of the points raised and I am sure that their speeches will be satisfactory to Honourable Members and will indicate the sympathetic attitude of the Government towards all questions, great and small, which concern the welfare of the people. Little is left to me except to emphasise a few matters of special importance.

I am glad to hear that the Honourable Dr. BHANDARKAR and other members appreciate our desire to abolish tolls. He has clearly shown what a high tax in some cases tolls may inflict on the poor. I personally regard tolls as barbarous in these days. We hope to rid the Presidency of them gradually, as circumstances permit.

Dr. BHANDARKAR also spoke with feeling of the great evil of intemperance and I entirely agree with him. I am afraid that it is the case that there is a tendency to an increase of drinking in some parts of the Presidency, but I am glad to believe that in other parts there is a tendency in opposite direction. The drink question is in all countries one of the most difficult of problems and many solutions have been attempted and have failed. I have been, myself, in two widely distant places, one in America and one in Australia, where there was prohibition, and the results seemed to be in both cases exceedingly unsatisfactory. As the Honourable Mr. JENKINS has said, Government has already taken steps in the direction of removing what seems to be likely to produce bad effects. We consider that, if anything in the present Abkari system conduces to promote an increase of drinking, it should be got rid of as soon as possible.

The Honourable Mr. SETALVAD gave me great pleasure when he said that he had noticed a marked increase in the usefulness of this Council since he became a member. I can assure him that in years to come he will see an even greater increase in the sphere of the Council. I am glad also to know that the honourable member is willing and anxious to entrust the Sind and Gujarát Colleges to the management of Government. The Jágírdár of Ichalkaranjí alluded most wisely to the evils arising from early marriages. There can be no doubt that these marriages undermine the health, and probably the intellectual force of the people in many cases. It is, however, the fixed policy of Government to avoid interference with the old customs of the people as far as possible and I do not think that we could penalise these marriages as he suggested. This is one of the many matters in which we cannot move without taking the people with us. It is also one of the vast number of subjects which the press of this country could take up and instruct the people upon with advantage.

The Honourable Mr. VITHALDAS THACKERSEY has made some very interesting and thoughtful remarks on the subject of agriculture and banks. The analogy which is often drawn between India and Egypt is most misleading. In Egypt all cultivation depends upon irrigation and the vicissitudes, which are few, of a high and low Nile. These are small compared to the vicissitudes of rainfall in India. Here the great mass of cultivation depends upon rainfall and the risks from the banking point of view are in India greater

than in Egypt. This does not apply to such irrigated crops as sugarcane, and the experiment, which the Government is carrying out, is intended to pave the way for the employment of private enterprise, which is generally the best way of dealing with such matters, and most especially in India, where it should be our object to encourage and develop spontaneous activities.

The important question of protective works has been treated by my honourable colleague. I will only say that I dislike the arbitrary distinction which has been drawn between productive and protective works. Even if protective works do not immediately pay full interest on the capital cost, they must be productive in the wider sense, by securing the population against famine and making for a general rise in the prosperity of the country ; further I quite agree that the plan of building protective works by variable instalments is uneconomical from every point of view. This great question, however, is not in our hands and we can only represent our views strongly to the Government of India and trust that those views will prevail, so that these Deccan works may be carried on.

It is particularly interesting to me at this, my first, meeting of the Council, to notice the importance which is attached by members to education and especially primary education. It is clear that education, free and compulsory, has some strong advocates. That may be the goal towards which we must strive, but at present it is not within the reach of practical politics. We have no funds and for some years we are not likely to have funds to meet the heavy expenditure involved. Compulsory and free education became possible in England and other western countries because the great mass of the people learned to demand it and they were ready to acquiesce in all that it involved. That stage has not been reached by the masses in India, although I have no doubt that it will come in time. I ask the honourable members to imagine what would be the result of the application of compulsion, with the enormous number of prosecutions and fines which it would entail. I need not say that the result would be disastrous. The Honourable Mr. SETALVAD said that compulsory and free education had been established in Baroda. This is not quite the case. His Highness the Maharaja Gaekwar, who devotes himself to the advancement of his people and who is one of the very keenest and most practical educationists in India, is taking a tentative step in this direction. We shall watch the results with interest and profit, but much time must elapse before education is free and compulsory throughout Baroda. Meanwhile, I think our course is clear, and I agree with the Honourable Mr. SELBY, who has so well explained the situation. Already a considerable percentage of children receive free primary education. We must make that education better and spread it wider over the Presidency. The first step is to raise the pay of the schoolmasters. As the Honourable SHEIKH SADIK ALI and the Honourable Mr. KHARE have well said, we cannot expect the best work from men who are underpaid and without hopes of advancement and not sufficiently trained for their duties. The next step, or a simultaneous step if we can find the money, is to increase the number of primary schools so as to bring education nearer to the children in the villages.

As regards Bombay City, I was told when I arrived that a strong committee was sitting and would report immediately. I have been anxiously awaiting that report ever since and I am glad to know that there is some chance of its being forthcoming. In conclusion I desire to say that I think this meeting of our Council has been a most

useful one. We have had a free interchange of thoughts, from which we can have only good results. Speaking for myself, I feel that I have learnt much. I hope that all the non-official members will go away with the sense that they have obtained a fuller knowledge of the views of the objects of the Government, and I trust that we ourselves, on our part, have been rendered more fully aware and better able to understand their views and the needs of the people they represent. My only regret is that illness has deprived us of the presence of Sir PHEROZESHAN MEHTA and that Mr. IBRAHIM RAHIMTULA and Mr. DIKSHIT have been compelled to seek rest and change. I trust that at a future meeting they will all return to us fully restored to health and strength.

**BILL No. 1 OF 1908 (A BILL TO AMEND THE GOVERNMENT
OCCUPANTS (SIND) ACT, 1899).**

The Honourable Mr. MUIR MACKENZIE said—May it please Your Excellency, I have now to move that this Bill No. 1 of 1908, to amend the Government Occupants (Sind) Act, 1899, be read the first time. I do not think that it will be necessary for me to detain the Council at any length in explaining this measure. The statement of objects and reasons really contains almost every particular that is essential. How-

The Honourable Mr. J. W. P. Muir Mackenzie moves the first reading of a Bill to amend the Government Occupants (Sind) Act, 1899.

ever, I may inform the Council that our desire is to substitute for the register, which in the original Act was prescribed as the document of title of the occupants, the "sanad," or, as it is more often called in Sind, "parvana." We adopted the register from the Punjab Colonization Scheme, and they, like ourselves, found it to be unworkable and have substituted sanads. These sanads secure the title of the people to their occupancy just as well as the register, and it is a mere matter of administrative convenience worked out by experience. One of the reasons why sanads are found to be more convenient than the register is the necessity of frequently changing the occupancies. Mr. Chatfield, the Colonization Officer, has reported as follows:—

"The causes which make it necessary to alter holdings are numerous, and I will only touch upon some of the chief ones. And first I have the honour to point out that the conditions of colonization in Sind are abnormal. Our most numerous and most valued colonists come from the Punjab: the remainder chiefly from Cutch and Marwar—all from long distances. Colonists such as these are not to be drawn in Sind without much inducement and without promises of good land and flow water; nor if those promises are broken are they to be retained in the country. It is, therefore, necessary to treat them with greater consideration than they would receive in their own country. Exchanges of occupancy are allowed in the case of such colonists, when land and water-supply do not come up to the standard which they were led to expect. The early years of colonization are a fluid stage in which complicated registers of occupancies are quite out of place and materially add to the burden of the colonization staff. This has been found to be the case in the canal colonies of the Punjab where similar registers are now being discarded altogether. And yet these colonies are not obliged to attract foreigners from great distances."

"Waste land in Sind is a very uncertain quantity and often deceives the Sindhi, to say nothing of the foreigner. Land which appears fair is often salt below the surface and comparatively useless. The water-supply has also frequently proved deceptive. Then again it is frequently found desirable to change occupancies

owing to feuds between persons or communities. They have frequently been changed owing to changes made in the water-supply by the Public Works Department. To explain the last sentence, I must add that upon the Jamráo the division of land into villages follows the system of water-distribution by the Public Works Department and that each village is, so far as possible, assigned to men of one community."

The above are samples of the reasons why we find it necessary to substitute sanads for registers, and to facilitate change of occupancy by means of a simple endorsement on the sanad I need not detain the Council with any further explanation. I move that the Bill be read a first time.

Bill read a first time.

His Excellency the PRESIDENT then put the motion that the Bill be read a first time.

The motion was carried and the Bill was read a first time.

The Honourable Mr. MUIR MACKENZIE said :—With Your Excellency's permission I would rise to move that the standing orders be suspended and that the Bill be read a second and a third time, and passed. I have discussed the provisions of this Bill with my honourable friend, SHEIKH SADIK ALI, and he agrees that there is no ground for delaying its introduction.

Suspension of Standing Orders.

Bill read a second time and a third time and passed.

The motion was carried, and the Bill was read a second and a third time and passed.

**BILL NO. II OF 1907 (A BILL FURTHER TO AMEND THE CITY
OF BOMBAY IMPROVEMENT ACT, 1893).**

The Honourable Mr. JENKINS said :—Your Excellency,—The report of the Select Committee appointed to consider the Bill further to amend the City of Bombay Improvement Act, 1898, has been presented to the Council. It will be observed from it that the majority of the members of the Select Committee "have reached conclusions which necessitate further correspondence with the Government of India and the Secretary of State." Government have asked the Trust to submit its representation as to what extent they will be able to carry on their work with their own resources, and this necessitates further careful inquiry. A financial statement prepared by the Honourable Mr. DUNN is now under the consideration of the Board of the Improvement Trust so that the date which the Select Committee propose for the submission of its final report, namely, 31st December 1908, is by no means a too distant a date. I propose that the period for the submission of the report of the Select Committee be extended to the 31st December 1908. As three of the members of the Select Committee are absent, I also propose that the Honourable Sir WALTER HUGHES, the Honourable Mr. PROCTER and myself be appointed members of the Select Committee in their place.

The proposition was agreed to.

His Excellency the PRESIDENT then adjourned the Council *sine die*.

By order of His Excellency the Honourable the Governor,

A. C. WILD,
Secretary to the Council of the Governor
of Bombay for making Laws and Regulations.

Poona, 22nd June 1908.

APPENDICES

TO THE

PROCEEDINGS OF THE COUNCIL OF HIS EXCELLENCY THE
GOVERNOR OF BOMBAY ASSEMBLED FOR THE PURPOSE OF
MAKING LAWS AND REGULATIONS ON THE 20TH AND 22ND
JUNE 1908.

APPENDIX A.

*Remodelling of the distribution system of old
inundation canals in Sind—Orders on the
subject of the.*

No. W. I.-1050 OF 1906.

Public Works Department.

Bombay Castle,
9th April 1906.

Letter from the Government of India, No. 1565-C. W. I., dated 24th November 1903,
as under:—

“I am directed to invite attention to paragraph 92 of the Report of the Indian Irrigation Commission, Volume II, and to enquire if the Local Government are prepared to submit schemes and estimates for remodelling the older inundation canals in Sind by the construction of Government distributaries to replace the numerous long and wasteful water-courses.

“2. I am, however, to say that the results of doing so, both in the Punjab inundation canals and the Eastern Jumna Canal in the United Provinces, have been most satisfactory and that the Government of India will endeavour to assist by the grant of funds, if necessary, to carry out any well considered projects.”

Government Memorandum No. 846-I., dated 9th December 1903.

Forwards copies of the letter from the Government of India to the Superintending Engineers, Indus Right and Left Bank Divisions, for favour of report, as to what, if any, proposals have been made in this direction, how far a complete remodelling of the distribution system under any of the old canals would be feasible, and the probable benefits to be derived from such remodelling in the shape of increased irrigating capacity; directs that the difficulties to be encountered should be fully considered and the officers of the Revenue Department be freely consulted and that the report should be submitted through the Commissioner in Sind.

Letter from the Superintending Engineer, Indus Left Bank Division, No. 3341, dated 13th August 1904.

With reference to Government Memorandum No. 846-I., dated 9th December 1903, reports that the remodelling of the distribution system of the old inundation canals on the left bank has been insignificant and has formed a part of the remodelling of those canals, main channels, and that some distributaries have been sanctioned for the Dad and Narsat; states that no proposal for the complete remodelling of the system of distribution of any Sind canal has ever been made nor, in his opinion, is such a remodelling economically possible, and makes remarks

Memorandum from the Superintending Engineer, Indus Right Bank Division, No. 4300, dated 27th August 1904.

With reference to Government Memorandum No. 846-I., dated 9th December 1903, states that no proposals have been made solely with the view of remodelling the distribution system of the old canals in Sind but various proposals for remodelling the old canals have been made; makes remarks and expresses an opinion that in Sind the remodelling of canals is of more importance at present than the remodelling of distribution, that Sind is not ripe for such an elaborate system of distribution as is found suitable in the Punjab and that where remodelling is found desirable it should be attempted on a modest scale, and attaches copies of reports from several Executive Engineers of his Division.

Memorandum from the Commissioner in Sind, No. W.-788, dated 8th September 1904.

Submits the reports of the Superintending Engineers, Indus Right and Left Bank Divisions, and makes remarks.

Memorandum from the Superintending Engineer, Indus Right Bank Division, No. 4574, dated 15th September 1904.

In continuation of his office No. 4300, dated 27th August 1904, forwards copies of reports from the Executive Engineer, Begari Canals, and Executive Engineer, Western Nara, and makes remarks.

Memorandum from the Commissioner in Sind, No. W.-803, dated 21st September 1904.

Submits the above with his remarks.

Letter to the Government of India, Public Works Department, No. W. I.-2643, dated 20th October 1904, as under :—

"In reply to Mr. Under Secretary Stanley's letter No 1565-C. W. I., dated 24th November 1903, I am directed to state that the necessity of remodelling the old canals in Sind has long been engaging the attention of this Government and of the local officers. The first step necessary was to have a contoured map prepared of Sind to see how the land could best be irrigated and surveys have been in progress for some years. In some Districts they are completed and the best means of improving the irrigation are now being considered. In other Districts the contour surveys are still in progress.

"2. On the left bank of the Indus provision has been made on the Dad Canal for 4 new distributaries and, in addition, two short distributaries have been cut parallel to the canal. On the Nasrat provision has been made for 20 new distributaries and, in addition, 3 short distributaries parallel to the canal have been cut. The Naulakhi will be treated in a similar way.

"3. On the Right Bank the work of remodelling the Mahi Wah is in progress and nearly completed. A project has been prepared for remodelling another canal, the Sehar Wah. Contour surveys were in progress last working season for the remainder of the Rohri side of the Sukkur District, and it is hoped that before long a project will be ready for another canal.

"4. A scheme is in hand for remodelling the Begari Canal (chiefly with a view to irrigating lands in Khelat) and certain improvements are required in the distribution from the Desert Canal and Unhar Wah.

"5. Further south, projects are in hand for remodelling the Ghar and Western Nara Systems (a preliminary report on the former has been received), and surveys are in progress in the Karachi District. In all these special attention will be paid to the question of distribution.

"6. The preparation of these projects is delayed by want of the establishment necessary. The time of the Executive Engineers is so fully taken up with their other duties that they cannot spare the time necessary for the rapid preparation of complicated projects, and I am to express a hope that early sanction will be accorded to the formation of a 'Survey and Construction District' in Sind.

"7. With regard to the 2nd paragraph of the letter under reply, I am to state that this Government propose to ask sanction to depute an experienced officer to enquire into the system of distribution now instituted on the inundation canals in the Punjab, and that on this subject a further communication will be addressed to the Government of India."

Read Government Resolution No. E.-2930, dated 1st December 1904.

Letter from the Superintending Engineer, Indus Left Bank Division, No. 502, dated 29th January 1906, as under :—

"I have the honour to submit a note on my visit to the Punjab last cold season which I regret does not give more definite information as to the remodelling of the distributaries of old inundation canals. The main reason for this is that the work of remodelling has really only been lately started, so that very little has been done, and it is purposely held in abeyance while the question is being considered as to whether it is not practicable to construct weirs at convenient points on the Punjab Rivers, and to improve the supply in inundation canals by linking up their mouths to feeder canals, which will take off from the rivers above the sites chosen for weirs, so that when the weirs are made the canals so linked up would become perennial.

"2. As I was in the Punjab for only about a fortnight, and did not know exactly where to go for information about remodelling the distributaries of inundation canals, the information I obtained was necessarily rather meagre, and I thought of applying

for a month's privilege leave at the beginning of this cold season, in which to collect materials for a fuller report, but as I did not manage to carry out my intention I have just done the best I can with the information at hand.

"3. If at any time some one else is sent to the Punjab on a similar deputation, I beg to suggest that he should be given ample time for his tour and for writing his report and that a programme of the canals to be visited should be made out before he starts so that he may lose no time.

"4. The little information which I got about inundation canals was almost entirely obtained from Mr. F. E. Gwyther, Executive Engineer, who was in charge of inundation canals for some years, and who kindly gave me a note on his proposals for remodelling the Dera Ghazi Khan system of Indus Canals, which I have given *verbatim*.

"5. Mr. Kennedy, Chief Engineer, and Mr. Scratchley, Executive Engineer, gave me much information about perennial canals, which I am convinced must sooner or later supersede inundation canals in a large part of Sind, but this information has not been included in my note, which is on inundation canals, and besides, most of it is given in different Punjab Irrigation Papers, copies of which should, I think, be in the possession of all Sind Engineers, and Upper Subordinates as well, as they are most useful, both in connection with perennial and inundation canals.

"6. I first went to Multan, where the Superintending Engineer recommended me to go to Amritsar. There I met Mr. Scratchley, with whom I spent 4 or 5 days on the Bari Doab Canal. I then went to Lahore where I met Mr. Kennedy.

"7. Very little has been done yet, on inundation canals, to remodel their distributary systems, as Engineers aim at introducing in time the perennial system, as described in the Punjab papers, and for this reason I was recommended to go to the Bari Doab Canal, which has been remodelled.

"8. If the report, with copies of plans and estimates in connection with one of the latest remodelling schemes, say that for the Dera Ghazi Khan system of canals, carried out or proposed to be carried out in the Punjab, could be obtained, they would probably be of use for similar work in Sind, but for reasons, which I have given in other reports, I have no hesitation in giving my opinion that large sums should not be expended on schemes for the improvement of inundation canals, in any part of Sind, where there is any likelihood of perennial canals being made, until investigations have been made as to whether such canals are likely to be successful."

RESOLUTION.—Government are of opinion that a great deal can be done for the improvement of the distribution of the water delivered by the present inundation canals in Sind and that it would not be economical and in many cases is not necessary to postpone all such improvements until weirs are provided and the supply in the canals is made independent of the variation of the level of the Indus during the inundation. There are many cases where water-courses can be amalgamated with advantage or where distributaries can be constructed along ridges in a position where they would be useful when the main canals are eventually supplied from weirs and rendered independent of the variations of level of the inundation.

Such improvements can be made whenever there is flow irrigation under the present system, for the improved canals cannot do better than give flow though they would give it for longer periods and with more certainty and would not require such large-sized channels.

The improved canals may give flow to much of the land now under lift and new channels to suit the present canals in lift areas would probably not be suitable for the improved canals, but where there is lift irrigation, there is little or no waste of water and extensive improvements are not necessary to channels or water-courses for lift irrigation except in a small way for the better management of wheels along main canals and branches.

Improvements will, therefore, be limited as a rule to flow irrigation but Government do not consider they should be unrestricted; due consideration must be given to the certainty that weirs will eventually be provided and the improvements must either be of such a nature that they will then be useful or must be so remunerative that they must repay their cost in 25 years.

In the opinion of Government the latter is the rule which should be adopted.

2. Government read Dr. Summers' report to agree with the opinion above expressed; in his paragraphs 1, 4, 5, 6, 7, 9, 10, 11 and 12, he gives valuable information regarding the manner in which various improvements can be effected but through the whole of his report there is running a note that the weirs and improved canals will be made and that Engineers must look forward to their construction. It is with this feeling that any improvements should be undertaken.

The object should be to get better results with the existing system without throwing obstacles in the way of greater improvements. But the introduction of improvements in distribution on the existing systems should not be postponed until the large schemes have been matured for the introduction of perennial irrigation on a large scale. If this is the view which Dr. Summers desires to urge in paragraph 14 of his note, Government cannot concur in it.

3. The management of an inundation canal dependent upon the rise and fall of the Indus does not of course at all resemble that of a canal provided with an assured supply of water during the seasons it is open.

In the inundation canal the level depends both upon the height of the river Indus and on the way the mouth of the canal is working and the cultivator does not know how much water he will be able to get next week and takes as much as he can whenever he can get it. There is no confidence in the supply and each man strives in his own way by digging bigger and bigger channels and by having channels specially of his own to ensure getting the water for himself.

The canal Engineer acts in a very similar manner; he cannot depend on the level of the water in the Indus and makes his canal much larger than necessary in order to give as much as possible when the river is low and when the river is high to give a superabundance of water and saturate the lands in case the river should fall.

For an inundation canal, the Engineer cannot always arrange for the best distribution of the water and tell a cultivator that certain channels only will be in use this week, that he must wait until next week for his water for, if the water be falling, there may not be such a good supply available in the following week and when the land is situated so that a good supply gives flow and a poor supply requires lift the difference of a week may mean the loss of water to the crop owing to the fall of the level of the water in the canal and hence in an inundation canal the use of Regulators and the opening and closing of branches and distributaries cannot be followed to the same extent as in a canal with an assured supply where the fact merely means the postponement of watering for a few days but with a certainty of the supply of water after the postponement.

Although the regulation of the supply cannot be managed in the same thorough way as in a canal with an assured supply, still the telegraph wire now gives information of the state of the river for some time in advance and, the canal Engineer can use Regulators to a slight extent.

4. It is, however, in the equal and fair distribution of the available supply so far as possible by reducing the size of Karia heads to proportions suitable to the area to be irrigated and by the amalgamation of Karias and construction of distributaries that most improvement can be obtained.

These masonry Karia heads should be very much smaller than those in use at present, but must be much larger than is necessary for canals with an assured supply for the reasons stated in paragraph 3 above and as further explained in paragraph 6.

Dr. Summers, in his paragraph 10, has given suggestions for reducing the size of existing masonry Karia heads when too large, and in paragraph 7 suggestions for new types of Karia heads found by practice in the Punjab to be suitable and which can be increased or diminished in area as required.

For the amalgamation of water-courses into distributaries and for the provision or reduction of the sizes of masonry outlets or Karia heads to suit the area to be irrigated so that every Karia or channel may have its fair share of the water available and no more, the assistance of the Revenue Officers is necessary.

The owners of water-courses at present wish for more than their fair share of the water when it is scarce and make channels accordingly and so take more than their fair share at all times and will object to the reduction of the size of their outlets.

Rules ought to be made prescribing the size of outlet and the construction of outlets of this size must be authorised and carried out.

Some lands probably have prior rights of irrigation and arrangements for their supply in preference to others must be made, more particularly when it is necessary to close some branches or distributaries temporarily when water is scarce and to give water in rotation. This generally happens at the end of the inundation season when judicious management of rotation can effect the irrigation of a larger area than would otherwise be the case. As explained above, it is a delicate matter to arrange for this satisfactorily in an inundation canal and generally the remodelling of an inundation canal will require the co-operation of the Revenue Officers and the Engineers.

5. The Punjab Irrigation Paper No. 10 deals with the improvement of the distribution of water under canals supplied from weirs and with a supply independent of the level of the water in the river until the discharge becomes less than the canal can carry.

When once Sind gets such canals supplied from weirs all real difficulties of arranging for distribution will cease and the matter will be easily managed, but at present the instructions of Mr. Kennedy, given at pages 36-47 of the paper, are not fully applicable to the Sind canals; they are summed up on page 46 and the main aims (a), (b) and (c) can be followed in Sind, but (e) the most important of all is almost impracticable on an inundation canal.

6. In the table of figures on Dr. Summers' diagram of discharges it is shown that the maximum average monthly discharge of the canals is in August and was 68,752 cusecs, and on some days the discharge must have exceeded this. In September the average was 27,367 only and in October 6,547 only, while the total for 8 months was 1,94,000.

A constant discharge of 25,000 cusecs for 8 months = 2,00,000 or more than the 1,94,000 delivered by the present Sind canals. If, therefore, weirs were provided and a constant supply given, the same quantity of water could be delivered in 8 months by canals discharging 25,000 cusecs only as is supplied by the present inundation canals discharging a maximum of over 68,752 cusecs and probably on some days nearly 75,000 or 3 times the amount of the constant canals. Looked at in another way the present canals are big enough to irrigate three times the area they do now if they were provided with a constant supply and this without increasing "the duty of water," but it is well known that there is great waste of water under the present system and that the duties might be nearly doubled and so the canals as they exist are big enough to irrigate 5 or 6 times the area at present irrigated.

The same reasoning applies to the smaller channels and Karia heads and hence any Karia heads built now would have areas of waterway 3 times to 5 times what would be required for a constant supply, but if they be built with a view to their being reduced hereafter when a constant supply is provided, they need not cost 3 to 5 times the amount of a Karia head for a constant supply. Government have sanctioned the investigation of the possibilities of a weir at Sukkur or Rohri with Right and Left Bank Canals. The construction of these canals and the development of the large areas of land under them may follow rapidly on the results of the investigation being known. Any proposals

therefore for improvement of irrigation for this area which includes all the canals on both sides of the river between Rohri and Hyderabad should be made with a view to the improvements being serviceable when the canals from the weir are made.

It would not be advisable to postpone improvements on the canals to be served by any weirs that may be constructed, but the rule that the cost of the improvements should be recovered in 25 years should be followed.

7. With these preliminary observations the Governor in Council is pleased to direct that the following action should be taken:—

I.—Dr. Summers' Report on remodelling and improving inundation canals in the Punjab should be printed and distributed to all Executive Engineers for Irrigation.

II.—The Superintending Engineers in Sind should submit maps of their Divisions showing generally what improvements are proposed, on the lines indicated in paragraph 92 of Volume II of the Report of the Irrigation Commission, for the better distribution of water and on which canals it is desirable to undertake them first.

III.—The probable cost of such improvements and the return expected should be broadly estimated from the best data available and the method of estimating explained.

The difficulties to be overcome in the shape of vested interests in existing channels, the alterations or subversions of existing customs and the like should be fully discussed.

IV.—The opinions of the Collectors and Deputy Commissioners on the proposals for their districts should be obtained and submitted.

8. When the information specified in these orders is received, Government will be in a better position to issue orders and to direct on which canals works should be begun first and what kind of work should be done and to call for the necessary plans and estimates and to arrange that the work be done on some system.

9. Copies of these orders should be forwarded to the Commissioner in Sind through whom the reports of the Superintending Engineers and Collectors and Deputy Commissioners should be submitted to Government.

E. M. PROES,

Under Secretary to Government.

To

The Revenue Department, Secretariat.
 The Commissioner in Sind.
 All the Collectors in Sind.
 The Deputy Commissioner, Upper Sind Frontier.
 The Deputy Commissioner, Thar and Parkar.
 The Superintending Engineer, Indus Right Bank Division.
 The Superintending Engineer, Indus Left Bank Division.
 The Secretary, Indus River Commission.
 All Executive Engineers in Sind.
 The Examiner of Public Works Accounts.
 The Government of India. (By letter.)

Accompaniments to Government Resolution No. W. I—1050, dated 9th April 1906.

Note on remodelling and improving inundation canals in the Punjab.

The following note which was given to me by Mr. F. E. Gwyther, Executive Engineer, gives a good idea of the state of inundation canals in the Punjab, and of some of the methods by which it is proposed to improve them :—

"Distribution on Inundation Canals in the Dera Ghazi Khan Division."

The canals from the Right Bank of the Indus in this district possess the ordinary characteristics associated with inundation channels constructed under former native rulers, and acquired by the British Government by annexation. They consist of long main, and numerous branch canals, of imperfect construction and bad command, from which irrigation is effected by numerous private water-courses, which form a perfectly intricate maze of minor channels wholly out of control.

2. The system of irrigation is an extremely complicated one, and bristling with rights and privileges of long standing. It is effected solely by closures of water-course heads in reaches—all with the object of getting water to the tail villages (in this I may add it is rarely successful, because the conditions preclude the attainment of the complete closures contemplated and desirable). There are very few masonry culverts to these water-courses which are in 9 cases out of 10 open cuts in the banks, the size of which is mainly dependent on the will or purse of the owner.

3. As it has existed to within a very late date the system is crude and satisfies only the few who benefit by it. Its defects are :

(1) Want of command, necessitating the use, frequently, of temporary stop dams.

This is due in part to faulty alignment of main canal but mainly to the lack of a proper distributary system.

(2) Over outletting, that is, excessive number of water-courses. These are usually 100 per cent, in excess of requirements.

(3) Want of permanent outlets rendering the enforcement of closures impracticable.

(4) Over long and badly aligned water-courses. They are frequently found in clumps of 5 or 6, aligned side by side, with such high spoil banks between as to interfere with normal silt clearances. They are also frequently 5 or 6 miles long, and so badly maintained as to be a fertile cause of loss of water. This loss is also caused by the open cuts in the canal forming their head.

One important defect may be noted as causing great trouble, the possibility each water-course taking off in low ground possesses of being deepened with a view to draining off a larger supply than it is entitled to or can use.

4. Modern conditions demand that such glaring defects shall be remedied—a system that suited oriental ideas of 50 years ago must give place to more scientific methods. Apart from the remodelling of the canals themselves for the purpose of securing better command, it has been sought in the Derajat Circle to improve distribution of supplies by means of 2 alternatives—

I.—An acceptance generally of existing conditions combined with amalgamation of water-courses, construction of permanent outlets on them, and the provision of distributaries to replace the long series of water-courses, or conversion of existing water-courses not carrying less than 15 or 20 cusecs, into minors.

II.—The construction of an entirely new system of distributaries which will almost wholly replace existing water-courses feeding directly from the main canal.

Under this system most of the existing branches are either abandoned, or converted into distributaries.

Of the two (I) is probably the easier, and interferes with the existing irrigation practice as little as is possible. But it causes much irrigation, is

not wholly supported by the civil authorities (who are afraid of appeals to the High Court which considers merely the legal aspect of each case), and does not remove many of the gravest defects inherent in the water-courses as they exist.

Its cost is not, as might be expected, much less than that of II, for the permanent outlets, made on a deep main channel, with big supply depths, are obviously more expensive than they would be on a distributary by as much as 100 per cent.

* NOTE—A pipe is an opening $\cdot 125$ of a square foot in area.
A two pipe outlet is $\cdot 25$ of a square foot and so on.

It is really an expedient for it does not admit of any accurate allotment of pipes* and supply, and does not do away with curious ancient rights (such as blocking canals or water-courses by aqueducts, etc.) which form a feature of past practice.

As regards II it gives us the obvious advantage of re-arranging our irrigation almost '*de novo*' of starting afresh as it were; in addition there is the clear gain of being able to distribute supplies all down the canal by regular rotational closures. That better command will be obtained is obvious since the new distributaries will be correctly aligned and graded for that essential purpose.

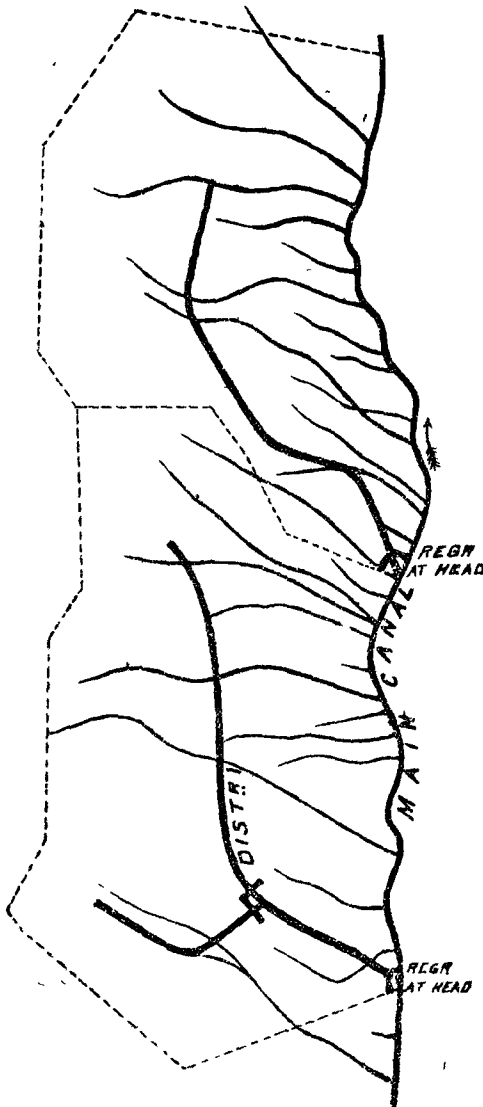
In connection with it there would be no need to secure the assistance of the Civil authorities in dealing with the water-courses from them, since these would be allotted on modern ideas and quite irrespective of what had existed before.

The marginal sketch shows this system: its essential features are the distributary with its head work combined with a Regulator across the canal and a new series of outlets proportioned to the area commanded and placed where needed; for the latter purpose a "chakbandi" is necessary showing the blocks irrigable from each.

The practice in the Dera Ghazi Khan Division is now to define and demarcate irrigation spheres on each canal and distributary, on the ground, thereby to some extent re-opening the main drainage lines of the district.

Both alternatives aim at doing away as far as possible with all internal closures. No. I is being carried out to some extent in the Multan and Muzaffargarh Divisions. No. II is what I proposed in remodelling the Dera Ghazi Khan Indus Canals and has to some extent been carried out in the Lower Sutlej Canals: how far my proposals in this line will be given effect to I cannot now say.

But the point is this—that the remodelling of inundation distributing systems has only lately been started—within the last 3 or 4 years—and is yet in its infancy. No definite results could be yet adduced in its favour."



2. The state of affairs described in the above note is similar to that which exists in Sind, but in some of the districts in Sind, besides having to contend against the difficulties described, Engineers have been much hindered in their efforts towards the improvement of the old Sind ditches, by the attitude of the Revenue Officials, who probably from want of appreciation of the great value of each cubic foot of water, when properly used, have put obstacles in the way of their carrying out rotation, which is absolutely necessary, if the area of cultivation has to increase, without any increase in the quantity of water available for distribution. This opposition to rotation besides causing a reduction in the revenue leads to some Engineers taking less interest in their work, of which the carrying out of rotation is a very important part.

3. As stated in the last paragraph of Mr. Gwyther's note, very little has been done in the way of remodelling inundation canal Linking up canal heads distributaries, and in fact, no regular system of remodelling has been instituted yet, but the work is really held in abeyance, while the question is being investigated, as to whether all, or nearly all, inundation canals can be made more or less perennial, by linking up their heads by feeder canals to certain points in the rivers which supply them, at which weirs can most conveniently be constructed.

The great advantages of this system are well exemplified by the Mailsi Canal, in the Lower Sutlej system of inundation canals, which for the past four years, has fed the three canals, Dewanwah, Jamwah Khurd and Jamwah Kalan. Before the Mailsi was opened these three canals had separate mouths from the Sutlej, with all their well-known disadvantages, such as heavy silting, which necessitates large expenditure in clearance, high lift to the fields, and loss of revenue to Government, with greater loss to the zamindars, when a canal mouth was suddenly silted up before the end of the season.

In 1900-01 and 1901-02 the average duty of these canals was less than 85 acres to the cusec, but in 1902-03 when the common feeder was opened, the duty became 110, and in 1903-04 it was 95, as shown on page 50 of the "Statistics of Irrigation, Water Distribution and Working of Distributaries of the Canals in the Punjab for the year 1903-04." I understand that the Mailsi Canal now feeds the Bahawalwah and Sultanwah also, and that it is contemplated to extend it, if this has not already been done, to feed all the canals in this system, which take off below its mouth, as far as Samasata junction. The attached tracing shows the Mailsi and the canals in the Lower Sutlej system.

The great advantages of linking up inundation canals, some of which are given below, are obvious:—

(a) *Raising the water level.*—Owing to the canals which are supplied by the common feeder receiving their supply from a higher point in the river, their water-supply is raised. In some canals I understand that the level of water has been raised by as much as 10 or 12 feet, which increases its value greatly.

(b) *Saving in clearance.*—The silt which collects in a large canal with a good gradient and velocity is very much less than that which collected in the separate inundation canals with their low velocities, before they were linked up.

(c) *Facilities of rotation.*—When water is insufficient for all the branches of a feeder like the Mailsi, it can be given to them in turns, as cross regulators are provided below the mouth of each.

(d) *Spreading silt on the land.*—Linking up, by turning lift irrigation into flow, enables much of the silt which used to collect in the canal beds, to be spread over the land. It is well-known how land is improved by river floods, but as these have almost entirely been put a stop to by embankments, the best way to make up for this loss of the fertilizing silt, in the absence of manure, is to turn lift irrigation into flow.

(e) *Spreading water quickly over the land.*—One of the great objects aimed at by Engineers is to get the water quickly on to the land, and the best method of doing this is to turn lift into flow, as lifting water by wheels is an exceedingly slow and expensive arrangement.

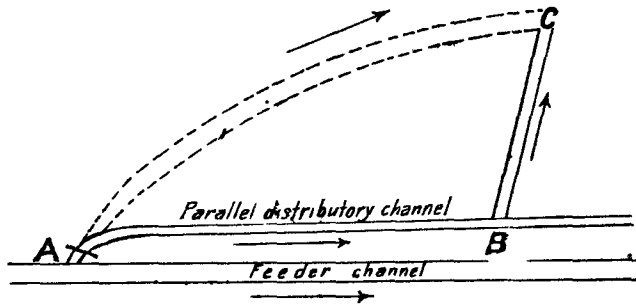
It is usual in the Punjab to give two mouths to canals, such as Mailsi, one of which is kept banded up at both ends, and is held in reserve to give a supply at the end of the season, should the supply given by the mouth in use become insufficient, owing to its being silted up. These mouths are made at convenient places, and are usually several miles apart, so that when erosion of the river bank is going on at one of them there is a good chance that it will not be going on at the other.

4. In the Multan Inundation Canal Division, no regular remodelling has been carried out as yet, but three new distributaries have been constructed and the number of separate canal heads from the Chenab River has, within the last few years, been reduced from 14 to 3. It is also intended to increase the bed width of the Sikandarabad Canal to 70 feet, to remove bends from it, and to construct minors towards its tail.

5. One of the causes which led to the greatest loss of water in the Punjab, as well as in other provinces, was the enormous number and the great length of water-courses. The obvious remedy for this is to reduce their number by amalgamating two or more into one, but this could not be done in the Punjab, until a few years ago, owing to the attitude of the Revenue Department, which instead of helping the Public Works Department in this most important work, backed up the owners of water-courses in their objections to it. Fortunately, after some years of correspondence, the Revenue Department came to see the great necessity for the amalgamation of outlets, and that practically nothing could be done without their assistance, which was eventually given, and amalgamation has been carried on with great success ever since.

The system of carrying on this work is described in the Punjab Irrigation Branch Paper No. 10.

6. Distributary channels parallel to their feeders are usually called 'ditches' in the Punjab, and a considerable number of them were introduced 10 or 15 years ago, on perennial canals, but they are seldom made now that water is becoming more valuable as it becomes scarcer, owing to their increasing the length of channels required to lead water to a certain point. For example in most cases to take water from A to C



by the channels AB and BC, leads to more loss by absorption and evaporation than if it were taken by the shorter length of channel AC. Many of these 'ditches' have been abandoned, or 'scrapped' as they say in the Punjab, and have been replaced by entirely new branches, such as AC, properly aligned along ridges

7. In inundation canals the pavements of outlets at the heads of water courses are almost invariably at or very nearly at the same level as the beds of the water-courses which they

supply, and as these water-courses generally have their beds at varying heights above the beds of the distributary channels which feed them, they take off the upper layers of water which contain less silt than the lower layers, and consequently much silt is deposited in the feeder channels, which has to be cleared out every year at great expense, and which causes the channels to stop flowing sooner than if this silting were prevented.

On the Punjab perennial canals, the pavements of outlets are made within a few inches of or at the same level as the beds of their feeders, as shown in the accompanying tracing, so that as the area of the outlets is made small the high velocity through them enables the water to carry a share of the heavier silt from the feeder into each water-course, and in this way the feeder is prevented from silting up in the usual way. Besides preventing silting in the feeder channels, this type of outlet causes a considerable quantity of silt to be spread over the land, and the small quantity which naturally deposits at the mouth of each water-course is cleared away by the zamindárs on it.

I do not know if outlets of this kind have been adopted on Punjab inundation canals, but have referred to them in this note, as I see no reason why they should not be effective on inundation as well as on perennial canals. They cost from an eighth to a quarter of the usual type of outlet in Sind, and if they are found to answer, will save large sums in clearance and in their cost

8 I shall now make a few remarks on improvements in distribution, which have been carried out in Sind, and on improvements which I think should be made, using the same headings as in the preceding paragraphs.

As far as I am aware no linking up of canals fed direct from the river has been attempted yet in Sind, and if we did attempt anything, the work might at any time be rendered useless, or large expenditure might have to be incurred in keeping the mouth of the feeder open, owing to the changes in the river, which are constantly taking place at almost every part of its course through Sind. There are, however, a few points at which feeder canals might take off, by far the most important of which is Rohri, and a preliminary survey is now being carried on, with the object of settling whether it will be advisable to make a feeder canal, 85 miles in length, from Rohri to the mouth of the Dad Canal in the Hyderabad District, which would supply the whole of the Northern Hyderabad Canals District, and a part of the Central Hyderabad Canals District, and so give perennial flow irrigation to more than a million acres of land, the greater part of which grow Indian, Egyptian or other cotton, which cannot be grown to any extent on the present inundation canals, owing to the short season during which they flow. Another project has also been proposed to carry this feeder south of Hyderabad, so as to make it feed the whole of the canals in the Central Hyderabad Canals District, which now receives a very poor supply, mostly by lift, and the high land in the Fuleli Canals District, on the Left Bank of the Fuleli Canal, much of which is of very good quality, but remains uncultivated owing to the want of a good water-supply. This scheme, if carried out, would bring about 2½ million acres of culturable land under a perennial water-supply and would solve the difficulty experienced in growing cotton of all kinds in Sind, including the Egyptian varieties, which require almost perennial water.

The question of a weir at Bukkur (Rohri) is also under investigation, the construction of which would improve the supply to a number of canals on the Right Bank of the River, but which is not required in connection with the irrigation on the Left Bank south of Rohri, where perennial water can be obtained without the assistance of a weir.

I do not think that there is any point between Sukkur and Kotri, a distance of about 260 miles, at which the construction of feeders should be considered, except Sehwan where there is rock on the Right Bank, until it is proved that the projects for the proposed Right and Left Bank feeders from Rohri are unsound. From a few miles above to a few miles below Kotri a feeder canal might be made on the Left Bank of the River and it might be practicable to construct a weir with feeders at Jherruck, about 80 miles south of Kotri, but it is most unlikely

that either of these schemes could be successful financially, with the existing low rates of assessment, and the restricted area and poor quality of much of the land which they would command.

One of the most important of the many defects in the system of distribution of water in Sind is the enormous number of cuts which have been made in main and branch canal banks, to supply private karias and wheels. When the Inspector-General of Irrigation (Colonel Ottley) came to Sind some years ago, he drew attention to this, but I have little doubt that the number of these cuts has increased by hundreds or even thousands, since his visit, and will continue to increase under the present system. Mr. Gwyther states in his note that the number of outlets in the Dera Ghazi Khan Division is usually 100 per cent, in excess of requirements, but in many parts of Sind, this percentage is much under the mark. He also states that long and badly-aligned water-courses are frequently found in clumps of 5 or 6, and that these water-courses are frequently 5 or 6 miles long, but in parts of Sind the state of affairs is even worse. If these numerous cuts were made of such a size that they only took off sufficient water for the area to be irrigated on each, matters would not be so bad, but zamindárs deepen and widen their karias from year to year, pretty well as they please, so that although a canal has ample discharge for the total culturable area on it, the land towards its tail gets little or no water, unless rain falls, when the zamindárs in the upper reaches who are generally well off, close their water-courses, and so flood the tail lands, on which the poor zamindárs sometimes make a livelihood out of rabi. It is not uncommon to find a branch canal of, say, 8 feet bed width, with perhaps 50 to 100 karias taking off from it, some of which may be 10 feet in width, so it is not surprising to find Collectors and Assistant Collectors while on tour, complaining that large areas of land, which used to be cultivated, have gone out of cultivation for want of water.

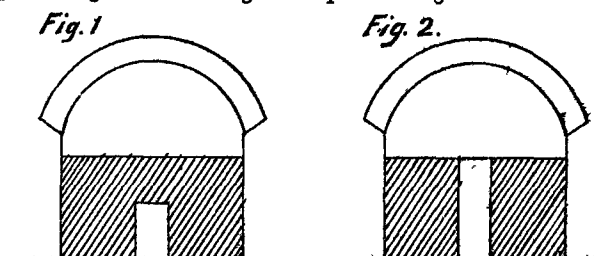
One remedy which naturally suggests itself for this lamentable state of affairs is to amalgamate some karias, and reduce the size of others, but this can only be done if the Revenue Department work with us, and one of the best known of the Punjab Chief Engineers said to me, that it is quite useless to attempt any improvements of this kind, until the Revenue Department, as represented by the Commissioner in Sind, will help us. In the Punjab this happy state of affairs was introduced some years ago, after much correspondence, so that something can now be done to improve canals in this way.

The question of the large number of cuts made in canals for the supply of wheels is also a serious one, although not of as much importance as the karias which waste enormous quantities of water, while the chief objection to cuts for wheels, is that their mouths obstruct the free flow of water in the canals, and as a rule it is quite impossible to inspect a canal in the abkalmi season owing to the want of bridges over these cuts of sufficient strength to carry a horse or a camel. In the cold weather many of these cuts are filled up with earth so that District Officers, who, as a rule, only tour in this season, cannot have any idea of the state of affairs in the hot weather when the cuts are all in use, and when it is almost impossible to inspect the canals at all. The obvious remedy for this is to reduce the number of cuts and to supply several wheels from each cut. The only canal, to my knowledge, on which such reduction has been systematically carried out is the Dad Canal, where the number of cuts has been reduced gradually to about two in each mile on each side of the canal. This work has been very carefully carried on by the Executive Engineer (Mr. Chandanani), who has strongly supported at first by the Superintending Engineer (Mr. Dunn). Great opposition was met with, but the result is very satisfactory, and any one can ride along this old canal at 7 or 8 miles an hour, with very little fear of accident.

The zamindárs on the Dad Canal are gradually coming to be contented with these cuts, which are excavated by Government, and over which masonry bridges are also provided at Government cost. Another advantage which must not be lost sight of is that as these cuts are made at points fixed upon by the Executive Engineer, unscrupulous subordinates are unable to exact blackmail

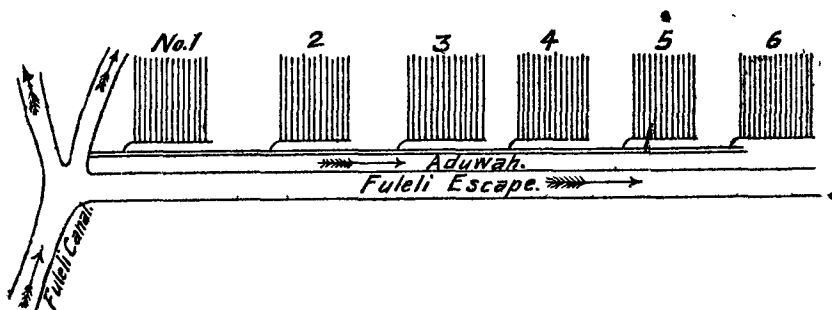
from zamindárs, as it is believed they frequently do, on canals where this system is not adopted.

10. In cases where the outlets of water-courses are too large, and it is decided to reduce them, I am of opinion that a good plan in many cases would be to build dwarf walls against the abutments, as in the sketches given below, carrying these walls up to, say, full supply level, and either arching the reduced openings as in figure 1 or leaving them open as in figure 2.



This could be done at very little cost, but only with the assistance of the Revenue Department, as the owners of water-courses object very strongly to having their outlets reduced in any way. The result of reducing outlets to the size required for the area on each would be to increase the area of cultivation at the tails of canals, and so reduce waterlogging, and increase the area of cultivation for the same discharge.

11. In 1898, while Executive Engineer of Fuleli Canals District, I had occasion to make a small canal about 8 feet in width and 6 miles in length, to supply about 120 water-courses which crossed the line of the Fuleli Escape. As the cost of providing masonry openings, of the type then in use in Sind on inundation canals, over each of these water-courses, would have been about Rs. 20,000 or Rs. 30,000, I proposed to make 6 parallel distributary channels, with screw gate sluices at their mouths, each of which would feed about 20 water-courses, as shown in sketch. This proposal was sanctioned by Government,



and the result is very satisfactory, the duty having been increased from about 30 to 45, the whole of the crop being rice. I do not consider that this duty is high enough, even for rice, but it shows that if a little science is introduced, water can be made to go much further, which is the main object in irrigation. The system which I adopted on this small channel was to give Nos. 1 and 2 full supply on Mondays and Tuesdays of each week, Nos. 3 and 4 on Wednesdays and Thursdays and Nos. 5 and 6 on Fridays and Saturdays, but if I had a similar channel to construct I should feel inclined to make fewer distributaries, with cross regulators over the feeder below their mouths, and would try lengthening the periods of rotation, as the shorter these periods the greater the loss of water. Had I known that this system had been in use in the Punjab for many years, I

should have introduced it 10 or 15 years ago in the Fuleli Canals District, as, although it is being given up in the Punjab for more advanced systems, I consider that it will answer admirably for some years to come for many Sind Canals, and it has the great advantage of being extremely easy to introduce, and of being cheap, as all that is required is one bank parallel to the canal, and one masonry head for a number of water-courses. The system can easily be improved upon by constructing masonry outlets of the Punjab pattern at the mouths of the water-courses, so as to force water to the tail of the distributaries. This system is now in use on the Hasanali Canal in the Fuleli Canals District, in the Northern Hyderabad Canals District, in the Shikarpur Canals District, and I believe that it is proposed to adopt it in the Begari remodelling project. I do not recommend it for adoption on new canals, but it has proved of use as a quick, cheap, and very simple means of increasing the area irrigated on several canals, and it can be introduced without disturbing existing cultivation, which is a strong point in its favour.

12. The usual type of outlet in Sind is a very expensive one, costing from

Masonry outlets.

Rs. 300 to as much as Rs. 800, when constructed in the spoil bank of a canal. A number of these outlets is made every year in all parts of Sind. They are useful in preventing excessive waste in some water-courses, but they give an opening to certain subordinates for exacting blackmail, and when a scientific system of distribution is introduced, most of them will be rendered of no use whatever. Besides these objections, their pavements are usually several feet above their feeders, in which the heavy silt is deposited every season.

About 12 years ago, I introduced a type of outlet, with one wall extending into the canal bank on each side, from the centre of the abutment, instead of the usual return walls up and down stream. These as a rule cost only about Rs. 150 each, and answered very well, even in low river embankments, but they do not prevent silting in the feeders, and the inspection path is rather narrow over them.

On the Dad Canal, the Executive Engineer (Mr. Chandanani) has introduced the system of constructing outlets on the berm, just inside the front toe of the canal spoil bank, as shown in the accompanying sketch, and of making his inspection paths, about one foot above the highest water level instead of on the top of the spoil bank. By this means his outlets have cost about Rs. 200, instead of about Rs. 600 or Rs. 800 which they would have cost had they been constructed as usual in the spoil banks. This system is being introduced in other districts.

During the past year outlets of the pattern used in the Punjab, which are called pipe outlets, in that province, a "pipe" being equal to 125 of a square foot, have been introduced in nearly every district in the Indus Left Bank Division, including the Jamrao, and I see no reason why they should not answer on inundation as well as on perennial canals. They are very cheap, the discharge through them can be easily reduced or increased and each one takes a share of the heavy silt from its feeder, spreading some of it over the land. Government have sanctioned outlets of this pattern on the Gaja Canal in the Fuleli Canals District and if they prove successful, as I expect that they will, they should be introduced all over Sind. As far as I am aware, outlets of this pattern are not in use in the Punjab, on inundation canals.

13. I have prepared two diagrams from data kindly supplied, at my request, by the Engineer of the Indus River Commission for the Khairpur State, and by the Executive Engineers of the 6 districts, which take water from the river between Sukkur and the sea. The preparation of these diagrams has taken a long time, as much correspondence was necessary before the data was all collected and put in proper form. The diagrams show clearly that there is plenty of water available at present for rabi cultivation in Sind, and for cotton of all kinds, if we make use of it, as, in the rabi season, only from 3 to 7 per cent. of the river's discharge at Sukkur is taken into canals between Sukkur and the sea, in ordinary years, leaving no less than 30,000 to 40,000 cusecs, or about 95 per cent. unused, of which a small quantity will suffice for the supply

of perennial canals. The diagrams also show the great differences in the river discharges in the abnormally high year of 1903-1904, and the low year of 1904-1905. In 1903-1904, the average daily discharges in September and October were respectively 361,134 and 107,802 cusecs, while in 1904-1905, they were only 167,864 and 59,002, so that in the latter year less than half the quantity of water passed Sukkur, in these two important months for Sind irrigation, than in 1903-1904.

14. This note deals mainly with the improvement of the distributary system of old inundation canals, but before Government spend large sums on such work, and so tie themselves down more and more to the old, expensive, and unsatisfactory system of irrigation from inundation canals, which is steadily giving way to the perennial system, wherever it can be introduced, I would again urge strongly that the question of the introduction of perennial canals or of feeder canals, should be thoroughly investigated, and I believe that if this is done, it will be shown not only that such canals will be necessary for the irrigation of the country, and for the increasing population, but that some of them at any rate will give a good return. The sketch map, which accompanies this note (not printed), indicates a few of the larger schemes on the Left Bank of the River, which should be investigated, and shown to be unsound, before any extensive improvements are made in the system of distribution from inundation canals :—

(1) *Rohri Dad Feeder*.—Beginning at Sukkur, the first proposal is for a feeder canal from Rohri to the Dad Canal. This will give a perennial supply to the whole of the Northern Hyderabad Canals District, which contains about a million acres of cultivable land, only a small proportion of which is now irrigated from the existing inundation canals, most of which are dry for 8 or 9 months in the year. This project is capable of being very considerably enlarged by extending the Dad Canal southwards into the Central Hyderabad Canals District, in which there is more than a million acres of cultivable land, of which only about $\frac{1}{6}$ th is at present cultivated.

(2) *Rohri Hyderabad Canal*.—I believe that this proposal was first brought forward by Colonel Fife in 1855, and I think the best line for it would be A, B, D, M, G, running between the Nasrat and Dad Canal systems, which it would feed, and tailing 70 miles south-east of Hyderabad into the Puran Dhoro, an old river channel.

(3) *Sehwan Feeder Canal*.—This feeder appears to have been first suggested in 1871 by Colonel Rundall, Inspector-General of Irrigation, who estimated roughly that by having two heads, instead of only one at Rohri, about 46 lakhs of rupees would be saved. I do not think that this scheme has ever been investigated, and doubt very much if it would turn out as good as one feeder from Rohri.

(4) *Eastern Delta Canal*.—About 30 years ago, a canal called the Delta Canal, was proposed to irrigate a large area of land in the Delta country, and to take off from the Fuleli, but as far as I am aware, the line was only sketched on a plan, and the scheme was never investigated. As there is about half a million acres lying waste, simply for want of water, in the south of the Fuleli Canals District, and in the Jati Taluka of the Karachi Collectorate, I suggested that a project for a canal from the river should be examined. Government sanctioned a preliminary survey, which has shown that this canal would probably pay from 10 to 15 per cent., and there is little doubt that the land on it would be taken up and cultivated as soon as the canal was opened, as there are plenty of men of means, in Hyderabad and Karachi, eager to take it, and when land was being given out on the Gaja Extension, a small canal close to the proposed canal, I was told that ten applicants could be had for every acre.

15. There are many other promising projects in the Left Bank Division, which should be investigated before much expenditure is incurred in improving distributary channels, and the larger problems should be examined, before smaller schemes are carried out, the expenditure on which might be lost, should

these small schemes ever become parts of large ones. In the Right Bank Division also there are many large schemes to be investigated, such as to feed the Ghar or Western Nára Canals from Sukkur, and smaller ones, such as the interesting project for draining the Muncher Lake, which has been discussed now and again during the past 20 or 30 years.

Distributary channels, if excavated from inundation canals to irrigate land by lift, will be expensive, and much of the cost of excavation will be lost, if the water level in the canals which feed them is raised, owing to the construction of new and improved canals bringing a higher water-supply.

16. Scientific irrigation has been making great advances in many countries but Sind has made very little progress and has been left behind in the race. In the Punjab several splendid schemes have been carried out within the past few years, and others are in progress, but there is no reason why Sind should not advance, especially when the advantages she has over the Punjab are taken into consideration, some of which are, a milder winter, proximity to the great Port of Karáchi, and a far more plentiful cold weather supply of water in the Indus than there is in the Punjab rivers, from some of which, the whole supply is taken off by canals.

I was told lately that the state of irrigation in the Punjab was in as backward a condition as it is in Sind now, some 25 or 30 years ago, when two Engineers from the North-West Provinces, where scientific irrigation had made some progress, were transferred to it.

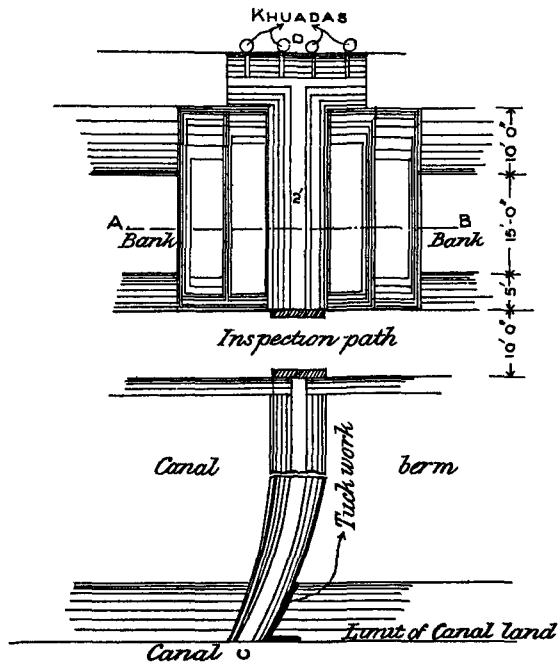
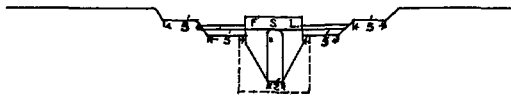
These Engineers soon instilled their ideas into the Punjab men, and so started the great works which are now models for irrigation engineers all over the world. I see no reason why in a few years Sind should not be covered by scientifically constructed canals, especially when we have the Punjab canals as models to guide us.

THOS. SUMMERS, D.Sc., M.Inst.C.E.,
Superintending Engineer, Indus Left Bank Division.

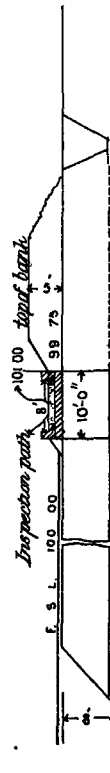
Sukkur, 29th January 1906.

SKETCH SHOWING
Masonry outlet and Inspection path
on Canal berm

SECTION ON A B.



SECTION ON CD



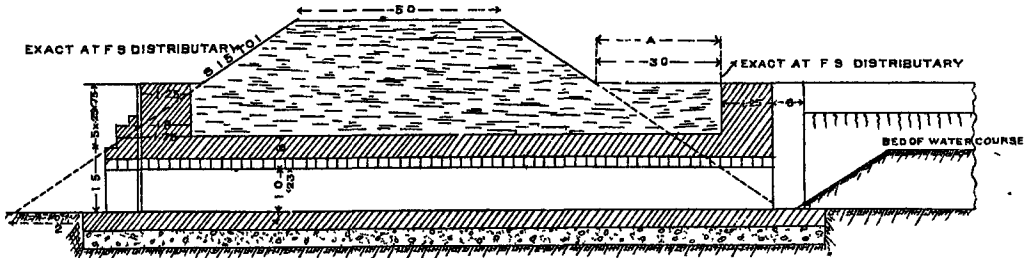
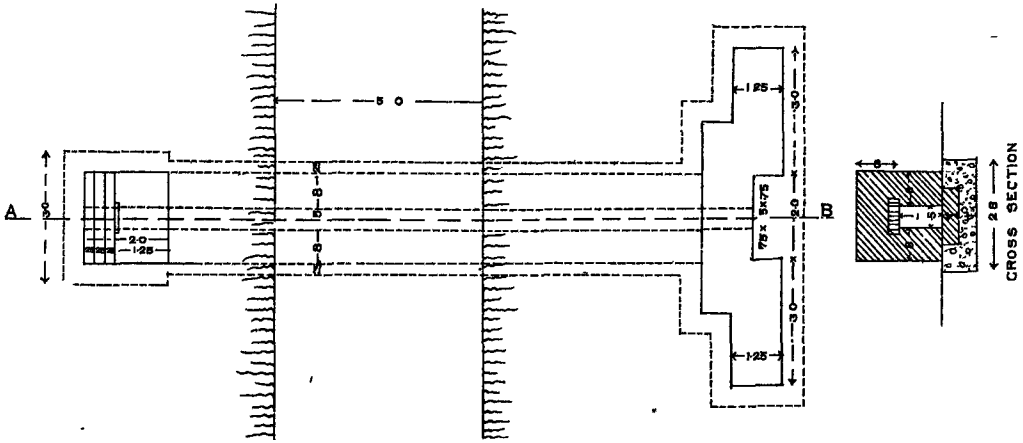
TYPE PLAN OF 4 PIPES

OUTLET
SCALE $\frac{1}{25}$

NOTE
FOR OPENINGS MORE THAN 08 WIDE
THE TOP WILL BE SPANNED BY REWARDY
SLATE 15 WIDE AND INCH THICK

DETAIL OF WORK	2 FT FS		
	QUANTITIES	RATE	R#
EARTH WORK	1000	3/	3
CONCRETE	42	22/	9
BRICK WORK	100	32/	32
CONTINGENCIES		5/	2
TOTAL			46

PLAN



SECTION ON LINE A B

Govt. Photoduplication Office, Poona, 1908.

**DIAGRAM SHOWING THE DISCHARGES
OF THE
RIVER INDUS AT SUKKUR AND OF THE CANALS
TAKING OFF FROM IT BETWEEN
SUKKUR AND THE SEA
FOR THE YEAR 1903-1904.**

SCALES

DISCHARGES :— 40,000 CUSECS=1 INCH
PERCENTAGES :— 2 PERCENT = 1 INCH

DISCHARGES IN CUSECS

400,000 CUSECS

360,000

320,000

280,000

240,000

200,000

160,000

120,000

80,000

40,000

PERCENTAGES

16 P.C.

14 P.C.

12 P.C.

10 P.C.

8 P.C.

6 P.C.

4 P.C.

2 P.C.

AVERAGE DISCHARGE OF INDUS RIVER AT SUKKUR FOR EACH MONTH
PERCENTAGE OF RIVER DISCHARGE AT SUKKUR TAKEN OFF BY CANALS BETWEEN SUKKUR AND THE SEA
COMBINED AVERAGE DISCHARGES OF CANALS BETWEEN SUKKUR AND THE SEA FOR EACH MONTH

AVERAGE DISCHARGE OF INDUS RIVER AT SUKKUR FOR EACH MONTH

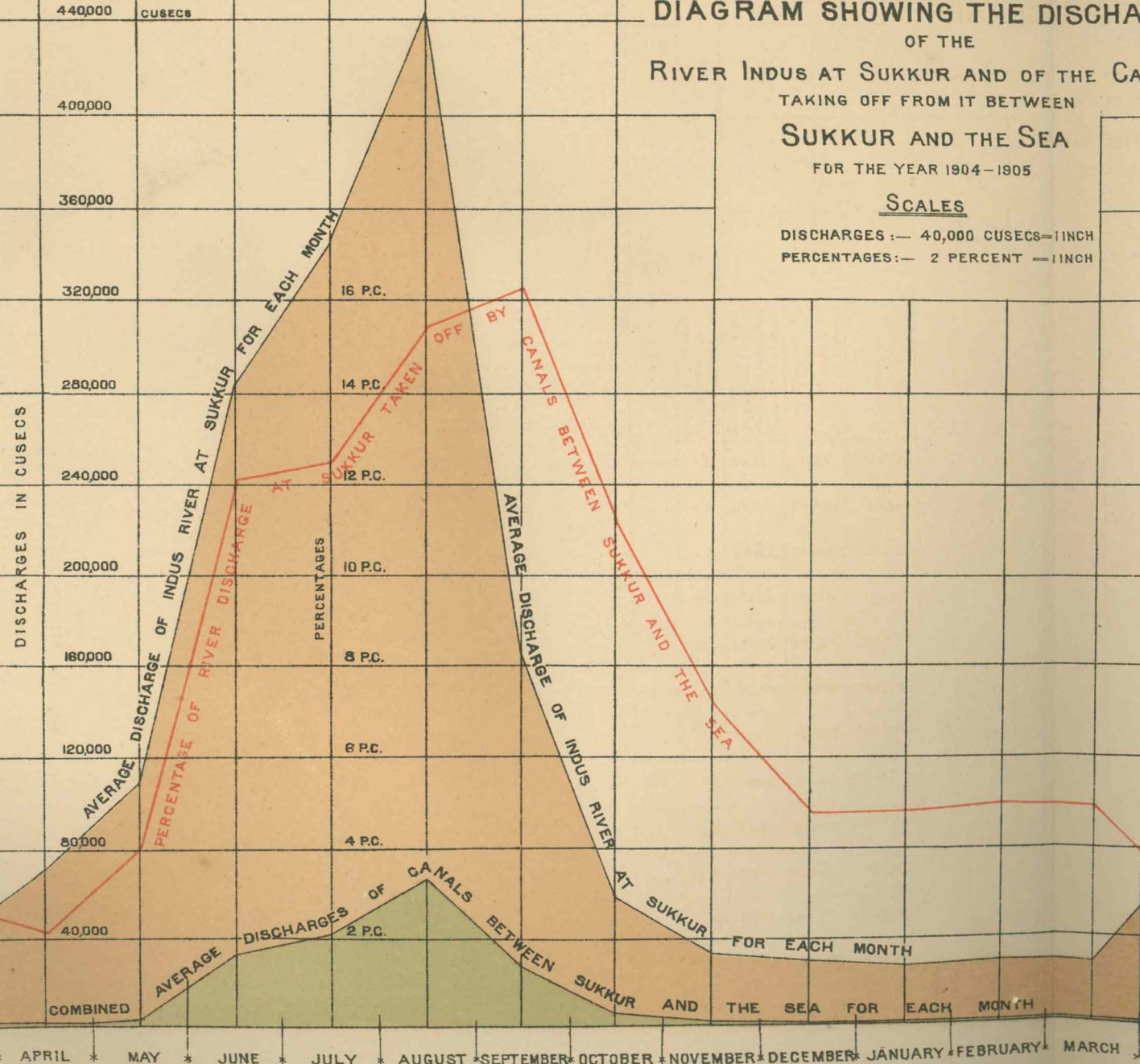
* APRIL * MAY * JUNE * JULY * AUGUST * SEPTEMBER * OCTOBER * NOVEMBER * DECEMBER * JANUARY * FEBRUARY * MARCH *

MONTH	AVERAGE DISCHARGE DURING MONTH OF RIVER AT SUKKUR	AVERAGE DISCHARGE DURING MONTH CANALS TAKING OFF FROM RIVER BELOW SUKKUR	PERCENTAGE OF RIVER WATER TAKEN OFF BY CANALS EACH MONTH	REMARKS
APRIL	50400	821	1.6	MINIMUM
MAY	138103	5259	3.8	
JUNE	221516	27420	12.3	
JULY	309517	41337	13.3	
AUGUST	531788	75503	14.5	MAXIMUM
SEPTEMBER	361134	44206	12.2	
OCTOBER	107802	9769	9.6	
NOVEMBER	56826	3956	6.9	
DECEMBER	35225	1719	4.8	
JANUARY	35967	1313	3.6	
FEBRUARY	30855	1285	4.2	
MARCH	41580	1179	2.8	
TOTAL	1902513	209033	10.8	AVERAGE

DIAGRAM SHOWING THE DISCHARGES OF THE RIVER INDUS AT SUKKUR AND OF THE CANALS TAKING OFF FROM IT BETWEEN SUKKUR AND THE SEA FOR THE YEAR 1904-1905

SCALES

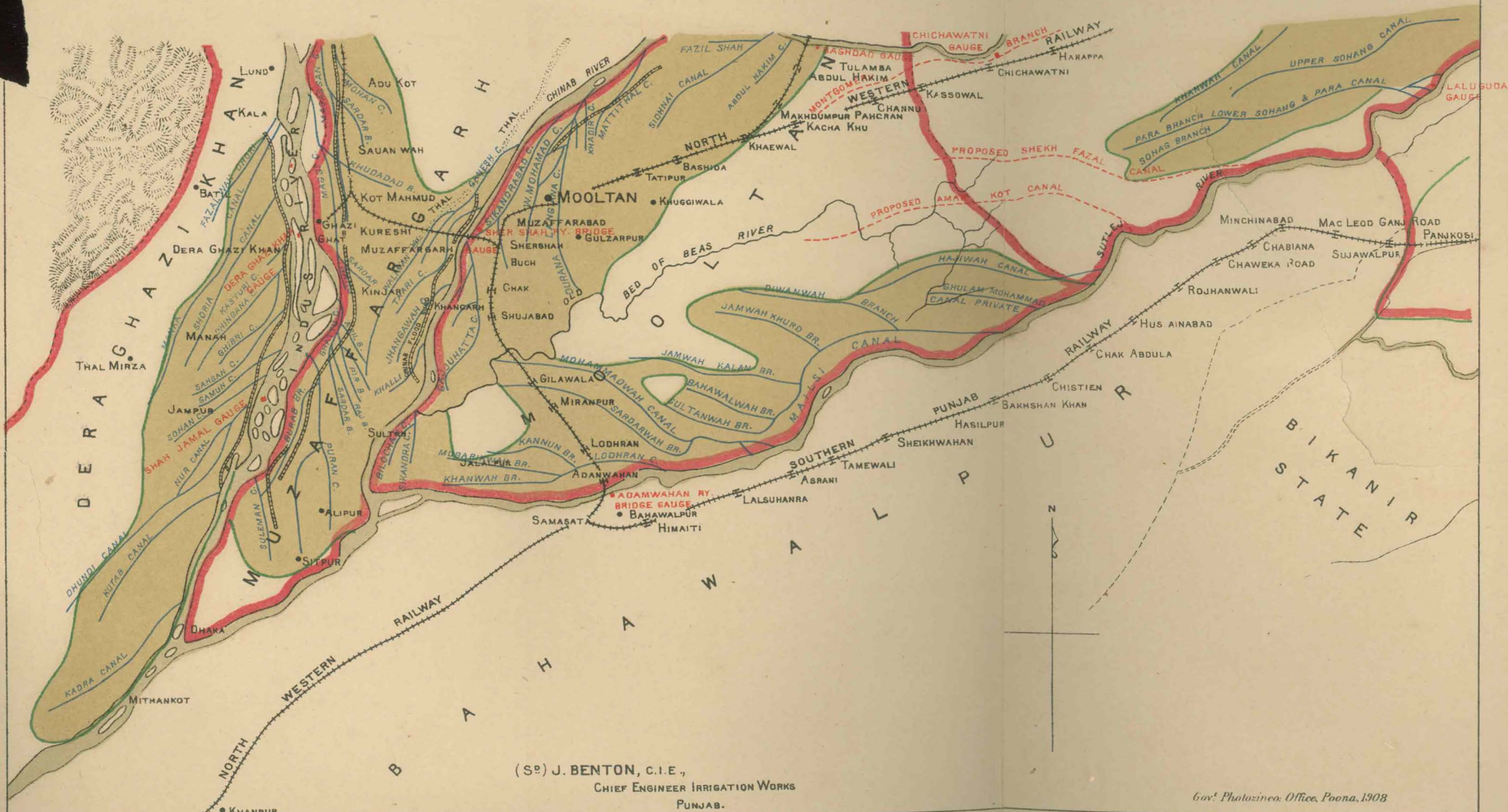
DISCHARGES :— 40,000 CUSECS=1INCH
PERCENTAGES :— 2 PERCENT =1INCH



MONTH	AVERAGE DISCHARGE DURING MONTH OF RIVER AT SUKKUR	AVERAGE DISCHARGE DURING MONTH OF CANALS TAKING OFF FROM RIVER BELOW SUKKUR	PERCENTAGE OF RIVER WATER TAKEN OFF BY CANALS EACH MONTH	REMARKS
APRIL	72082	1540	2.1	MINIMUM
MAY	111899	4635	4.1	
JUNE	282514	34134	12.1	
JULY	346321	43551	12.5	
AUGUST	442286	68752	15.5	
SEPTEMBER	167864	27367	16.3	MAXIMUM
OCTOBER	59002	6547	11.1	
NOVEMBER	34021	2427	7.1	
DECEMBER	31934	1542	4.8	
JANUARY	28434	1366	4.8	
FEBRUARY	31535	1634	5.1	
MARCH	29935	1484	4.9	
TOTAL	1637809	194979	11.9	AVERAGE

Hos. Summers
D. Sc. M. Inst. C. E.
Superintending Engineer, Indus Left Bank Division.

PLAN OF LOWER SUTLEJ SYSTEM OF CANALS



(S^o) J. BENTON, C.I.E.,
CHIEF ENGINEER IRRIGATION WORKS
PUNJAB.

Govt. Photozineo. Office, Poona, 1908

APPENDIX B.

Extract from page XI of the Administration Report of 1905-1906 of Irrigation.

The Begari Canal was opened on the 20th May ; the average discharge was 4,800 cusecs, but a maximum of 8,815 cusecs was reached on one day, and for eight days the discharge exceeded 8,000 cusecs. This is a larger maximum than has been reached hitherto, but the lands on the tail of the canal did not benefit ; the excess was taken off from mile 40 to 70, for rice, through masonry sluices, very much too large for the areas fairly dependent on them, and in spite of temporary obstructions on the canal sides of these sluices. This take-off is no new thing ; in the Abkalani Report of 1904-1905, it was mentioned that a rise of 2 feet at the head of the Begari gave a rise of 1 foot only at the tail. There is no regulator on the canal between its 38th mile and its tail at Khaira Garhi. The tail lands were to some extent compensated by a fair rabi supply. The figures of actual cultivation are not yet available, but it is understood that whilst the area under rice on the upper reaches was much increased, the total area under irrigation is not larger than previously recorded.

True extract,

S. B. LIMAYE,

Acting Senior Superintendent.

APPENDIX C.

Press Note.

The following orders have been passed by Government on the question regarding the assessment of pátasthal lands, which had engaged their attention for some time :—

“ Consideration of these papers points to the conclusion that the occasional assessment, under section 55 of the Land-Revenue Code, of pátasthal lands in tracts where the rainfall is precarious is open to objection. It will necessitate annual inspection of all ‘páts’ or irrigation channels, to ascertain the volume and duration of their flow, and the, at all events approximate, measurement of areas irrigated from them, with possibly an estimation of the productiveness of the crop. These operations will have to be performed in the first instance by the village officers, whose work will have to be closely checked by Circle Inspectors and superior officers. This will entail a considerable amount of labour, more, probably, than would be commensurate with the additional revenue derived ; openings would also be given for exactions by village officers and lower subordinates. In the opinion of Government, it will be far preferable to adopt a broad and liberal policy, and to abolish pátasthal assessment altogether in the precarious areas. The amount of revenue thus sacrificed will not be large. In the Central Division the total pátasthal assessment for water charge alone has been estimated at some 4½ lákhs of rupees levied from about 130,000 acres, and it has been calculated that by abolishing pátasthal assessment in precarious tracts some 50,000 to 60,000 acres at the outside will receive exemption at a sacrifice of a lách to a lách and a half of revenue. The sacrifice is not heavy, and the result will be a much needed stimulus to private enterprise in the husbanding of the supply of minor rivers, streams and nálas, and the irrigation of the small areas commanded by them. At present there is a danger that a cultivator who takes water from a pát may be called on to pay assessment even though the pát may fail at a critical time, while the man who makes no use of the water may obtain a remission or suspension of assessment.

Such a danger must discourage the full utilisation of the water. If, on the other hand, the water is absolutely free, every drop of it will be utilised, the general value of the crop will be improved, and, possibly, in times of scarcity, employment will be provided, both for making the small works required, and for cultivating the irrigated crop. The Government of India, on the recommendation of the Irrigation Commission, have accepted the principle of liberality to the cultivators of irrigated land, and the encouragement of irrigation by every possible means, in the arid portions of the Deccan. For the purpose of constructing wells, they are willing even that free grants of money should be made, although no additional revenue will be derived in consequence. It will be in full accordance with this policy to refrain from assessing for water lands of precarious tracts which may be irrigated from the small channels and dams constructed by the enterprise of the cultivator.

"2. The Governor in Council is accordingly pleased to direct that in *tálukás* specified below, which are all undoubtedly precarious tracts, *pátasthal* assessment shall be abolished :—

District.	<i>Táluká</i> .
Sholápur	... All <i>Tálukás</i> .
Ahmednagar	... { Shevgaon. Jámbed. Karjat. Nevása. Ráhur. Sangamner. Kopargaon.
Poona	... { Indápur. Bhúthadi.

As regards other *tálukás*, Collectors should make recommendations. In most cases it will be found that there are distinguishable from one another *páts*, and *bandhárás* [whether temporary (*kacha*) or permanent (*pucka*)], the supplies of which are fairly certain or decidedly precarious. In most instances, the maximum rate on the *pát* will be a tolerable *prima facie* guide. The dividing line may probably be put at Rs. 5. But this will not, in all cases, be a trustworthy guide. The selection, therefore, of *páts* for exemption must be made after inspection by the Sub-Divisional or Settlement Officer, as the case may be. Where the rate exceeds Rs. 5 he will have to make a good case for exemption; and where it is below that figure, for retention of the *pátasthal* assessment. Where the *táluká* is under settlement, the recommendations should be made in the settlement report, and recommendations made in reports already submitted will be disposed of in the orders issuing on them. In other cases, the Collector will make a separate report to Government containing his recommendations, and showing their financial effect. To the report a statement should be appended showing for every *pát*, whether exempted or not, (1) the village, (2) character of *bandhára*, *kacha* or *pucka*, (3) maximum rate, (4) total *pátasthal* assessment, (5) whether exempted or retained, (6) total of (4) for all *pátasthal* villages, and (7) remaining *pátasthal* assessment after deduction of total exemptions from (6).

"3. For those *páts* on which the *pátasthal* assessment is retained, it will be necessary to provide a system of remissions in case of failure of water-supply. It is fairly established that the supply of these small irrigation channels varies roughly with the *táluká* rainfall. In the case, however, of streams which communicate directly with the Western Gháts, this may not always be the case. But taking the shortage of rainfall below the average as a starting guide, the Collector, if he has reliable information that the *páts* have failed, should, by the 15th December in each year, announce a remission, roughly adjusted to his estimate of failure, of 4 annas, 8 annas, or 12 annas in the rupee of the recorded assessment in all the *páts* of the *tálukás*, with any notorious or well established exceptions. Beyond this, no inquiry should ordinarily be made regarding individual villages or *páts*.

"4. The Collector will make the decision on his own authority, but will report for the information of the Commissioner, who should submit a general report for his Division to Government. The Collector in testing his information, and the Commissioner in examining the Collector's reports, will be careful to secure equality of treatment by comparison of similar tracts. Thus, much the same measure of liberality would probably be required in Pimpalner of West Khândesh, as in Kalvan and Bâglân of Nâsik and *vice versa*.

"5. It should be understood that by the abolition of pátasthal assessment it is not intended to injure any rights which the holders of lands subject to that assessment now have to the water of the streams. Those rights should continue to be entered in the revenue record. The construction of additional bandhárás or similar works on any streams should be subject to veto by the Collector, which should be exercised with due regard to the exercise of existing rights, and the capacity of the stream. The Collector will not usually object unless applied to by a person whose right has been so recorded, and the Collector's prior permission will no longer be required for new irrigation within the tracts to which these orders may be extended."

No. 3552 of 1907.

REVENUE DEPARTMENT.

Bombay Castle, 8th April 1907.

Forwarded to—

The Editors' Tables and Editors of Newspapers,
The Oriental Translator to Government.

R. P. BARROW,
Acting Chief Secretary to Government.

*Suspensions and Remissions of Land-
Revenue.*

Amendment of No. 7 of the rules
regulating the grant of —.

No. 5324 of 1908.

REVENUE DEPARTMENT.

Bombay Castle, 27th May 1908.

RESOLUTION OF GOVERNMENT.

In a case recently before Government there appeared to be some doubt as to the proper manner of dealing with remissions of the portion of the assessment which represents the water-rate in the case of ordinary pátasthal lands, *i. e.*, lands which derive their water-supply from tanks or bandhárás not in charge of the Public Works Department. Such remissions fall within the terms of No. 7 of Part I of the Suspension and Remission rules, when there is a widespread failure

of the monsoon, and are capable of being dealt with under Part II of those rules, when the failure is purely local. At the same time, in paragraphs 3 and 4 of Government Resolution No. 2759, dated 15th March 1907, instructions have been given regarding remissions in the case of lands deriving their water-supply from bandhárás not in charge of the Public Works Department, on which a rate for water advantages continues to be included in the assessment. On a full consideration of the circumstances, the Governor in Council is of opinion that it is not necessary to lay down separate directions regarding this particular class of lands only, and that it will suffice to include in No. 7 of Part I of the general Suspension and Remission rules orders applicable to all classes of lands on which the assessment includes a separate rate for water advantages. Government are therefore pleased to cancel paragraphs 3 and 4 of Government Resolution No. 2759, dated 15th March 1907, and to direct that the following shall be substituted for No. 7 of Part I of the Suspension and Remission rules issued under Government Resolution No. 650, dated 22nd January 1907. The new rule contains the instructions given in Government Resolution No. 5087, dated 18th May 1907, and so much as it is necessary to retain of the instruction, given in paragraphs 3 and 4 of Government Resolution No. 2759, dated 15th March 1907.

Rule 7.—When the assessment includes a separate rate for water advantages, then if the water fails to such an extent that—

(a) no irrigated crop, or an irrigated crop not exceeding 4 annas,

(b) an irrigated crop exceeding 4 annas but not exceeding 6 annas,

is grown,

(a) the whole,

(b) one-half,

of the portion of the assessment which represents the water-rate should, in the case of all occupants, be remitted without suspension. When such remissions are of inconsiderable amounts, the Collector should act on his own authority; but when they are extensive, he should first consult the Irrigation Officer of the district, and, in case of a wide difference of opinion, should refer the case to the Commissioner for orders.

J. E. C. JUKES,

Under Secretary to Government.

To

The Commissioner in Sind (with a copy of Government Resolution No. 2759, dated 15th March 1907),
 The Commissioner, N. D.,
 The Commissioner, C. D.,
 The Commissioner, S. D.,
 All Collectors in the Presidency proper,
 The Collectors and Deputy Commissioners in Sind, } With copies of Govern-
 The Colonization Officer, Jámráo Canal, } ment Resolution No. 2759,
 The Settlement Commissioner and Director of Lands Records, } dated 15th March 1907.
 The Director of Agriculture,
 The Tálukdári Settlement Officer,
 The Accountant General,
 The Public Works Department of the Secretariat,
 The Financial Department of the Secretariat,
 The Government of India (by letter).

APPENDIX D.

No. 3771 of 1907-08.

POONA, OFFICE OF THE
DIRECTOR OF PUBLIC INSTRUCTION :
13th July 1907.

From

THE HONOURABLE MR. F. G. SELBY, M.A., C.I.E.,
Acting Director of Public Instruction, Poona ;

To

THE SECRETARY TO GOVERNMENT,
Educational Department.

Sir,

In reply to your No. 1237 of the 4th July, I have the honour to forward a copy of the rules of the Gujarát College.

2. With regard to Elphinstone College, the Inspection Committee reported that it is not sufficiently well equipped to be allowed to teach science beyond the B.A. and the Intermediate science examination. This I think is not disputed. In this connection I have the honour to invite the attention of Government to this office No. 11293 of the 25th February 1906 and to my No. 3407 of the 4th instant. No further remarks on this matter I think are required.

3. The Committee reported with regard to Deccan College that it cannot properly teach science beyond what is required for the Intermediate examination in Arts. This again is a fact.

4. Proposals for equipping this College to teach up to the full B.A. course have been submitted to Government and I invite attention to the last paragraph of my No. 3407 already referred to.

5. With regard to the question of "Residence" one Professor's bungalow has already been begun. Another has been sanctioned and will be begun, I am informed, immediately.

6. With regard to the Engineering College it is suggested that the Principal might be an Educational officer as formerly. There are undoubted advantages in having a permanent Principal especially in a Residential College. I suppose that the object of appointing a Public Works Department officer is to keep the College more closely in touch with the Engineering requirements of the country.

7. The appointment of a Professor of Mechanical Engineering with an assistant has been sanctioned since the Committee's report was written. I think that there ought to be a more highly qualified Professor of Chemistry.

8. The hostel alluded to in the report is now occupied and as Rs. 50,000 have been assigned for Laboratory purposes, I presume that any defects in that regard will be removed.

9. I have already reported to Government in another connection on the subject of the Entrance examination alluded to in paragraph V of the report. Whether the College is again to become a College of Engineering simply would depend on the order which Government may finally issue with regard to the teaching of science in this College.

10. With regard to the Grant Medical College a reference is being made by the Syndicate to the Medical Faculty as to whether the regulations cannot

be so altered as to prevent the particular cause of over-crowding mentioned in paragraph 1 of section ii. It is the opinion of the Principal that extra duties performed by certain Professors do not interfere with the proper performance of their work as teachers.

11. As to the qualifications of Professors and the mode of their election I am not competent to give an opinion.

12. The whole matter of buildings is now being considered by Government and therefore I need not remark on that subject. But with regard to over-crowding I may say that the question might have been disposed of much earlier if the Principal had made a reference to Government as soon as the difficulty of space began to be felt.

I have, etc.,

F. G. SELBY,

Acting Director of Public Instruction.

APPENDIX E.

QUESTION No. 4 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JULY 1907.*

ANSWER GIVEN BY GOVERNMENT.

(a) Is it true that the Depot opened by Government for the sale of fire-wood at Lanowli has been closed?

(a) No. The stock of fuel was, however, exhausted during the rains; it has doubtless since been replenished.

(b) Is it true that hardly any fire-wood is now available in the Lanowli Bazar?

(b) No. The Collector reports that fire-wood is available in the Lanowli Bazar to the same extent as formerly.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th July 1907.—

"Inquiry will be made."

APPENDIX F.

QUESTION No. 6 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JULY 1907.*

ANSWER GIVEN BY GOVERNMENT.

(a) Will Government be pleased to state the number of villages in the Mawal taluká of the Poona district and how many of them have free-grazing grounds attached to them and of what extent?

(a) There are 168 villages in the Mawal taluká of which 20 villages have free-grazing grounds measuring 1,159 acres.

(b) Will Government be pleased to state the number of cattle in the Mawal taluká and how many of them are allowed to graze free and over what extent of land?

(b) There are 38,454 head of cattle in the Mawal taluká of which 4,245 are in villages provided with free-grazing grounds measuring 1,159 acres.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th July 1907.—

"(a) There are 168 villages in the Mawal taluká. Information as to the number which have free-grazing grounds attached to them is being called for.

(b) The number of cattle in the free-grazing villages will be called for and the area granted for free-grazing."

APPENDIX G.

QUESTION No. 7 PUT BY THE HONOURABLE Mr. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JULY 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state what quantity of timber was given free to the agriculturists of the Mawal taluká for agricultural implements during the last year for which figures may be available?

The Collector of Poona reports that no applications from agriculturists for free grant of timber for agricultural implements were received during the last year.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th July 1907 :—
"Information is being called for."

APPENDIX H.

QUESTION No. 8 PUT BY THE HONOURABLE Mr. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JULY 1907.*

ANSWER GIVEN BY GOVERNMENT

Is it true that in the Nandgaon taluká of the Násik district a fee of one anna per head-load has been recently imposed? Is it true that each head-load of firewood sells for about two to three annas?

The Collector of Násik reports in a communication, dated 25th September 1907, as follows :—

"A fee of one anna per head-load has not been recently imposed, and no order to levy a fee of one anna has even been issued by the Forest Officer. Last year, however, by mistake a fee of nine annas was levied in the case of nine head-loads. In Nandgaon Bazar a head-load of wood fetches three annas."

* The following *ad interim* reply was given by Government at the Council meeting of the 20th July 1907 :—
"Inquiry is being made."

APPENDIX I.

QUESTION No. 9 PUT BY THE HONOURABLE Mr. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT

Is it true that owing to the establishment of a Co-operative Credit Society at Bodvad and the rayats taking loans from the Society, the sávkárs now decline to give them any advances while the funds of the Society are not enough to meet even the pressing demands of the rayats of the village? Have Government considered the advisability of giving a further loan of Rs. 5,000 or thereabouts to the Society?

It is not known whether the sávkárs decline to give advances. In any case, the membership of the Society is only 258, out of a population of some four or five thousand. Non-members get no loans. The Society has a capital of Rs. 6,000. It has been proposed to increase it; and this may be done in due time. The Society was only registered in 1906. The Society has already got a loan of Rs. 2,000 from Government; and if it does well now it may borrow further capital in the open market.

* The following *ad interim* reply was given by Government at the Council meeting of the 28th September 1907 :—
"Government have no information on this subject but will call the attention of the Registrar, Co-operative Credit Societies, to the question."

APPENDIX J.

QUESTION No. 10 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28th SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT

- (a) Will Government be pleased to state the number and extent of salt-pans and the quantity of salt produced in the Bombay Presidency during the last year and to give corresponding figures for the years 1895 and 1900 ?
- (b) If there is a reduction in such number, extent and quantity, will Government be pleased to state to what causes they attribute the reduction ?

The information asked for is laid on the *Vide* Appendix K. Table.

*The following *ad interim* reply was given by Government at the Council Meeting of the 28th September 1907 :—

“The whole of the information asked for is not available from the records of Government. It will be collected and furnished to the honourable member when ready.”

APPENDIX K.

No. 9094 of 1907.

From

C. POGSON, ESQUIRE,
Acting Collector of Salt Revenue,
Bombay ;

To

THE COMMISSIONER OF CUSTOMS, SALT,
OPIUM AND ABKARI,
Bombay.

Bombay, 10th October 1907.

Sir,

As desired in your No. 6364, dated the 7th instant, I have the honour to subjoin a statement showing the number and extent of the salt-works worked and the quantity of salt produced during the years 1895-1896, 1900-1901 and 1906-1907 :—

Year.	Number of salt-works.	Total area.	Quantity of salt produced.		
			Baragra salt.	Sea salt	Total.
1895-1896 ...	436	A. G. 15,879-9½	* Mds. 23,89,058	Mds. 89,69,118	Mds. 1,13,58,236
1900-1901 ...	440	15,817-36½	6,59,175	1,01,53,826	1,08,13,001
1906-1907 ...	437	15,803-11½	23,62,073	88,45,929	1,11,98,002

2. It will be observed that from 1900-1901 to 1906-1907 there was a decrease of 3 in the number of salt-works due (1) to the Hiragurli salt-work in the Mátunga táluká which was an isolated salt-work producing less than 5,000

maunds of salt having been suppressed in 1901 under the sanction conveyed in Government Resolution, Revenue Department, No. 6668, dated the 25th September 1901 and (2) to four salt-works in the Ankola taluká having been converted into two to serve the Shilotris' convenience.

3. The abnormal decrease in the quantity of Baragra salt in 1900-1901 is more apparent than real and is explained by the fact that owing to fear of dust storms storage of salt in 1900 was commenced in March instead of in April as usual and consequently the greater portion of that year's produce was included in the figures for the year 1899-1900, *viz.*, maunds 39,54,000; whereas if the storage had taken place at the usual time, it would have been shown in the figures for 1900-1901. Similarly the figures for 1900-1901 under the head "sea salt" include a large quantity of salt which in consequence of manufacture having that season been commenced earlier than usual was brought to account in 1900-1901 instead of in April 1901, *i. e.*, the beginning of the year 1901-1902.

4. The above fact will also explain why the outturn of sea salt for 1906-1907 is so much less than that for the year 1900-1901.

I have, etc.,

(Signed) C. FOGSON,
Acting Collector of Salt Revenue.

No. 1900 OF 1907.

SIND SALT DEPARTMENT.

From

THE COLLECTOR OF SALT REVENUE IN SIND;

To

THE COMMISSIONER IN SIND,
Karáchi.

*Collector's Office,
Karáchi, 19th October 1907.*

Sir,

In returning herewith your memorandum No. C.-563, dated 15th instant, and accompaniment, I have the honour to forward a statement containing the required particulars. Since the close of 1906 there has been an increase of 28 pans.

2. The information relates only to the Maurypur Salt-Works where alone there are regular pans. At the two other Depôts, *viz.*, Saran and Dilyar, the salt is excavated departmentally from natural deposits with the aid of hired labour.

I have, etc.,

(Signed) F. S. PUNNETT,
Acting Collector of Salt Revenue in Sind.

Statement showing the number and extent of salt-pans and the quantity of salt produced at the Maurypur Salt-Works during the years 1895, 1900 and 1906.

Years.	Number of salt-pans.	Extent (approximate).	Quantity of salt produced.	Remarks.
		Sq. yds.	I. Mds.	
1895	78	1,01,400	2,60,415	Each pan measures approximately 1,300 square yards on an average.
1900	83	1,07,900	2,78,679	
1906	88	1,14,400	2,79,660	

(Signed) F. S. PUNNETT,

Karachi, 19th October 1907. Acting Collector of Salt Revenue in Sind.

APPENDIX L.

AD INTERIM REPORT OF THE SELECT COMMITTEE APPOINTED TO CONSIDER BILL No. II OF 1907 (*A Bill further to amend the City of Bombay Improvement Act, 1898*).

We, the undersigned members of the Select Committee to which the Bill further to amend the City of Bombay Improvement Act, 1898, was referred, have the honour to report that the Bill has been under our careful consideration at meetings held on the 5th July, the 20th July, the 21st September, the 28th September and the 18th October 1907 and that we have by a majority of six to one reached conclusions which necessitate further correspondence with the Government of India and the Secretary of State for India. We therefore request that the period fixed in the Legislative Council for the submission of our report may be extended to the 31st day of December 1908. We hope to be in a position to report considerably before that date but as the rules appear to make it necessary to name a date and as the possibility of submitting a final report must await the decision of the Government of India we mention a distant date.

S. W. EDGERLEY,
G. O. W. DUNN,
IBRAHIM RAHIMTOOLA,
W. L. CAMERON,
C. H. ARMSTRONG,
VITHALDAS D. THACKERSEY.

Bombay, the 3rd December 1907.

Minute of dissent by the Honourable Sir Pherozeshah M. Mehta.

I am unable to sign this Report as it stands, though I have no objection to an extension of the period for reporting. At the last meeting of the Committee, it was understood that, after the Committee had gone *seriatim* through the amendments as they stood in the printed book, I should have an opportunity of laying before it my views on the larger questions affecting the main lines and principles on which the sweeping and fundamental alterations in the permanent character and scope of the work to be entrusted to the Improvement Board were embodied in the Amending Bill. To enable me to do so, I had asked that certain reports and minutes made by the Chairman and members of the Improvement Trust should be obtained. This was agreed to. But before they could be received and before I could have a full opportunity of laying my views before the Committee at another meeting for which I asked, votes were taken just a few minutes before the end of a late sitting. I feel strongly that the Committee should still take time to consider and discuss the Bill before approaching the Government of India.

PHEROZESHAH M. MEHTA.

APPENDIX M.

QUESTION No. 11 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

- (a) Is it true that in the Jávli taluká of the Sátára district land-revenue paid in 1906-1907 for that year was credited towards payment of the demand for the previous year and notices of forfeiture issued for non-payment of the assessment for 1906-1907?
- (a) The Collector of Sátára reports as follows:—
- “It is not the case that in Jávli taluká land-revenue paid for the year 1906-07 was credited towards payment of the demand for previous years, notices of forfeiture being issued for non-payment of assessment for 1906-07. Generally notices of forfeiture were issued to persons who did not pay arrears of previous years, though able to do so.”
- (b) If so, was it in accordance with the orders of Government? Will Government be pleased to place a copy of the orders on the subject on the Council Table?
- (b) The proceeding would have been contrary to the orders of Government which are that revenue realised should be credited in the first instance to dues of the current year, and only after that to liquidation of arrears.

* The following *ad interim* reply was given by Government at the Council Meeting held on the 28th September 1907:—

“Government have no information on this case but have now called for a report.”

APPENDIX N.

QUESTION No. 9 PUT BY THE HONOURABLE MR. DAJI ABASI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state the number of prosecutions instituted in the Mahád taluká of the Kolába district in the months of June and July 1907 for breach of rule 21 of the rules framed under section 41 of the Indian Forest Act?

The Collector of Kolába reports that four such prosecutions were instituted in the Mahád taluká, out of which three were in the month of June and one was in the month of July 1907.

* The following *ad interim* reply was given by Government at the Council Meeting of the 28th September 1907.—

“The information will be called for.”

APPENDIX O.

QUESTION No. 4 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to say whether they have reserved any lands in the vicinity of the Sholapur town where cattle could be sent to graze either free or on payment of a fee? If so, will Government be pleased to state the survey numbers of such lands, specifying which of them are available for free-grazing?

The only grazing area near the town of Sholapur is the unassessed waste land consisting of 43 survey numbers and measuring 932 acres. The right of grazing on these numbers is sold every year to the highest bidder. No land is reserved in the vicinity of the town of Sholapur for cattle to graze free or on payment of fees to Government. The fees paid by cattle owners to the auction purchasers for grazing their cattle on the land in question are ordinarily—

Rs. 1 per she-buffalo.

As. 8 per cow.

* The following *ad interim* reply was given by Government at the Council Meeting held on the 28th September 1907.—

"The information is being called for."

APPENDIX P.

QUESTION No. 2 PUT BY THE HONOURABLE MEHERBAXN NARAYANRAO GOVIND *alias* BABA SAHEB GHORPADE, JA'GHIRDA'R OF ICHALKARANJI, AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

Would Government be pleased to state the revenue derived from the sale of myrabolium in each of the districts of Sátára, Belgaum and Poona with the area under forest in them and state approximately the number of *hirda* bearing trees in these forests if a record of them is being kept?

A statement giving the information is laid *Vide* Appendix Q. on the Table.

* The following *ad interim* reply was given by Government at the Council Meeting held on the 28th September 1907.—

"The information will be called for."

APPENDIX Q.

Statement showing the revenue derived from the sale of myrabolium during 1906-07 and the area under forest in the districts of Sátára, Belgaum and Poona.

Name of District.	Revenue derived from the sale of myrabolium during 1906-07	Area under forest.	Number of <i>hirda</i> bearing trees.
	Rs.	Square miles.	
Sátára	13,000*	707	No record is kept.
Belgaum	14,540	681	Do.
Poona	2,514	504	Do.

* This includes also the proceeds from the sale of *shiketas*.

APPENDIX B.

QUESTION No. 1 PUT BY THE HONOURABLE SIR PHEROZESHAH M. MEHTA AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20th JULY 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to lay on the Table a statement showing for each district of the Presidency—

- * * * * *
- (2) the area set apart for free-grazing ;
- * * * * *
- (4) the number of villages that have no free-grazing ground attached to them.
- * * * * *

A statement giving the information asked

for in clauses (2) and (4) of the question is laid on the Table so far as the districts in the Presidency proper are concerned. As regards Sind, the Commissioner reports that Karáchi is the only district where land has been specially set apart for free-grazing, and that the area of such land is 14,578 acres. The practice of formally reserving land for free-grazing does not obtain in Sind. Except in a few localities in the Karáchi district, and the Nara Valley and Tando Sub-division in the Thar and Párkar and Hyderabad districts, respectively, where grazing fees are charged, all the unoccupied Government waste land is open for the free pasturage of village cattle, and care is taken to see that waste land in the neighbourhood of villages, which is used for grazing, is not taken up for cultivation purposes. All that the cattle owners are required to do in return for the privilege of free-grazing is to keep up the boundary-marks of the waste lands.

* The following *ad interim* reply was given by Government at the Council Meeting held on the 20th July 1907 :—

" The information will be called for."

APPENDIX S.

Statement showing the area set apart for free-grazing and the number of villages that have no free-grazing ground attached to them in the Presidency of Bombay.

Districts.	Area set apart for free-grazing.		The number of villages that have no free-grazing ground attached to them.	Remarks.
	A.	G.		
Ahmedabad	18,761	23	47	7 villages are deserted.
Kaira	10,733	24	26	
Panch Maháls	187,080	0	30	4 villages are uninhabited.
Broach	14,882	28	16	3 villages are uninhabited.
Surat	84,988	0	113	85 villages are uninhabited.
Thána	729,977	0	110	12 villages are uninhabited.
East Khándesh	32,891	4	1,086	
West Khándesh	29,321	16	674	
Násik	174,247	7½	699	
Ahmednagar	18,852	0	712	
Poona	35,781	2	615	
Sátára	7,906	1½	828	
Sholápur	24,567	9	219	
Kolába	40,354	33	774	
Ratnágiri	507	38½	1,331	
Bijápúr	15,997	36	698	
Dhárwár	41,586	18	796	
Belgaum	47,769	3	694	
Kánara	1,688	34½	1,364	

APPENDIX T.

QUESTION No. 12 PUT BY THE HONOURABLE MR. DAJI ABAJI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

(a) Is it a fact that in the different villages of Haliyál taluká in the district of Kánara *hubani* fees are not charged at a uniform rate?

(b) If so, will Government be pleased to state the rates charged in different villages and the reason why no uniformity is preserved in the matter?

Grazing fees are charged at a uniform rate in all the villages on the following scale:—

To residents (non-professional graziers) in forest and non-forest villages:—

2 annas per head of agricultural cattle.
1 anna per sheep.
3 annas per goat.

To professional graziers and owners of cattle residing outside the district:—

1 rupee per head of agricultural cattle.
2 annas per sheep.
4 annas per goat.

If in the forest of any village there are frequent extensive fires, and if after formal warning to the villagers such fires continue to occur, the ordinary fees are doubled; and in very bad cases where the villages show no signs of improvement the fees are re-doubled. These punitive rates are withdrawn when their object is effected.

Conservators are also authorized to grant entire remission of fees in areas which have been free from fire for two years running.

Double fees are also levied in case of default in payment of ordinary fees by the prescribed date.

* The following *ad interim* reply was given by Government at the Council meeting held on the 28th September 1907:—

"Inquiry will be made."

APPENDIX U.

QUESTION No. 14 PUT BY THE HONOURABLE MR. DAJI ABAJI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

- (a) Is it a fact that a circular has been issued by the Mámílatdár of Mahád táluká in Kolába district to the Head Masters of the vernacular schools in the táluká that they should ask the students to assist the officers of Land Records and Agriculture by doing the work of carrying chains and other survey implements, etc., for them whenever required?
- (b) If so, will Government be pleased to order that the circular be withdrawn?

A circular of the nature indicated was issued by the Mámílatdár of Mahád through a misunderstanding of a suggestion made by the Settlement Commissioner and Director of Land Records that boys who might wish to get a knowledge of survey work should be asked to render voluntary help in holding flags and chains. On the circular being brought to the notice of higher authorities, it was cancelled.

* The following *ad interim* reply was given by Government at the Council meeting of the 28th September 1907:—

“ Government have no information on the subject, but will make inquiry.”

APPENDIX V.

QUESTION No. 1 PUT BY THE HONOURABLE MEHERBA'N NARAYANRAO GOVIND *alias* BABA SA'HEB GHORPADE, JA'GHIRDA'R OF ICHALKARANJI, AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

Would Government be pleased to state the number of alienated villages in which survey-settlement has been introduced? Also the number of villages to the holders of which commissions under section 88 of the Land-Revenue Code have been granted?

The number of alienated villages in which a survey settlement has been introduced is 808. This is exclusive of 14 villages in the Sindgi táluká of the Bijápúr district, in which a settlement was introduced, but the inámdárs concerned did not consent to a revision settlement. The number of alienated villages to the holders of which commissions have been granted under section 88 is 512. Commissions have also been granted in respect of parts of 28 other villages.

* The following *ad interim* reply was given by Government at the Council meeting of the 28th September 1907:—

“ The information required will take time to collect and will be furnished when ready.”

APPENDIX W.

QUESTIONS Nos. 8 AND 9 PUT BY THE HONOURABLE MR. CHIMANLAL HARILAL SETALVAD AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 22ND JUNE 1907.*

ANSWER GIVEN BY GOVERNMENT.

8. Whether Government are aware that the Accountant General does not allow the Principal of the Government Law School to buy books for his Library in Bombay where they could be got more cheaply, but insists upon their being ordered out from England through the India Office?

9. Whether Government are aware that owing to the books ordered through the India Office not having arrived in time the grants for two successive years recently lapsed?

Until recently the books required for the library of the Government Law School, Bombay, were obtained from England independently of the India Office through private firms which are given contracts for the supply of books and publications required by the Bombay Government. In modification of this practice Government have authorized the Principal, Government Law School, to purchase books locally within the limits of budget provision without Government sanction.

* The following replies were given to questions Nos. 8 and 9, respectively, by Government at the Council meeting of the 22nd June 1907 :—

" Yes. His action is in accordance with standing orders which are well known and by which this Government are at present bound."

" The facts are no doubt as stated."

APPENDIX X.

QUESTION No. 2 PUT BY THE HONOURABLE SIR PHEROZESHAH M. MEHTA AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JULY 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to lay on the Table a statement showing for each district of the presidency—

Vide Appendix Y.

A statement is laid on the Table.

(4) the amount of the old arrears (if any) collected during the said year specifying how much of such arrears was more than 3 years old;

* The following *ad interim* reply was given by Government at the Council meeting of the 20th July 1907.—

" The information specified in clause (4) of the question is not contained in the published reports and will be called for."

APPENDIX Y.

Statement showing the arrears of land-revenue prior to 1906-07 collected during that year in the several districts of the Bombay Presidency, including Sind, and specifying how much of such arrears was more than 3 years old, and the nature of these arrears.

District.	Arrears of land-revenue collected in 1906-07.	Amounts included in column 2, which were more than 3 years old.	Remarks.
1	2	3	4
<i>Northern Division.</i>			
Ahmedabad ...	1,94,388	1,966*	* Of these, Rs. 1,513 represent unauthorised arrears, Rs. 137 were suspended for collection in future years according to fixed instalments and relate to Sávkárs, and Rs. 316 represent unauthorised arrears and arrears ordered to be recovered in fixed instalments as a condition of restoration of forfeited lands
Kaira ...	5,00,851	7,906†	
Panch Maháls ...	77,436	3,270†	
Broach ...	2,38,847	4,211‡	
Surat ...	2,96,443	3,362§	
Thána ...	78,286	5,798†	
Total ...	13,86,251	26,513	
<i>Central Division.</i>			
Ahmednagar ...	1,24,727	2,250¶	† Arrears which had not been suspended by authority. ‡ Of these, Rs. 3,874 represent unauthorised arrears, and Rs. 337 were paid by old occupants for the restoration of forfeited lands. § Of these, Rs. 3,204 represent unauthorised arrears, and Rs. 158 were paid by persons whose forfeited lands were restored. ¶ Mostly unsuspended arrears.
East Khándesh ...	164	...	
West do. ...	3,862	53¶	
Násik ...	2,13,908	1,808¶	
Poona ...	3,69,755	16,522¶	
Sátára ...	7,05,949	10,181¶	
Sholápur ...	3,73,657	879¶	
Total ...	17,92,022	31,693	
<i>Southern Division.</i>			
Bijápúr ...	4,68,292	315†	|| Miscellaneous land-revenue, such as notice fee, occupancy price, etc. ** Part of the arrears of 1896-97, which is being recovered by annual instalments of Rs. 7. †† Of these, Rs. 306 represent arrears which had not been suspended by authority, and the remainder (Rs. 36) is the amount of land-revenue recovered from certain village officers in the Belgaum táluká to whom it was misappropriated.
Kánara ...	43,458	31||	
Kolába ...	3,644	7**	
Ratnágiri ...	52,414	180†	
Belgaum ...	3,53,302	342††	
Dhárwár ...	5,87,345	60†	
Total ...	15,08,455	935	
Total for the Presidency Proper ...	46,89,28	59,141	
<i>Sind.</i>			
Karachi ...	38,485	4,506††	†† Items of land-revenue and local fund cess, the collection of which was either authoritatively postponed after consideration of the merits in each individual case, or remained in abeyance for some other reason, e.g., pending execution of a process of recovery, etc.
Sukkur ...	48,733	10,367††	
Hyderabad ...	78,813	9,157††	
Lárkhána ...	19,209	4,244††	
Upper Sind Frontier ...	52,625	12,831††	
Thar and Párkar ...	1,13,717	2,425††	
Total ...	3,51,582	43,530	
Total for the Presidency including Sind ...	50,38,310	1,02,671	

APPENDIX Z.

QUESTION No. 17 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JULY 1907.*

ANSWER GIVEN BY GOVERNMENT.

- (a) Is it true that in the Nándgaon taluká there are several places where the passage left for cattle for going to watering places passes through reserved forests?
- (b) Is it true that cattle found straying on to the reserved forest on either side while passing over such passages are impounded and the owners prosecuted?
- (c) What was the number of cattle impounded in the Nándgaon taluká during each of the last two years?

The following statement gives details of impoundings by Forest officers in 1905-06 and 1906-07 :—

Year	Cattle.			Sheep and Goats.			Total Agricultural Stock.		
	Total number.	Number impounded.	Percentage.	Total number.	Number impounded.	Percentage.	Total number.	Number impounded.	Percentage.
1905-06	84,108	3,441	7	21,768	4,796	22	55,871	7,237	13
1906-07	84,108	8,880	26	21,768	11,821	54.3	55,871	20,471	36.8

In 1906-07 the impoundings by villagers were as follows :—

	Cattle.			Sheep and Goats.			Total Agricultural Stock.		
	Total number.	Number impounded.	Percentage.	Total number.	Number impounded.	Percentage.	Total number.	Number impounded.	Percentage.
	84,108	6,097	18	21,768	6,018	27.6	55,871	10,080	18

The large number of impoundings by villagers in 1906-07 exceeding the number of impoundings by Forest officers in the preceding year, and the increase in impoundings by Forest officers, are attributed to the greater vigilance of the villagers and the Forest officers in restraining trespass by large herds of cattle belonging either to villagers of the taluká or to professional graziers, of whom many resort to the taluká from Khándesh and from the Nizam's Dominions. In view of the large proportion of the area of the Nándgaon taluká which is under forest, the Collector has been asked to consider whether the area under forests in the taluká is excessive.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th July 1907.—

"In most forests rights of way have been awarded for the passage of cattle to water, and Nándgaon taluká is no doubt no exception. Cattle which stray from the paths or track and trespass in forests are liable to be impounded. Of course Forest officers are expected to use discretion and not to impound cattle for straying momentarily and for short distances. Impounding is the penalty for substantial trespass in closed forests, and people are, it is believed perfectly well able to prevent their cattle from committing such trespass. As stated at the last meeting of the Legislative Council inquiries are being made into the allegation that impoundings in Nándgaon are excessive. Until the result of that inquiry is known, no more precise answer can be given to the present question."

APPENDIX AA.

QUESTION No. 11 PUT BY THE HONOURABLE Mr. DAJI ABAJI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 23RD SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

Is it a fact that no compensation has been awarded to persons whose lands were taken up for the purpose of the road between Palaspe and Pen in the Kolaba district and that assessment is being recovered year after year for those lands ever since that road was constructed?

It appears that out of the area taken up for the road the great bulk was obtained by private negotiation, and payment of compensation and remission of assessment were promptly granted. In the case of three persons, however, whose land was acquired under the Land Acquisition Act, co-sharers came forward to claim their shares and the case went to the Civil Court, under whose decree the money was paid in 1903. In six other cases disputes arose as to measurement of the lands taken up and other matters, which led to protracted correspondence and delay, and the survey records being not corrected in the meanwhile, the assessment on the lands continued to be recovered. Steps have now been taken to pay the amounts of compensation settled in these cases, to determine the abatement of assessment on the lands taken up and to refund the amounts levied in excess during past years. Government have expressed their dissatisfaction at the delays which have occurred in these nine instances.

*The following *ad interim* reply was given by Government at the Council meeting of the 28th September 1907:—

"Information on the subject is not available but will be called for."

APPENDIX AB.

QUESTION No. 5 PUT BY THE HONOURABLE MEHENDIJI NARAYANRAO GOVINDJI SAHEB GHORPADE, JA'GHIRDAJI ICHALKARANJI AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 18TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

(a) Is it a fact that every year accidents occur on the way to the river-side where the villagers of the inám village of Bahe in the Walwa taluká of the Sátára district go to fetch water?

(a) Before 1902 there were accidents, but details are not known. In 1901 a man was drowned. Since 1902 there have been no accidents.

*The following *ad interim* reply was given by Government at the Council meeting of the 28th September 1907:—

"Government have no information on the subject but will make inquiry."

APPENDIX AB—continued.

- (b) Is it also a fact that in compliance with the orders of the Collector of Sátára the villagers collected subscriptions towards the cost of repairs and paid the collected amount into the táluká treasury?
- (b) The Collector did not order the villagers to subscribe, but the villagers of their own accord prepared in October 1897 a list of persons willing to contribute towards the construction of a ghat and submitted it to the Vice-President, Táluka Local Board. The Vice-President reported the matter to the Mámálatdár of Walwa, who asked the village officers to see that the promised amount was collected and paid into the treasury at the time agreed. The following sums have been paid into the treasury:—
- | | | | Rs. | s. | p. |
|---------------|-----|-----|-----|----|----|
| August 1898 | ... | ... | 804 | 1 | 9 |
| April 1902 | ... | ... | 98 | 0 | 0 |
| February 1903 | ... | ... | 120 | 0 | 0 |
| March 1903 | ... | ... | 128 | 0 | 0 |
| April 1904 | ... | ... | 150 | 0 | 0 |
| Total | ... | ... | 800 | 1 | 9 |
- (c) Is it also a fact that the work of repairs has not yet been done though the people applied several times?
- (c) The word "Repairs" indicates a misunderstanding. The work contemplated is the entire construction of a pakka bathing ghat. This work, estimated to cost Rs. 3,887, being a Local Board work, has not yet been carried out owing to want of funds.
- It is true that the people of Bahe have on several occasions since 1904 made petitions to the Revenue Authorities to have the work done.
- (d) If so, will Government be pleased to ask the Collector of Sátára to take early steps in the matter?
- (d) The matter has now been taken up by the District Local Board, who are in a better position this year, owing to two good seasons, and an estimate from the Executive Engineer for three trial pits at a cost of Rs. 100 has been sanctioned.

APPENDIX AC.

QUESTION No. 6 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state what forest privileges are enjoyed by the rayats of the Central Division? Will Government be pleased to place the different Government Resolutions on the subject on the Council Table?

Vide Appendix AD. A statement giving the information is placed on the Council Table.

* The following *ad interim* reply was given by Government at the Council meeting of the 28th September 1907.—

"A statement giving the information asked for will be prepared and placed on the Table when it is ready."

APPENDIX AD.

Statement showing the privileges enjoyed by the ryots of the Central Division.

No	District.	Táluká or Peta.	Privileges enjoyed.	No. and date of Government Resolutions sanctioning the privileges
1	2	3	4	5
1	Sátára	Sátára	Inhabitants of forest villages are allowed to cut grass, including thatch grass, in both closed and unclosed forests, for their own use, between September 15th and May 1st. For the purposes of ráb, villagers are allowed to take grass, free of charge, and to cut rushes and collect dead leaves. They may remove dead-wood from unclosed portions of the forests and from those parts which are open to grazing. All these concessions are free of charge.	No. 9288, dated 17th December 1883.
2	Do.	Jávli	For ráb, villagers are allowed to cut grass and certain classes of shrubs and to remove dead leaves in the unclosed portion of forest in the Kumri Section. Inhabitants of forest villages may take free of charge honey, lac, wild fruits and all minor forest products, with the exception of Shikakai and Hirda nuts, which are strictly reserved. Villagers are also permitted to hunt hog and other wild animals in the unclosed forests and in special cases in parts of closed forests also. The privileges granted in the Sátára táluká as regards the cutting of grass, including thatch grass, and removal of dead-wood, apply to this táluká also.	No. 9288, dated 17th December 1883, and No. 2517, dated 22nd March 1884
3	Do.	Pátan	As regards the taking of dead-wood, shrubs for ráb, honey, roots, fruits, lac and all minor forest products and the hunting of hog and other wild animals, the same privileges are allowed as in the Jávli táluká. Grass cutting is permitted free and the people can obtain stone and earth on payment of moderate fees in unclosed portions of the forests and, where the Divisional Forest Officer thinks fit, in closed portions also. Thorns may be granted from unclosed blocks when the Collector deems it advisable.	No. 4891, dated 15th July 1890
4	Do	Karád	Passes are granted on the payment of a moderate fee for the cutting and removal of thorns from the unclosed portion of forests and also, if the Divisional Forest Officer has no objection, from the closed portion. The inhabitants of the forest villages may cut grass, free of charge, for their own use in the closed portion of the forest and, with the permission of the Divisional Forest Officer, in the closed portion also, except in the villages of Umbraj, Mundhe, Talbeed, Charegaon and Chacheegaon. They may also take wild fruits and all other minor forest products save Hirdas and Shikakai.	No. 5858, dated 20th July 1885.
5	Do.	Wálva	The gathering of dead-wood and other minor produce is allowed. Karvi may be cut without restriction for wattling houses and for fire-wood.	No. 7348, dated 5th November 1888.
6	Do.	Shurála	The same privileges are allowed as in the Wálva táluká ...	Do.
7	Do.	Khánápur	Grass cutting is allowed free and the people are permitted to obtain stone and earth, on payment of moderate fees in the unclosed portions of the forests and, where the Divisional Forest Officer thinks fit, in the closed portions also. Thorns may be granted from unclosed blocks when the Collector deems it advisable.	No. 6493, dated 27th September 1887.
8	Do.	Tásgaon	The cutting of grass without payment of fees is allowed in the unclosed portions of the forests, and in such closed portions as the Divisional Forest Officer may permit. As regards thorns and the removal of stones and earth, the same privileges as in the Khánápur táluká are conceded.	No. 5111, dated 5th August 1887.

APPENDIX AD—continued.

No.	District.	Taluká or Peta.	Privileges enjoyed.	No. and date of Government Resolution sanctioning the privileges.
1	2	3	4	5
9	Sátára	Wái	* Villagers are allowed to cut grass, free of charge, in the unclosed portion of the forests, and when the Divisional Forest Officer sees no objection, in the closed portions also Grass, reeds and rushes may be cut and dead leaves collected for ráb. When cuttings are being carried on in the neighbouring Government forests, villagers may, under a pass, take, free of charge, twigs and small branches from the trees felled.	No. 1252, dated 29th February 1884.
10	Do.	Khandála	Cultivators may cut and remove grass, rushes and reeds from the unclosed parts of forests and may take fallen leaves, free of charge, to make ash manure. In the forest villages, the inhabitants may cut and remove, free of charge, from the unclosed portions of the forests grass for their own use, but not for sale. Passes are granted, on payment, for the cutting and removal of thorns, and people living in forest villages are allowed to take dead-wood from the unclosed parts of the forests, free of charge, as fuel for their own use. Forest villagers are permitted to take wild fruits, honey, lac and other minor products from the forests, with the exception of Hirda and Shikakai, which are reserved, and to hunt wild animals in the unclosed forests.	No. 2540, dated 24th March 1884.
11	Do.	Koregaon	Thorns may be cut and removed from the forests, where, in the opinion of the Divisional Forest Officer, this can be allowed without injury to the forests. Passes for this purpose are granted on payment of a small fee. Inhabitants of forest villages are allowed to cut for their own use, but not for sale, grass in the unclosed portions of the forests and also, with the permission of the Divisional Forest Officer, in the closed portions. In valuable kurans, however, the grass is annually sold by auction.	No. 1308, dated 12th February 1885.
12	Do.	Khatáv	The same privileges, regarding the cutting of grass, removal of stone and earth and taking of thorns, as are allowed in the Khánápur taluká, are allowed in this taluká, also.	No. 219, dated 11th January 1888.
13	Do.	Mán	The privileges of gathering dead-wood and other minor forest produce have been continued wherever they were found to exist at the time of the forest settlement. Inhabitants of forest villages are allowed to cut grass, free of charge, for their own use in the unclosed compartments, and with the permission of the Divisional Forest Officer, in the closed compartments also. They are also permitted by passes to take stone and earth from forests when this can be done without injury.	No. 1220, dated 13th February 1886.
1	Násak	Báglán	The grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle belonging to villagers.	No. 3051, dated 12th April 1905.
		Kalvan	Do. do.	
2	Do.	Nándgaon	Grass may be cut and fallen dead-wood taken, free of charge, in unclosed portions of forests, where the collection of Khari earth and fallen or dead teak leaves is also allowed. Wax, honey, lac, gum, wild fruits, and edible roots, except Hirda nuts, may also be gathered. The grazing of sheep is allowed in certain fixed villages.	No. 8325, dated 13th November 1883, No. 1509, dated 18th February 1884.
		Málegaon	Do. do.	No. 8809, dated 12th September 1906.

APPENDIX AD—continued.

No.	District	Taluká or Peta.	Privileges enjoyed.	No. and date of Government Resolution sanctioning the privileges.
1	2	3	4	5
3	Násik	Dindori	Grazing is allowed at a uniform fee of 2 annas per head of cattle belonging to villagers. Villagers are allowed, during a specified period of the year, to cut grass and reeds and to collect dead leaves, free of charge, for ráb, in the unenclosed portions of the reserved forests; where this concession is insufficient, branches and twigs are allowed at 6 to 8 annas per cart load. Fallen dead-wood may be removed by villagers, free of charge, for their own use but not for sale. All minor products except Hirdas and mhowra may be collected by the villagers free of charge, whether for their own use or for sale.	No. 1111, dated 9th February 1883, No. 5758, dated 17th July 1884, and No. 3051, dated 12th April 1905.
4	Do.	Násik	Grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle. The same privileges regarding ráb, as are current in the Dindori taluká, are conceded in this taluká. Inhabitants of Metgharkilla Trimbak are allowed to carry dead-wood for sale to Trimbak, by arrangement with the Forest Department, on a system of passes.	No. 2197, dated 16th March 1883, and No. 3051, dated 12th April 1905.
5	Do.	Igatpuri	For the purposes of ráb, villagers are permitted, during a specified period of the year, to cut grass and reeds and to collect dead leaves, free of charge, in the unenclosed portions of the reserved forests; where this is insufficient, branches and twigs are supplied at 6 to 3 annas per cart load. Dead-wood may be allowed to be collected under Departmental supervision. Inhabitants of Pahne, Kanjale and Bhiwal are allowed to carry dead-wood for sale under passes. Grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle.	No. 1111 of 9th February 1883, No. 3051 of 12th April 1905.
6	Do.	Chándwad	Grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle. No other privileges are allowed.	No. 8832 of 1st December 1883.
7	Do.	Sinnar	Grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle. Sheep grazing is allowed in 9 villages. There are no other privileges.	No. 7154 of 25th September 1883, No. 3051 of 12th April 1905, and No. 8809 of 12th September 1906.
8	Do.	Niphád	Grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle. There are no other privileges.	No. 3051 of 12th April 1905 and No. 3146 of 13th May 1882.
9	Do.	Point	(a) Free grazing is allowed to the cattle of all inhabitants of the Point taluká except professional graziers, who pay the usual fees; subject to the restriction that the forest officers may, with the Collector's consent, reserve selected areas for planting or rearing operations. (b) Villagers may cut grass for ráb, fodder or other purposes within the limits of the forests of their own villages, and may take the produce of mango and mhowra trees. Thorns and dead-wood may be removed for use or sale, as well as jungle fruits other than mangoes and mhowra, and minor forest produce.	No. 63 of 5th January 1883.
1	Ahmednagar	Nagar	The grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle.	No. 4179 of 26th May 1885.
2	Do.	Páner	Do.	No. 1003 of 6th February 1886.

APPENDIX AD—continued.

No.	District	Taluká or Peta.	Privileges enjoyed.	No. and date of Government Resolution sanctioning the privileges.
1	2	3	4	5
3	Ahmednagar ...	Shrigonda ...	The grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle.	No. 5623 of 13th July 1885.
4	Do. ...	Karjat ...	Do. do.	No. 7763 of 19th October 1888.
5	Do. ...	Jámkhed ...	Do. do.	No. 5883 of 21st July 1885.
6	Do. ...	Shévgaon ...	Do. do.	No. 6288 of 4th August 1885.
7	Do. ...	Newáse ...	Do. do.	No. 8294 of 24th November 1886.
8	Do. ..	Ráhuri ..	Do. do.	No. 9290 of 19th November 1885.
9	Do. ...	Kopergaon ...	Do. do.	No. 5043 of 1st August 1887.
10	Do. ...	Sangamner ...	Do. do.	No. 7636 of 9th November 1887.
11	Do. ...	Akola ...	<p>(a) Grazing of cattle is allowed at a uniform fee of 2 annas a head.</p> <p>(b) The following privileges are allowed in the unoccupied portions of protected forests :—</p> <ol style="list-style-type: none"> 1. Gathering of all edible fruits and roots 2. Gathering of dead-wood for fuel. 3. Gathering or quarrying of stones required for any agricultural or domestic purposes. <p>These privileges are enjoyed by the lessees of the protected forests of Samrod, Ghatghar, Uddavane, Panjre, Ambit, Pachna, Kumsbet, Lowhal Kotul and Shiganwadi.</p> <p>(c) In Reserved forests the following privileges are allowed :—</p> <ol style="list-style-type: none"> 1. Gathering of all edible fruits and roots. 2. Gathering and quarrying of stones required for any agricultural or domestic purposes. 3. Taking of grass for thatching and for the <i>bond fide</i> use of cattle free of charge. <p>These privileges are enjoyed by the people of 44 villages of the Rajur Range, West of the Teak region, and in addition they are allowed to remove Timber, Firewood, Bamboos reeds and Karvi on payment of small fees.</p>	<p>No. 6062 of 28th July 1884.</p> <p>No. 8494 of 14th December 1887</p>
1	Poona ..	Ambegaon ...	<p>(a) For ráb, the villagers are allowed to take dead leaves and to cut grass, reeds, rushes and shrubs (except 22 Reserved species) free of charge.</p> <p>(b) The inhabitants of forest villages are allowed to cut grass, free of charge, for their own use, in the unclosed reserves.</p> <p>(c) The fees for grazing village cattle are :—</p> <p>In the Western and central divisions of the Peta—</p> <p>Buffaloes—3 annas each per annum.</p> <p>Bullocks and cows—1½ annas each per annum.</p> <p>In the Eastern division of the Peta—</p> <p>Buffaloes—4 annas each per annum.</p> <p>Bullocks and cows—2 annas each per annum.</p> <p>(d) The grazing fee for sheep is one anna per head throughout the Peta.</p>	No. 2102, dated 12th March 1885.

APPENDIX AD—continued.

No.	District.	Taluká or Peta.	Privileges enjoyed.	No. and date of Government Resolution sanctioning the privileges.
1	2	3	4	5
2	Poona	Bhimthadi	The villagers are allowed to take loose stones from forests for their own use, free, on asking permission of the Divisional Forest Officer.	No. 1802, dated 28th March 1881.
3	Do.	Haveli	The people are allowed to take grass for ráb, free of charge from open forest.	No. 1327, dated 16th February 1887.
4	Do.	Junnar	Grass and dead leaves may be taken for ráb	No. 1645 of 1st March 1886.
5	Do.	Khed	(a) The villagers are allowed to cut grass for their own use, free of charge, in the unclosed portions, and with the permission of the Divisional Forest Officer, in the closed portions of forests. (b) They may collect and remove dead leaves from the forests for ráb.	No. 995, dated 31st January 1884.
6	Do.	Lonávala	The villagers are allowed to take dead leaves for ráb and dead and fallen wood for their own use.	No. 1370 of 17th March 1880.
7	Do.	Máwal	Do.	do.
8	Do.	Mulshi	(a) The forest villagers are allowed to collect and remove dead and fallen leaves from the forests for ráb with the permission of the Divisional Forest Officer; also to cut and remove grass, free of charge, and fallen dead wood for fuel from unclosed portions of forests and, with the permission of the Divisional Forest Officer, from the closed portions. (b) The villagers are allowed to take, free of charge, all minor forest produce except Hirda and mhowra.	No. 2267, dated 15th March 1884.
9	Do.	Purandhar	There are no privileges.	
10	Do.	Dhond	Do.	
11	Do.	Indápur	Do.	
12	Do.	Sirur	Do.	
1	West Khándesh	Taloda	The inhabitants of forest villages may, free of charge, in the unclosed portions of the forests—	No. 7592, dated 19th September 1885, and No. 6194, dated 30th August 1886.
2	Do.	Sháháda		
3	Do.	Shirpur		
4	Do.	Nawápur Peta and Deomogra Reserve of the N and u r b a r taluká.	(a) graze all cattle which are <i>bond fide</i> their own property. <i>Exception.</i> —This privilege does not extend to professional graziers.	
5	Do.	Umarpata village of the Pimpalner taluká.	(b) Cut and remove grass, including baru, for their own use, sale or barter. <i>Note I.</i> —This privilege may also be exercised in such portion of the closed area as can, in the opinion of the Divisional Forest Officer, be safely opened for grass cutting only. <i>Note II.</i> —Rooha grass, when cut under this rule, must be sold to the person who has farmed the right to make Rooha oil in the Bange in which the Rooha grass is cut; it may not be disposed of in any other way. (c) Collect dead wood of all kinds except teak, tiwas and khair, for their own use, but not for sale or barter.	
			<i>Note III.</i> —The removal of dead wood from the open forests at annex 8 per cart load on permit is allowed in the Shirpur and Sháháda East Satpudás only.	No. 2597, dated 20th April 1901.

APPENDIX AD—continued.

No.	District.	Táluká or Peta.	Privileges enjoyed.	No. and date of Government Resolution sanctioning the privileges																																				
1	2	3	4	5																																				
			<p>(d) Take or quarry kbari earth, stone and similar material for their own use only, in places assigned by the Forest Officers.</p> <p>(e) Take teak leaves for their own use</p> <p>(f) Cut thorns and brushwood for their own use, with the previous permission of the Divisional Forest Officer, of the kinds and at the places pointed out by the Divisional Forest Officer.</p> <p>The Bhils and other wild tribes are granted the privileges mentioned above, and in addition the following privileges:—</p> <p>(a) To collect for sale or barter dead-wood of any but the three reserved kinds, on payment of fees not exceeding Rs. 2 per cart load and annas 2 per head load.</p> <p>(b) To cut for</p> <p>* Teak, Blackwood, Am, Chunch, Bábul, their own use, Khar, Trwas, Hirda, Dhavda, Nimb, Awal, free of charge, Mango, Charoh, Mhowra, Jambul, Anjan, live wood of any Kalamb, Haldwan, Tembri, Bor, Koshimb, but the 22* Shivan. reserved kinds.</p> <p>(c) To cut live wood of any but the 22 reserved kinds for sale or barter, on payment of the following fees:—</p> <table border="0"> <thead> <tr> <th></th> <th>Rs.</th> <th>s.</th> <th>p.</th> </tr> </thead> <tbody> <tr> <td>Each cart load, not exceeding</td> <td>...</td> <td>1</td> <td>0 0</td> </tr> <tr> <td>Each head load, not exceeding</td> <td>...</td> <td>0</td> <td>1 0</td> </tr> <tr> <td>Bamboos over 5 inches girth at base,</td> <td></td> <td></td> <td></td> </tr> <tr> <td>per 100</td> <td>...</td> <td>1</td> <td>8 0</td> </tr> <tr> <td>Bamboos under 5 inches girth at base,</td> <td></td> <td></td> <td></td> </tr> <tr> <td>per 100</td> <td>...</td> <td>0</td> <td>12 0</td> </tr> </tbody> </table> <p>Smaller quantities are charged proportional fees</p> <p><i>Note.</i>—The scale of fee in the Akran Pargana is—</p> <table border="0"> <tbody> <tr> <td>5 inches and under</td> <td>...</td> <td>4</td> <td>as. per 100.</td> </tr> <tr> <td>over 5 inches</td> <td>...</td> <td>6</td> <td>as. per 100.</td> </tr> </tbody> </table> <p>(d) To cut free of charge—</p> <p>(i) Bamboos for their own use or for their own manufacture.</p> <p>(ii) In the Akran Pargana "Ain" and "Dhavda" for their own use. Cutting is done under the supervision of the Forest Officers.</p> <p>(e) To collect honey, wax, gum, mhowra flowers, fruits, and other minor produce, except hirdas, free of charge, for their own use or for sale or barter.</p> <p><i>Note.</i>—The mhowra seed must be sold to Government only and not to others.</p>		Rs.	s.	p.	Each cart load, not exceeding	...	1	0 0	Each head load, not exceeding	...	0	1 0	Bamboos over 5 inches girth at base,				per 100	...	1	8 0	Bamboos under 5 inches girth at base,				per 100	...	0	12 0	5 inches and under	...	4	as. per 100.	over 5 inches	...	6	as. per 100.	
	Rs.	s.	p.																																					
Each cart load, not exceeding	...	1	0 0																																					
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5 inches and under	...	4	as. per 100.																																					
over 5 inches	...	6	as. per 100.																																					
6	West Khándesh	Dhulia ...	The inhabitants of forest villages may, free of charge,	No 1540, dated 25th February 1886.																																				
7	Do.	Síndkheda ...	in the unclosed portion of the forests—																																					
8	Do.	Nandurbár (with the exception of the Nawápur Peta and Deomogra Reserve).	(a) Cut and remove grass, including baru, for their own use, sale or barter																																					
9	Do.	Pimpalner táluká (with the exception of the Umarpata village).	<i>Exception.</i> —This privilege may not be exercised in those portions of forests which are "Mamul kurans" and in which the grass is annually sold by auction.																																					
			<i>Note I.</i> —This privilege may also be exercised in such portions of the closed area as can, in the opinion of the Divisional Forest Officer, be safely opened for grass cutting only.																																					
			<i>Note II.</i> —Rooha grass, when cut under this rule, must be sold to the person who has farmed the right to make the Rooha oil in the Range in which the Rooha grass is cut, it may not be disposed of in any other way.																																					
			<i>Note III.</i> —The grass cut by the Forest Department in the unopened part of the closed area is to be given free of charge to the villagers of any forest village of the block in which it has been cut, if required by the Collector.																																					

APPENDIX AD—continued.

No.	District.	Táluká or Peta.	Privileges enjoyed.	No. and date of Government Resolution sanctioning the privileges.
1	2	3	4	5
			<p>(b) Collect dead wood (branches, not trunks) of all kinds, except teak, tiwas and khair, for their own use, but not for sale or barter.</p> <p>(c) Collect mhowra fruits and flowers, honey, wax and gum and all jungle fruits, except hirdas, for their own use or for sale or barter.</p> <p><i>Note</i>—The mhowra seed must be sold to Government only and not to others.</p> <p>(d) Take or quarry khari earth, stone, and similar material, for their own use only, in places assigned by the Forest Officers.</p> <p>(e) Gather teak leaves from side branches of trees outside forest boundaries or felled in forest in the course of departmental felling operations.</p> <p>Wood required for ploughs or houses and firewood is, subject to the capability of the forest to furnish such wood and to the requirements of the working plan, supplied by the Forest Department on application at rates to be fixed by the Forest Department, with the approval of the Commissioner, to inhabitants of forest villages from the block to which such villages contribute; or if the Forest Department is unable to meet the application from its own fellings, the applicant may, at the discretion of the Divisional Forest Officer under the orders of the Collector, be granted, on payment of fees at a scale to be fixed by the Forest Department with the sanction of the Commissioner, a permit to cut, under the supervision of the Forest Officers, specified quantities of specified trees in specified places, for his own use only, for the purpose named in the permit.</p> <p><i>Note</i>—In the Shripur táluká certain Bhis, whose names are shown in a register kept for the purpose, are entitled to the rights mentioned below. Such rights may be exercised in all parts of the reserved forest, except in such areas as may be closed by the Collector after consultation with the Divisional Forest Officer.</p> <p>(1) To collect for firewood, for their own use only, dead-wood of all kinds except teak, tiwas and khair.</p> <p>(2) To cut free of charge all trees, except the following nine kinds, for the purpose of building huts for their own use.—Teak, Blackwood, Anjan, Khair, Tiwas, Bábul, Mhowra, Charoli and Mango.</p> <p>(3) To gather, free of charge, for all purposes such of the following articles of jungle produce as may be shown against their names in the register.—Honey, wax, gum, lac, tembru fruit, safed musale, mhowra flowers, mango and tamarind.</p> <p>(4) To graze free of charge the number of cattle shown against their names in the register.</p>	
		Whole District ...	<p>The following privileges are allowed in the whole of the district:—</p> <p>(a) Grazing of cattle belonging to non-forest villagers in the open forests on payment of fees at 4 annas per head.</p> <p>(b) Removal of fuel, bamboos, thorns, grass, earth, kankar, stones, etc., by permit, on payment of fees, according to the capabilities of the forests.</p> <p>(c) Sheep grazing on payment of fees, in the open non-Anjan forest.</p>	No. 1668, dated 8th March 1898.
1	East Khándesh.	Chopda ...	<p>The same privileges are granted as in the Taloda, Sháháda and Shripur tálukás of West Khándesh district.</p>	<p>No. 7592, dated 19th September 1885.</p> <p>No. 6194, dated 30th August 1886.</p>
2	Do. ...	Yával ...		
3	Do. ...	Ráver ...		

No.	District.	Taluká or Peta.	Privileges enjoyed	No. and date of Government Resolution sanctioning the privileges.		
1	2	3	4	5		
4	East Khándesh	Bhusáwal ...	The same privileges are granted as in the Dhulia and Sindhkhedá talukás of the West Khándesh district. <i>Note.</i> —In the Yáwal, Ráver and Chopdá talukás certain Bhils are entitled to cut for all purposes all but the nine kinds of trees noted below—Teak, Blackwood, Anjan, Khar, Twa, Bábul, Mhowra, Charoh and Mango; and in the Chopdá taluká to gather mhowra blossom and flower for all purposes free of charge. These rights are to be exercised in all parts of the reserved forest except in such areas as may be closed by the Collector after consultation with the Divisional Forest Officer.	No. 1540, dated 25th February 1886.		
5	Do.	Jámner ...				
6	Do.	Jalgaon ...				
7	Do.	Erandol ...				
8	Do.	Amalner ..				
9	Do.	Páchora ...				
10	Do.	Chálsigaon ...				
1	Sholápur			There are no privileges in the Sholápur district.	

APPENDIX AE.

QUESTION No. 1 PUT BY THE HONOURABLE S^r PHEROZESHAH M. MEHTA AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 28TH SEPTEMBER 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to lay on the Table a statement showing for each district of the Presidency the area forfeited under the Bombay Land-Revenue Code of 1879 since the passing of the Land-Revenue Code Amendment Act of 1901 until the latest date for which figures may be available, and showing the manner of disposal after forfeiture?

A statement giving the information is laid on the Council Table.
Vide Appendix AE.

* The following *ad interim* reply was given by Government at the Council meeting of the 28th September 1907:—

“The information required will be called for.”

APPENDIX AF.

Statement showing for each district of the Bombay Presidency, including Sind, the area forfeited under the Bombay Land-Revenue Code, 1879, since the passing of the Land-Revenue Code Amendment Act of 1901, up to the end of July 1907, and the manner of disposal after forfeiture.

District.	Area Forfeited.	Out of the area in column 2		Remarks.
		Area given out for cultivation.	Area remaining unoccupied with Government.	
1	2	3	4	5
<i>Northern Division.</i>				
Ahmedabad ...	57,326	a 46,865	10,461	a Out of these { 10,133 acres were resettled on the old tenure. 36,732 " resettled on the new tenure.
Kaira ...	71,269	b 64,808	6,461	b Out of these { 21,407 acres were resettled on the old tenure. 43,401 " " " " new " "
Panch Mahals ...	26,692	c 20,367	6,325	c Resettled on the new tenure.
Broach ...	26,897	d 16,043	10,854	d Out of these { 2,688 acres were resettled on the old tenure. 13,366 " " " " new " "
Surat ...	21,543	e 15,508	6,035	e Out of these { 1,646 acres were resettled on the old tenure. 13,862 " " " " new " "
Tháná ...	7,829	f 3,631	3,698	f Out of these { 197 acres were resettled on the old tenure. 3,818 " " " " new " " 97 " converted into woodland plot and woodland forest. 24 " otherwise disposed of.
Total ...	2,11,056	1,67,222	43,834	
<i>Central Division.</i>				
East Khándesh ...	1,450	a 501	949	a Resettled on the new tenure
West Khándesh ...	29,564	b 12,220	17,344	b Out of these { 3,219 acres were returned to the original holders, and 3,271 " sold to the public.
Násik ..	31,914	b 6,490	25,424	
Ahmednagar ...	4,411	1,624	2,787	
Poona ...	1,114	a 145	969	a Out of these { 187 acres were restored to the original holders on the new tenure, and 8 " were given out to other than the original holders on the new tenure.
Sátára ...	d 4,214	b 1,988 d	e 2,226 d	b Out of these { 79 acres were returned to the defaulters on payment of assessment. 725 " were given out on the new tenure. 1,174 " were sold by auction on the old tenure. 10 " were given for cultivation under No 20 of the rules under section 214 of the Land-Revenue Code.
				c Out of these { 65 acres were included in forest, and 12 " were let out for grazing.
				d The information is up to the end of October 1907.
Sholápur ...	3,442	e 1,519	1,923	e Out of these { 1,069 acres were restored to the original owners on the restricted tenure, and 450 acres were sold by auction.
Total ...	76,109	24,487	51,622	

District.	Area Forfeited.	Out of the area in column 2		Remarks.
		Area given for the cultivation.	Area remaining unoccupied with Government.	
1	2	3	4	5
<i>Southern Division.</i>				
Belgaum ...	7,395	a 363	7,032	a Out of these { 351 acres were sold to the public, and 12 " " returned to the defaulters.
Bijápur .	2,651	b 351	2,300	b Out of these { 166 acres were sold to the public, and 186 " " returned to the defaulters.
Dhárwár ..	9,943	c 960	8,983	c Sold to the public.
Kánara ..	4,629	d 1,298	3,331	d Out of these { 806 acres were sold to the public, and 412 " " returned to the defaulters.
Kolába ...	344	e 80	264	e Out of these { 73 acres were sold to the public, and 2 " " returned to the defaulters.
Ratnágiri ...	...	...	...
Total ...	24,962	3,052	* 21,910	
Total for the Presidency proper ...	3,12,127	1,94,761	1,17,366	
<i>Sind.</i>				
Karáchi ...	48,233	a 16,620	31,613	a Out of these { 13,016 acres were regranted on the restricted tenure, and 3,604 " " old " "
Hyderábád ...	1,37,490	b 45,810	91,680	b Out of these { 35,594 acres were regranted on the restricted tenure, and 10,216 " " old " "
Sukkur ..	14,985	c 629	14,356	c Regranted on the restricted tenure.
Lárkána ...	30,841	d 5,520	25,321	d Out of these { 3,410 acres were regranted on the restricted tenure, and 2,110 " " old " "
Thar and Párkar ...	5,348	e 1,149	4,199	e Out of these { 292 acres were regranted on the restricted tenure, and 857 " " old " "
Upper Sind Frontier.	17,651	f 3,305	14,346	f Out of these { 1,546 acres were regranted on the restricted tenure, and 1,769 " " old " "
Total ...	2,54,548	73,033	1,81,515	
Total for the Bombay Presidency including Sind ...	5,66,675	2,67,794	2,98,881	

APPENDIX AG.

QUESTION No. 1 PUT BY THE HONOURABLE MEHERBÁN NARAYANRAO GOVIND *alias* BABA SAHEB GHORPADE, JA'GHIRDAR OF ICHALKARANJI, AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JULY 1907.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state whether it is a fact that Devasthan allowance due from the alienated village of Mangle in the Shirala peta of the

The facts are that in 1897 Government directed that all *kadim* allowances in alienated villages should cease to be paid by the *inamdars* of the villages

* The following *ad interim* reply was given by Government at the Council meeting of the 20th July 1907:—
" Information on the subject is not available but will be called for."

Sátára district has not been paid for several years though the amount has from year to year been recovered from the alienated village and credited in the taluká treasury? If so, will Government be pleased to state the reasons?

and should be disbursed from the treasury, and also that there should be a settlement of *dewasthan* and *warshasan* allowances in alienated villages as there had been in Government villages. The *dewasthan* allowance in Mangle was collected and credited in the Government treasury in the years 1897-98 to 1899-1900. It was directed in 1902 that such allowances should not be disbursed until they were finally settled. The *dewasthan* allowance in question was settled in 1907-08. The sums collected for the years 1897-98 to 1899-1900 and credited in the Government treasury, and the sums due for the following years which will now be collected from the inámdár of the village, will be paid to the holders of the allowance. From the year 1907-08 the settled allowance will be collected and paid to the holders.

APPENDIX AH.

Financial Statement of the Government of Bombay for the year 1908-09.

This statement deals as usual with the final Accounts of the year 1906-07, with the Revised Estimates of 1907-08, and with the Budget Estimates of 1908-09 concerning the services which under the existing financial system have been placed under the control of the Government of Bombay. The provincialised services are described in Appendix A, and except where the context shows otherwise, the figures throughout represent thousands of rupees.

Part I is a preliminary conspectus in which it is attempted to give a brief but fairly comprehensive idea of the financial position, and in particular, in paragraphs relating to the budget estimates, to indicate the character of the principal and most interesting objects of expenditure.

Part II is a detailed statement in which fuller particulars are given separately under each head of receipts and expenditure.

It will be observed that in both Parts the section relating to the "Accounts" is considerably briefer than usual; the briefness is due to the omission of explanations of variations between the Accounts and the Budget estimates. Such explanations have in almost every case been given in full detail in the comments on the Revised estimates contained in the statement of the preceding year. The only explanations in the Accounts statement which are of any interest at all are those of the variations between the Accounts and the Revised estimates of a year; and even these are usually of very slight interest as the Accounts and the Revised estimates rarely vary materially.

For more detail still reference must be made to the published volume of Civil Estimates, a copy of which is forwarded to each Honourable Member.

Up to the present, the statement has been presented to the Council on the understanding that figures of the Budget estimates were unalterable. The consequence has been that Honourable Members have felt that their comments were of little practical value. They will learn, therefore, with satisfaction that Government are ready and anxious to receive suggestions and criticisms, particularly relating to the provisions on the expenditure side of the Budget. These provisions are capable of alteration by reappropriation. For instance, if any Honourable Member were to suggest that the

expenditure provided, say for Education, is insufficient, it may be possible for Government, if the suggestion be accepted, to provide more under that head by reduction of the provision under some other head, say of Public Works. Even if reappropriation be impossible, it is always possible for us to obtain the sanction of the Government of India to provision out of our balances for increased expenditure. There is thus a way in which the Council may be able to modify the Budget, at any rate, on its expenditure side, and it is hoped that the appreciation of this fact will give Honourable Members a greater interest in the statement than they have been able to take in the past.

PART I.

Accounts of 1906-07.

2. The Accounts of the year 1906-07 opened with a balance of 80,66. The closing balance was estimated in the Revised at 1,00,36, which in the Accounts was reduced to 98,18. The total Provincial revenues amounted to 5,70,63 and compared with the Budget, the actuals show an increase of 34,45 against an increase of 40,61 calculated in the Revised. The increase over the Budget was due to the causes explained in discussing the Revised estimates of 1906-07 in last year's statement. The decrease as compared with the Revised is due almost wholly to a slight over-estimate of realisations. It amounts to only 6,16, or very little more than 1 per cent.

3. The total Provincial expenditure amounted to 5,53,11 as compared with 5,57,09 estimated in the Revised. The difference is 3,98, or slightly below three-fourths per cent. Estimating can hardly be closer, and further comment is unnecessary.

4. The interest chargeable to capital expenditure on Major Irrigation Works was formerly calculated at the rate of 4 per cent. on the outlay incurred up to the end of 31st March 1900 and at the rate of 3½ per cent. on outlay subsequent to that date. As pointed out in the Financial Statement of the Government of India, the effect of this has been to throw on the productive portion of the public debt an unduly large proportion of the interest payable on debt, and to minimise the interest charge on the ordinary debt. It has, therefore, been decided by the Government of India that interest on the productive portion of the debt should be based (broadly speaking) on the average incidence of interest actually paid in each year. Interest on the portion of capital expenditure incurred in England will be charged in the Home Accounts, instead of the whole amount being charged in India as hitherto. This alteration in the system of calculating interest on the productive debt relieves the Provincial revenues of Bombay of a considerable amount of the interest charge which is debitable to them under the current Provincial settlement—firstly, by the reduction in the rate of interest and, secondly, by the adjustment in England of a portion of the charge. The saving to Provincial revenues is estimated at 1,24, leaving out of account the portion of interest that will be chargeable in England. An adjustment of this amount has accordingly been made from Provincial to Imperial revenues in the Accounts of 1906-1907, the year from which the change took effect.

Revised Estimates of 1907-08.

5. The opening balance of the year 1907-08 taken in the Budget at 1,00,36 is now estimated at 98,18, the difference being due to the revenues of 1906-07 having proved lower by 6,16 and the expenditure less by 3,98 than the Revised estimates of that year.

6. The total Provincial revenue is now estimated at 5,69,50 against 5,76,93 entered in the Budget, a drop of 7½ lakhs in round numbers. If this estimate, which personally I think sanguine, is realised, we may congratulate ourselves. The season in both the Presidency Proper and Sind proved to be decidedly bad. In Sind the inundation was unprecedentedly low and in the Presidency both *khari* and *rabi* crops failed over large areas. Under *Land-Revenue* liberal suspensions and remissions have been given; and, but for the facts that half the loss due to these falls is borne by the Government of India our resources would have been seriously affected. No important decrease of revenue is expected under any other head, and considerable increases are expected under *Excise*, *Assessed Taxes* and *Forest*. The increases of increase are generally those assigned in last

year's Financial Statement, section relating to the Budget estimate. We expected a development of revenues and got more than we anticipated.

7. The total Provincial expenditure is now estimated at 5,82,70 against 5,85,46 entered in the Budget. The net saving of 2,76 is attributable to expenditure short of the estimates on (i) revisions of the revenue, forest, judicial, educational and veterinary establishments, (ii) the Agricultural College, (iii) grants to municipalities for sanitary projects, (iv) superannuation allowances and pensions and (v) minor irrigation works, partially counterbalanced by larger expenditure chiefly on public works to which money was diverted from the heads noted above as soon as it was apparent that savings were likely to become available. The decrease in the irrigation interest charge is due to the revised system of calculating interest on productive debt, already explained in paragraph 4. As regards (i) the failure to spend up to the estimates is mainly due to the difficulty of getting schemes through for sanction. There can be no doubt that this difficulty would be largely overcome if the Local Government's power of final sanction could be extended. The saving in item (ii) was due to the construction of the College buildings not having progressed as rapidly as was anticipated. It is a great pity that the expenditure on Municipal schools in Bombay should have had to be postponed. The reason for this is that the Municipality was not ready with its scheme. Much the same difficulty occurred in respect of the grants under (iii); the money was provided but the schemes of sanitation were not ready.

8. The passing of the City of Bombay Police Charges Act, 1907, has brought to a satisfactory conclusion the long pending question of the debit to the Municipal Corporation of the City of Bombay of $\frac{3}{4}$ ths of the charges connected with the City Police. The Act relieves the Corporation of all expenses on account of the police of the City of Bombay, and makes it liable for certain medical, educational and other expenditure hitherto borne by Government. The arrangements involve not only an immediate saving to the Municipality but also enable it to escape large inevitable increases in the near future on account of police charges over which it can have no control. An increase in the pay of the Constables and Havaldars of the City Police has already been sanctioned by Government during the current year and a scheme for the complete reorganisation of the Force is now under consideration. The cost of the Medical and Educational Services which have been transferred to the Municipality will undoubtedly expand, but in regard to this expansion the Municipality will have full control and authority, which it did not possess in respect of the Police charges which were formerly borne by it. The new arrangements take effect from 1907-08, and are reflected in the large increase under the head *Police* and decrease under *Medical* noticeable in the Revised.

9. With the sanction of the Secretary of State the Government of India have abolished, with effect from the year 1907-08, the fees which were hitherto charged by Government for the audit of the accounts of Municipalities, District Local Boards, Cantonments, and certain other local bodies and funds. The fees levied for the audit of the accounts of Wards' Estates, of the Administrator General and Official Assignee and in similar cases where the fund or office is maintained in the interest of private individuals will, however, continue to be recovered. The Government of India have sanctioned an annual assignment of 67 from Imperial to Provincial revenues in order to compensate the latter for the loss involved by the abolition of the fees in question. This arrangement has been taken into account in framing the Revised estimate of 1907-08.

10. The closing balance of the year is now estimated at 84,98, or a decline of 6,90 from the Budget. Important variations between the Budget and Revised estimates are explained in greater detail in Section II of Part II.

11. Indirect famine expenditure in 1907-08 is estimated in the Revised at 1,50 against 3 entered in the Budget, the increase being due mainly to the grant of grain compensation and other allowances necessitated by the scarcity for which no provision was made in the Budget. The disbursements and recoveries of takavi and other loans in the Provincial Advance and Loan Account are estimated at 33,39 and 31,75 respectively as compared with 26,55 and 41,81 entered in the Budget the differences being due to an increase in the amounts advanced to cultivators and a diminution in recoveries due to the prevailing scarcity.

The Council may be surprised to find no entry for expenditure on direct Famine Relief. The reason is that such expenditure is now Imperial until it reaches a limit of 80 lakhs determined according to the arrangement concluded by the Government of India, as announced in the Financial Statement of 1907-08. The expenditure is estimated at the trifling sum of 34. Considering the extent of the failure of the crop, this is a matter for profound congratulation. The failure, great as it is, is far less than in 1905-06 and it follows an unprecedentedly good year. But the main cause of the trifling expenditure required is undoubtedly the high rate of wages now prevalent, and the keen demand for employment in relation to the numbers of the labouring population. Wages are everywhere extraordinarily high and the demand for labour in Bombay, Ahmedabad and other centres seems to be well maintained in spite of the depression, which we all hope may be temporary, in the yarn industry. The necessity for relief is at present confined almost entirely to the district of the Panoh Mahals, where, however, the need for it has been largely reduced by judicious and liberal grants of tagai for useful agricultural works, such as *kacha* wells and field embankments. In West Khándesh also considerable employment has been found by the extension of forest operations for such of the Bhils as were in danger of falling in destitution. Reports of the mhowra crop on which the people of these districts largely depend for subsistence in the hot weather are encouraging.

Budget Estimates of 1908-09.

12. The closing balance for 1907-08 is estimated at 84,98. The balance (87) to the credit of the Government Central Book Depot Fund, which has been abolished, is credited to Provincial revenues. The Budget of 1908-09 thus opens with a balance of 85,85, which, it is anticipated, will be reduced to 60,76 by the close of the year, the total revenue being estimated at 6,04,04 and the total expenditure at 6,09,13.

13. The revenue estimates for 1908-09 are, as usual, framed in anticipation of a normal season and allow for expected increases under several heads, chiefly *Land-Revenue* (including the portion due to Irrigation), *Excise*, *Assessed Taxes* and *Forest*.

The estimate of *Land-Revenue* (including the portion due to Irrigation) is taken at the high figure of 4,25,00 (Provincial share=2,12,50) in the expectation that with a normal season it will be possible to collect a part of the suspended revenue in addition to the current demand for 1908-09. The figures of the estimated demand, collections, remissions, and suspensions for the years 1907-08 and 1908-09 are given below :—

	1907-08, Revised.	1908 09, Budget.
Balance	1,38,84	1,54,81
Demand	4,11,92	4,08,15
	5,50,76	5,62,96
Collections	3,60,00	4,25,00
Remissions	35,95	20,05
	3,95,95	4,45,05
Balance { Suspensions ...	72,65	32,60
{ Arrears ..	82,16	85,31
	1,54,81	1,17,91

It will be seen that due allowance has been made for the grant of the suspensions and remissions necessitated by the unsatisfactory character of the monsoon of 1907. The calculation is that the suspended revenue will be reduced by 40,05, of which, however, only 16,85 will be collected while 20,05 will come due for remission under the rules whereby arrears of suspended revenue more than three years old are remitted. The estimated collections amount to a little more than 4 per cent. over the current demand, and cannot be regarded as otherwise than very moderate.

It is convenient to introduce in this place a reference to the items composing the provision of "Fixed allotment and adjustments" of which details are given in paragraph 35(a), pages 144 and 145. It will be observed that the Government of India make us an assignment of 88,68 of which 42,77 represent the fixed assignment provided under the quasi-permanent settlement. Several of the items represent adjustments, but most of

them are equivalent to a grant-in-aid in addition to our settlement allotment. Important examples are, the assignment for Police Reorganisation 9,50, for additional Police Reforms 4,25, for Primary Education 5,00, for development of technical and industrial education 1,67, for improvements in sanitation 4,50, for Agriculture and Veterinary development 3,50, and for grants-in-aid for District Boards 7,00. These and similar grants represent roughly the share the Government of India has seen fit to allow us out of the available surpluses of recent years. There is just ground for acknowledging the liberality of the Government of India; but it is impossible to deny that the grants would have taken a more convenient form if they had not been ear-marked for special objects of expenditure. There is no danger of any of these objects being neglected by this Government, and nothing but advantage, the Council will agree, would result from our having freedom in the allocation of such funds as it may be possible to spare for us from the general purse. The relative urgency of the different needs of the Presidency is a matter of which we can justly claim to be the best judges.

For the reasons explained in paragraph 12 of the last year's Financial Statement, a continuous growth of the *Excise* revenue is anticipated for some time to come. It will interest the Council to learn that the facts and figures given in the *Excise Administration Report* for 1906-07 seem to indicate that while the single shop auction system has the effect of increasing licit consumption, the increase of the duties has had the effect, especially in the towns which in most districts are the drinking centres, of restraining and diminishing it. This Government has accepted the central distillery and single shop system, but has never liked the system of auctioning the shops, which has been deliberately proscribed by the Government of India contrary to the advice of the *Excise Committee*. The system will have to be carefully watched and if it be found, as there are grounds for suspecting, to stimulate consumption unduly, the Government of India will have to be asked to modify it.

Under *Assessed Taxes* a slight increase has been estimated for. It may be doubted, however, whether in view of the depression in the yarn trade it will be realised. The revised estimate showed a drop as compared with the actuals for 1906-07.

Under *Forest* increased receipts are expected in all the circles from the sale of timber and other forest produce. The development of our forests, especially in Sind and the Southern Circle is progressing steadily, and nothing but severe famine can interrupt the growth of the revenues.

14. In view of the satisfactory state of Provincial balances, Government have resolved to abolish the tolls levied at certain toll bars, the receipts from which amounted to :—

23	in the Southern Division,
19	" " Central Division, and
8	" " Northern Division.

Total ... 50

As the tolls constitute a tax which, in some cases, may press heavily upon a poor class of the community, Government will be glad to extend this policy. Whether they will be able to do so will depend entirely on the future financial position which has yet to be seen, and must depend almost entirely on the character of the seasons.

15. Before proceeding to explain the important points in the expenditure Budget for the current year it is observed that the Government of India have decided to exclude from the General Estimates and Accounts the transactions of the District Local Boards and other Local Funds which were hitherto classed as "Incorporated." The decision is based on the principle that the General Budget should deal solely with the receipts and expenditure of the general administration, and not with revenues which concern only limited areas, are derived from special sources and are devoted to special purposes or placed under the control of specially constituted local authorities. If the revenues of a fund have not been specially assigned to local management and the expenditure is under the orders of Government, the fund will cease to have a separate existence and its accounts will be absorbed in the Imperial or Provincial accounts according to the facts of the case. If, on the other hand, the income and expenditure are clearly under the control of a local authority, the fund will be excluded and treated for budget purposes exactly like Muni-

pal or Cantonment Funds. In accordance with this decision the transactions connected with the District Local Funds and the Steam Boiler Inspection Fund are now excluded from the General Accounts of this Presidency, while those connected with the Government Central Book Depôt Fund are merged in the general revenues, and the balance to the credit of the fund (87) is credited to Provincial revenues. The sale proceeds (97) of the Government Promissory Notes belonging to the last named fund have also been credited lately to Provincial revenues. The adjusting heads used for contributions between Provincial and Local revenues also cease to exist, and contributions made from Provincial revenues to any Local fund, or *vice versa*, are charged as expenditure or shown as a receipt (as the case may be) under the head which is most appropriate to the nature of the item. Thus a grant to a Local Board for educational expenditure now appears under the head 22, *Education*; a grant for plague expenditure under the head 24, *Medical*; a grant for the construction of roads under 45, *Civil Works*; and a grant for general purposes—such as a grant to make good a deficit—has been classified under the head 32, *Miscellaneous*.

16. In paragraph 18 of the last year's Financial Statement allusion was made to the tendency to over-estimate expenditure in normal years, which is a frequent subject of criticism in connection with our budget. Of the various causes which produce this tendency, it is believed that the most important, and certainly the most universal in its effect, is the anxiety of disbursing officers not to outrun the particular grants with the expenditure of which they are entrusted. Every disbursing officer aims, as a rule, at closing the year with a margin of saving rather than a margin of excess over his allotments, with the result that the aggregate of all these margins comes to a considerable total saving on the Provincial estimates. In order to prevent the inclusion in the budget of a provision larger than was likely to be actually expended within the year, the Government of India have been in the habit of making reductions in the budget estimate under one or more Provincial heads of expenditure, and when such a reduction was made under a major head of expenditure, it was obligatory on the Local Government to distribute the amount among the minor and sub-heads subordinate thereto. The subordinate disbursing officers entrusted with the expenditure then applied to the reduced allotment the methods described above and the consequence was that they under-spent even that. To avoid this result the Government of India have now adopted a modification of the system of correcting the Provincial estimates, which is described below. The estimate framed by the Local Government under each major head is examined by the Government of India in the ordinary way, any specific items of expenditure which are doubtful or inadmissible being modified or eliminated, as the case may require. From the total provision which is finally arrived at in this manner a lump deduction is made, if this should appear necessary with regard to the circumstances of the year and the experience of previous years, so as to reduce the total of the major head to the amount of the probable actual expenditure. The figure thus reduced is entered in the Provincial budget and in all published official statistics as the sanctioned estimate for the major head. The lump deductions, however, will not operate to curtail expenditure which has been duly approved, and for which provision has been made in the unreduced grant. On the contrary, the unreduced grant will be shown in the detailed Civil Estimates, distributed among the minor heads and sub-heads and divided among the disbursing officers, exactly as if it were the sanctioned budget total of the major head. In these estimates, the lump deduction will be shown at the foot of the head as "Probable savings." It is believed that these arrangements will result in greater accuracy of the Provincial estimates of expenditure than has been found practicable in the past. In the current year's Budget lump deductions for "Probable savings" in accordance with this system have been made under the following major heads :—

				Lump deduction.
3,	Land-Revenue	...	...	1,67
7,	Excise	} Provincial Share	...	56
11,	Forest		...	56
19-A,	Law and Justice—Courts of Law		...	50
19-B,	" " —Jails		...	25
20,	Police		...	1,22
22,	Education		...	2,00
24,	Medical		...	1,45

17. The expenditure Budget includes provision for the revision of the subordinate district and village officers' establishments in Sind and of excise and registration establishments, mentioned in paragraphs 13 and 14 of the last year's Financial Statement, which have already been sanctioned. Provision has also been made for (i) the revision, in part, of subordinate forest establishments, (ii) the grant of local allowances to clerical establishments in the City of Bombay, (iii) additional police reforms for which the Government of India have made an assignment of 4.25 in addition to the previous assignment of 9.50, (iv) primary school buildings in Bombay City, which will be financed by the Bombay Municipal Corporation with the help of the Government grant, (v) grant to the Rajkumar College, (vi) increased expenditure at the College of Science, Poona, and the Elphinstone, Deccan and Grant Medical Colleges, (vii) improvement of secondary education, (viii) improvement of the pay of teachers in primary schools, (ix) the introduction of the new Code of Regulations for European Schools, (x) the equipment of hospitals, (xi) grants-in-aid to local bodies for sanitary projects, and (xii) special grants for the encouragement of evacuation, inoculation and rat destruction.

18. The reasons which necessitate the provision for item (i) were explained in paragraph 14 of last year's Financial Statement. The final proposals of this Government, which involve an additional expenditure of about Rs. 2½ lakhs per annum, will shortly be submitted to the Government of India.

In view of the increased cost of living in the City of Bombay proposals have been submitted to the Government of India for the grant of local allowances to all clerical establishments employed in the City, whose salary does not exceed a certain limit. The question is still under the consideration of the higher authorities, but a provision of 74 for the extra Provincial charge which may have to be paid this year has been made in the Budget in expectation of sanction.

The additional police reforms mentioned under (iii) consist of the continued working out of the proposals made by the Police Commission and approved by the Government of India and the Secretary of State. We are making vigorous efforts to expend the allotment made by the Government of India and hope to make considerable progress during the current year. The greater part of the additional allotment of 4.25 will be utilised to meet the charges on account of the increase of pay which has recently been sanctioned for the lower ranks of the Police throughout the Presidency including Sind, as well as for those in the City of Bombay. Schemes for the reorganization of the Police in the districts and on the Railways are being brought into final shape, and there should be no difficulty in expending the whole of the allotment made by the Government of India.

The special provision which was made in last year's budget for primary school buildings in Bombay City (item iv) could not be utilised as the Bombay Municipal Corporation has not yet framed a programme for their construction. A provision of 1.31 is repeated in this year's budget.

The provision for grant-in-aid to the Rajkumar College (item v) includes, besides the annual subvention of 25, arrears of grant-in-aid to be paid from Imperial revenues to cover the extra expenditure incurred before 1907-08 in consequence of the reorganization of the College staff.

Under (vi) last year's provision of 50 for a new Engineering Laboratory in the College of Science, Poona, was not utilised because it has been decided that the new Professor of Mechanical Engineering should, on his arrival in India, design the proposed laboratory and select suitable equipment. The provision has, therefore, been repeated in this year's budget. On the retirement of the present Professor of Chemistry and Geology in this College it is intended to appoint two Professors, one for Chemistry and one for Geology and Zoology. The superior staff of the Elphinstone and Deccan Colleges will be strengthened by the appointment of an Assistant to the Professors of Mathematics in these institutions, while that of the Grant Medical College and the J. J. Hospital is proposed to be strengthened in pursuance of the recommendations which were made some time back by the Grant Medical College Reorganisation Committee.

Item (vii) represents provision for hostels and play-grounds (2.12), the revision of the pay of Head Masters, principally with a view to make it personal, and the appointment of an Inspector of Drawing. These form part of a programme submitted by the Director

of Public Instruction in response to certain suggestions made by the Government of India for the general improvement of secondary education. In making the suggestions we have been given to understand that no help from Imperial revenues should be looked for, and that the whole cost of such improvements in secondary education as might be undertaken must be met from Provincial revenues. The programme which involves recurring and non-recurring expenditure of about 10,00 will be worked up to as funds are available.

✓ The provision of 50 for the improvement of the pay of teachers in primary schools (item viii) marks the first step in the direction of an urgently needed reform. There is no doubt that these teachers are greatly under-paid. The expenditure involved is, however, heavy, and in view of the fact that large grants have been made to Local Boards for the development of primary education, it is proper that they should bear a substantial share of the cost. We have provided 50 in the hope that 1,00 will be spent in the current year, the other 50 being contributed by local bodies.

Under (ix) full provision is made for the expenditure—estimated at 76—involved in the introduction of the new Code of Regulations for European Schools. The Government of India have sanctioned an annual grant of 35 from Imperial revenues, but have declined to make an additional assignment to cover the balance of the estimated charge.

The attention of Government having been drawn to the necessity of placing the hospitals in this Presidency in a more satisfactory condition in point of equipment, a special provision of 1,14 has been made for it (item x).

In pursuance of the policy explained in the last year's Financial Statement provision has been made (item xi) for grants to local bodies in aid of sanitary projects. The Government of India have also made an annual assignment of 4,50 to Provincial revenues, with a view to assist in the adoption of measures for the improvement of the public health. The money is to be expended at the discretion of this Government on sanitary improvements with special reference to the prevention of plague. The rapidity with which this money can be expended will depend largely upon the quickness with which local bodies are able to submit their schemes of sanitary improvements. As stated to the Council last year, Government have already arranged to place at the disposal of the Local Bodies expert assistance in the preparation of their schemes. It remains with the Local Bodies to take advantage of this assistance to the greatest possible extent and to submit their schemes with the least possible delay.

Since last year we have been placing at the disposal of the Collectors of the districts in which plague is rife special grants to enable them to encourage evacuation, inoculation and rat destruction. This year's provision for direct plague expenditure includes 1,00 on this account (item xii).

19. Indirect famine expenditure in 1908-09 is estimated at 3,43 chiefly on account of grain compensation and temporary establishments. Direct famine expenditure estimated at 5,00 will be borne by Imperial revenues. The provision for plague expenditure in 1908-09 amounts to 4,75 (2,63 direct and 2,12 indirect); and about three-fourths of 1,52 provided for the Bombay Bacteriological Laboratory may be regarded as a plague liability.

20. The amounts provided for large Protective Works which are furnished by the Government of India do not appear in our Budget. The allotment for the coming year is 14,06. The expenditure will be principally upon the two great storage works on the Godavari and Pravara rivers in the Násik and Ahmednagar districts. It is greatly to be wished that the assignment could have been larger, but seeing that it is made out of current revenues, we could hardly expect more in a year commencing with a very considerable famine which, of course, makes a heavy demand upon the resources of the Imperial Government. At the same time, we have not failed to urge upon the Government of India the extreme importance of assuring a sufficiency of funds to prosecute these Protective Works to a rapid conclusion. As long as the provision of funds depends upon current revenues there is always the extreme risk of the allotments being irregular and insufficient. The greatest deliberation is obviously necessary in preparing and deciding upon costly Protective Schemes which can hardly be expected to prove remunerative. Once, however, such schemes have been decided on, the only truly economical

policy is to complete them rapidly in order that they may earn their full return in as short a time as possible. We reckon that on the two schemes above mentioned we could spend, if funds were available, up to 24 lakhs per annum, while, when other great projects were sanctioned, we could with proper organisation incur an annual expenditure of 50 lakhs. Our aim is to obtain from the Government of India a sure annual allotment for Protective Irrigation of not less than that sum. Our proposals are under the consideration of the Government of India.

21. In the Provincial Advance and Loan Account the payments of takavi and other loans are estimated at 45,15, and the recoveries at 28,95. The estimate includes special provision for (i) takavi advances to sugarcane cultivators on lands irrigated by the Nira Canal in the Purandhar, Bhimthadi and Indapur talukás of the Poona district, and (ii) the grant of loans to the Gujarát talukdárs to effect a settlement on a cash down basis of their debts.

Item (i) represents the interesting experiments in the financing of the cultivation of rich and assured crops of which sugarcane irrigated by the Nira Canal is a typical example. The area under this crop aggregates in round numbers some 8,000 acres. The sum required to finance an acre of sugarcane is roughly about Rs. 400 per annum and for the proper financing therefore of the 8,000 acres a capital of some 32 lakhs per annum is required. This sum is obtained, in the majority of the instances, by the cultivators from the local *sávkárs* who advance cash for preliminary expenses, frequently at the heavy interest of 18 *per cent.*, supplying oil-cake and artificial manure at similar high rates of interest and at an enormously high brokerage, bringing the total charge, as we are informed, to something like 40 *per cent.* The *sávkár* also conducts the brokerage of the *jágrí* on similarly ruinous terms. The consequence is that the profits of the cultivator in the growing of this extremely valuable crop, on which such large sums are embarked, are reduced to an insignificant amount estimated frequently not to exceed Rs. 30 per acre. The experiment is intended to demonstrate the possibility of financing the cultivators of this crop on much easier terms and securing them much better profits. A Special Officer has been appointed and has been entrusted with the distribution of 2 lakhs per annum among selected cultivators. He will make the necessary advances for preliminary expenses, provide oil-cake and artificial manures and conduct the marketing of the *jágrí* at reasonable rates of interest and brokerage, probably not exceeding 9 *per cent.* This extremely moderate charge, as is calculated, will make the experiment, which, of course, is debited with the cost of the Special Officer and his establishment, at the least self-supporting. The experiment was started only in January last, but already promises to be successful. It will be continued for a few years and the experience thus gained will be placed at the disposal of the public in the hopes that some Banking Agency may be induced to step in and compete with the *sávkár* for the financing of this valuable crop. It has been alleged that by this experiment, Government are unjustifiably interfering with private enterprise. This, it need scarcely be observed, is far from being the case. On the contrary, Government are merely endeavouring to demonstrate by an example that an exceedingly favourable opening exists for an enterprise on a large scale similar to the Agricultural Bank of Egypt, the introduction of which was preceded by experiment on similar lines.

Item (ii) represents a measure for freeing the talukdárs from their indebtedness. Their relief from the ruin brought upon them originally by extravagance and bad management and intensified by famine is an object of sufficient public importance to justify the advance from public funds by Government, especially as loans on a reasonably low rate of interest cannot otherwise be obtained. Government have recently addressed Collectors expressing their sympathy with the heads of ancient families that are fallen on evil days and their readiness to help, if they will allow their estates to be brought under the management of the Courts of Wards. In some instances, it will be possible by means of loans to provide the funds necessary to effect compositions with creditors on the basis of immediate cash payment.

22. It is, on the whole, exceedingly satisfactory that we should find ourselves again, despite the prevailing scarcity, with a 'record' revenue. We have also estimated for a 'record' expenditure which, in the circumstances, the Council will no doubt admit is fully justified. But the Council will not fail to observe that in both the years 1907-08 and 1903-09, we expect our expenditure to exceed our receipts. In

other words, we are more than living up to our income and drawing upon our still handsome balances. While we have good balances the position is perfectly sound, so long as our over-draft consists entirely of non-recurring or merely temporary expenditure. But there is this difficulty before us. We are confronted with the probability of very considerable demands for recurring expenditure. There is a disagreeable probability that the allotments which the Government of India are in a position to make will not nearly suffice for the necessary expenditure on Police, if all the intended reforms are to be carried out. The liability on this account is not likely to be less than 10 lakhs per annum and may amount to 16 lakhs. There is hardly any one of the great spending departments which has not heavy recurring demands to make. In meeting these demands we shall undoubtedly have to proceed with slowness and caution. But we trust to be able to meet them all within a reasonable period provided only we can obtain a succession of such seasons as we had between 1878 and 1895. There is no reason whatever why we should not enjoy a recurrence of fairly good seasons. We had one such season in 1903 and another in 1906. I do not share the pessimism of those who say that India is undergoing a change of climate. Just as there have been long periods of drought and bad seasons in pre-British times, so we have had a succession of bad seasons since 1896. But there is no ground whatever for supposing that between these bad times there will not be an interval during which this Presidency will enjoy on the whole sufficient and fairly distributed rainfall. It should be remembered that the Madras Presidency has had a succession of good seasons, with only partial interruption, for something like thirty years. We have every justification for hoping we may enjoy similar good fortune. But until the good times come we cannot add largely to our existing high rate of recurring expenditure.

J. W. P. MUIR MACKENZIE.

PART II.

SECTION I.

Accounts of 1906-07.

23. The estimated and actual transactions of the year 1906-07 are given below :—

	Budget Estimate.	Revised Estimate.	Actuals.
Opening balance ...	73,77	80,66	80,66
Revenue ...	5,36,18	5,76,79	5,70,63
Expenditure ..	5,79,43	5,57,09	5,53,11
Closing balance ...	30,52	1,00,36	98,18

The important differences between the Budget and Revised estimates of 1906-07 have been explained in Part II, Section II, of the last year's Financial Statement. Important variations of the Actuals from the Revised estimates are noticed below.

24. On the revenue side, the Actuals show a net decrease of 6,16 from the Revised estimate. The following is the explanation of the principal differences :—

I, Land-Revenue.—The decrease of 4,39 was due chiefly to—

- (i) a decrease of 2,93 in the divisible revenue, due mainly to the transfer to the head *XXV, Miscellaneous (Imperial)* of the value of certain land in Bombay City sold to the G. I. P. Railway Company;
- (ii) a decrease of 1,57 in the Imperial contributions to Provincial revenues consequent on (i) the revised system of calculating interest on productive debt, and (ii) an over-estimate of the assignment in aid of Provincial expenditure on famine relief in 1905-06 and 1906-07.

XII, Interest.—The decrease of 66 was due mainly to smaller recoveries of interest on advances to cultivators.

25. The expenditure of the year fell short of the Revised by 3,98. The principal differences are explained below :—

8, *Land-Revenue*.—The decrease of 75 was due mainly to an over-estimate of extra allowances in connection with the famine, and of allowances to district and village officers.

11, *Forest*.—The decrease of 66 was due to the failure of a contractor in the Southern Circle to supply timber before the close of the financial year, and to the grant for payments of royalty on sale-proceeds of teak trees on private lands in the Northern Circle not being fully utilised.

20, *Police*.—The increase of 1,01 was due to a portion of the contribution from the Bombay Municipality towards police charges having remained in arrears, to the new appointments of Deputy Inspectors-General and their establishments, and to payments of grain compensation and extra allowances in connection with the famine. The excess due to the causes mentioned above was partially counter-balanced by savings chiefly in the provision for additional police reforms, which could not be carried out before the close of the year.

22, *Education*.—The increase of 96 was due to building and other grants having been sanctioned late in the year.

24, *Medical*.—The increase of 52 was due to larger adjustments for supplies by the Military Department, heavier expenditure at hospitals and the purchase of rat-destroying apparatus for the Port Health Officers, Bombay and Karachi.

29, *Superannuation allowances and pensions*.—The decrease of 76 was due to an over-estimate, the latest actuals on which the Revised estimate was based having included payments chargeable to other heads.

30, *Stationery and Printing*.—The increase of 1,15 was due principally to larger demands for paper by the Printing Presses and the Photozincographic Department. The cost of the increased supplies to the Presses was not ascertained before the accounts of the year were finally adjusted and was not therefore allowed for in the Revised.

32, *Miscellaneous*.—The increase of 1,13 was due to unexpectedly heavy adjustments of remissions of tagai advances in Sind.

42, *Irrigation—Major Works—Interest on debt*.—The decrease of 1,19 was due to the introduction of the revised system of calculating interest on productive debt, in accordance with which the charge is based on the *average incidence* of interest actually paid in each year instead of at the rates specified below :—

4 per cent. on capital outlay incurred up to 31st March 1900 ; and

3½ per cent. on outlay subsequent to that date.

43, *Irrigation—Minor Works and Navigation*.—The decrease of 71 was due to smaller outlay in the Deccan and Gujarat, on the Kadwa River Works, the Pathri Tank and certain works for which only revenue accounts are kept, partially counterbalanced by increased expenditure in Sind on works for which only revenue accounts are kept.

45, *Civil Works*.—The decrease of 3,91 was due to the expenditure towards the close of the year not having progressed to the extent anticipated owing to scarcity of labour and other causes.

27. The Revised estimates of revenue show a net deficit of 7,43 on the Budget. The important decreases anticipated are under the following heads :—

I, Land-Revenue (including portion due to Irrigation, for which 15,25 were provided in the Budget under *I*, and which is now reduced to 13,70 owing to diminished cultivation resulting from deficiency of water on certain canals in Sind and is shown in the Revised under a separate major head No. *XXIX*)—15,72 made up of—

(i) a decrease of 25,00 under "Provincial $\frac{1}{2}$ share" of Land-Revenue (including revenue due to irrigation), due to unfavourable agricultural conditions;

(ii) an increase of 87 under "Alienations," due to the revision of surveys in some districts, and

(iii) a net increase of 8,41 under "Fixed allotment and adjustments," due mainly to the Imperial contribution to make up the deficit in the Provincial share of Land-Revenue, partially counterbalanced by a contribution from Provincial to Imperial revenues in connection with the revised system of calculating interest on productive irrigation debt.

IV, Stamps.—50, due chiefly to the introduction of the Dekkhan Agriculturists' Relief Act in several districts and the encouragement given for the settlement of suits by conciliators.

28. On the other hand, the Revised estimates indicate noticeable increases of revenue under the following heads :—

V, Excise.—2,75, due chiefly to the raising of still-head duty and of license-fees consequent on extension of the new system in several districts.

VIII, Assessed Taxes.—2,20, due to general improvement in trade, to a rise in the salaries and number of employees, and in the amounts held in Government and other securities.

IX, Forest.—2,00, due chiefly to improvement in the prices offered for coupes and teak trees on private lands in the Northern Circle, partially counterbalanced by smaller receipts in the Southern Circle, where the estimated quantity of timber and sleepers was not obtainable.

XXX, Irrigation—Minor Works and Navigation.—57, due to various miscellaneous causes.

XXXI, Civil Works.—90, due mainly to a receipt of 40 from the City of Bombay Improvement Trust for the construction of a new store-house for the Executive Engineer, Presidency, in place of the Mews taken over by the Trust, and to larger realisations from tolls on roads, rents on buildings and other miscellaneous causes.

29. On the expenditure side, the Revised estimates indicate a net saving of 2,76 on the Budget. The important decreases anticipated are under the following heads :—

3, Land-Revenue.—1,57, due mainly to savings in the provisions for the cost of boundary marks, for the survey of talukdári villages, for the revision of kanungo establishments in Sind, for the Jámrao Colonization charges, and for payments to officers of other provinces.

11, Forest.—1,00, due mainly to savings in the provisions for communications and buildings, for forest surveys, for the revision of subordinate establishments, and for the creation of two new charges.

19-A, Courts of Law.—97, due mainly to savings in the provisions for the Dekkhan Agriculturists' Relief Courts, and for revisions of establishments and payments to officers of other provinces, partially counterbalanced by increased expenditure on account of the appointment of an Inspecting Judge and an Additional Judge at the High Court.

22, Education.—3,02, due chiefly to savings in the provisions for the revision of the Inspecting and Training College Staffs, for the equipment of the laboratory of the College of Science, for grants-in-aid, and for payments in support of Municipal schools in Bombay in consequence of the City of Bombay Police Charges Act (Bombay Act III of 1907). A portion of the provision for building grants was

transferred to the Public Works Department and to the head *Contributions to Local* for the construction of school buildings.

24, *Medical*.—5,04, due mainly to the contribution towards the maintenance of hospitals payable by the Bombay City Municipality, and the cessation of the Government contribution on account of the Matunga Leper Asylum, in accordance with the City of Bombay Police Charges Act, 1907, and to savings in the provisions for salaries of officers, for payments to officers of other provinces, for the Bacteriological Laboratory, and for the requirements of the new Department of Bacteriology at the Grant Medical College.

26, *Scientific and other Minor Departments*.—2,03, due mainly to the non-utilization of the provision of 1,00 for the Agricultural College, in consequence of the construction of the College buildings not having progressed as rapidly as was anticipated, to savings in the grants for subordinate veterinary establishments and agricultural experiments, to the transfer of the provision for the Hyderabad Agricultural School to the head 3, *Land-Revenue*, to a contribution by the Bombay City Municipality towards the Prince of Wales Museum being taken by deduction from charges, and to the saving of the Government contribution towards the up-keep of the Victoria and Albert Museum, which has vested in the Corporation under Bombay Act III of 1907.

29, *Superannuation Allowances and Pensions*.—93, due to an over-estimate.

32, *Miscellaneous*.—1,29, due mainly to the non-utilisation of the provision for grants to municipalities for sanitary projects, and to smaller payments on account of rents, rates and taxes, partially counterbalanced by larger writes-off of loans to agriculturists.

42, *Irrigation—Major Works—Interest on debt*.—1,30, due mainly to the introduction of the revised system of calculating interest on productive debt.

43, *Irrigation—Minor Works and Navigation*.—94, due mainly to shorter outlay on the Mutha Canal.

30. The Revised estimates exhibit noticeable increases of expenditure under the following heads:—

2, *Assignments and Compensations*.—90, due mainly to arrear payments of some Land-Revenue and Excise compensations and to the revision of surveys in some districts.

20, *Police*.—4,19, due mainly to the cessation of the contribution from the Bombay Municipality for police charges under Bombay Act III of 1907, partially counterbalanced by savings in the provisions for the Police Training School, for payments to officers of other provinces and for police in Political Agencies.

45, *Civil Works*.—8,81, due to additional allotments sanctioned for works and for discretionary grants to Commissioners for minor works.

Contributions to Local.—72, due mainly to additional grants for school buildings out of funds transferred from the head 22, *Education*, and to the payment of grants-in-aid due in 1906-07 for the maintenance of local roads in Sind, partially counterbalanced by the non-utilization during 1907-08 of the grant for special continuation schools, which has been transferred to the Budget of 1908-09.

31. The opening balance of the year 1907-08 was estimated in the Budget at 1,00,36. The actual revenue of the year 1906-07, however, fell short of the Revised estimates for that year by 6,16 and the expenditure by 3,98. The opening balance for 1907-08 was thus reduced to 98,18. According to the Revised estimates, the expenditure during the year exceeds the revenue by 13,20 and the closing balance is therefore estimated at 84,98.

SECTION III.

Budget Estimates of 1908-09.

32. The year 1908-09 is expected to open with a balance of 84,98 and to close with a balance of 80,76 to the credit of the Provincial account as shown in the following statement:—

	1907-08.		1908-09.		1908-09 more (+), or less (-), than 1907-08.
	Budget.	Revised.	Budget.	Budget.	
Opening balance ...	1,00,36	98,18	84,98	- 14,51	-12,33
Revenue ...	5,76,93	5,89,60	6,04,04	+ 27,06	+ 24,54
Expenditure ...	5,85,46	5,82,70	6,09,18	+ 23 87	+ 26,43
Closing balance ...	97,93	84,08	80,76	-11,12	-4,23

* This is the balance of the Government Central Book Deptt Faud merged in Provincial revenues.

The details of the revenue and expenditure figures by major heads are given in Appendix B.

Refunds—1.

33. Since 1905-06 the division of expenditure between Imperial and Provincial has followed the revised shares of the corresponding revenue heads. Thus under Land-Revenue, Stamps and Excise, the expenditure on refunds is half Imperial and half Provincial. The Provincial figures are :—

	Actuals.			1907-08.		1908-09
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Refunds	1,99	2,99	2,59	2,78	3,16	2,67

The new Budget provides for normal charges. The Revised for the last year was high as certain amounts wrongly credited as Land-Revenue in 1906-07 were transferred to tagai advances in 1907-08.

Assignments and Compensations—2.

34. The Provincial figures given below show a large decline since 1905-06 owing to the re-classification of cash charges between Imperial and Provincial under which opium, salt and customs compensations are treated as Imperial and land-revenue and excise compensations are divided equally between Imperial and Provincial :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Cash ..	15,65	9,00	6,66	8,47	8,74	9,55
Alienations.	78,94	78,56	79,04	78,86	79,49	79,46
Total ...	94,59	87,56	87,69	87,33	88,23	89,01

The increase under cash payments is due mainly to the additions of 77 (Provincial share) on account of contributions payable to Local Boards in lieu of one anna cess on excise revenue hitherto charged under *Contributions to Local*, and of 27 in connection with the proposed lease of ábkári revenue of the Sachin State. Under "Alienations" the new Budget follows the last year's Revised, the increase as compared with the Budget of 1907-08 being due to the revision of surveys in some districts.

I.—Land-Revenue—3.

35. Since 1905-06 the revenue has been divided equally instead of in the proportions of 1 and 3 between Provincial and Imperial. The Provincial figures are :—

	Actuals.			1907-09.		1908-09
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
<i>Revenue.</i>						
Provincial share ..	86,10	1,77,18	2,09,57	2,05,00	1,66,80	1,97,86
Alienated ..	90,82	90,62	91,28	90,90	91,77	91,73
Fixed allotment and adjustments ..	1,79,23	69,68	75,61	80,82	89,23	88,98
Total ..	8,55,15	8,87,88	8,76,44	8,76,72	8,47,80	8,78,07
<i>Expenditure.</i>						
Charges of District Administration ...	33,40	32,04	33,54	36,06	34,50	36,70
Survey and Settlement	1,08	1,08	88	1,31	1,10	1,30
Land Records and Agriculture ..	21,55	22,98	27,40	28,70	28,00	30,19
Allowances to District and Village officers	13,11	13,28	13,24	13,44	13,34	13,48
Wamp deduction for probable saving ...	..	..	..	..	..	-1,67
Total	69,12	69,28	75,06	78,81	78,94	80,00

Until last year it was the practice to divide the gross land-revenue collections between Imperial and Provincial before deducting from them the portion due to Irrigation, the deduction being wholly made from the Imperial share of Land-Revenue and credited to the head XXIX, *Irrigation—Major Works* as an Imperial receipt. It has now been decided to deduct from the head I, *Land-Revenue* the revenue due to irrigation and to transfer it to the head XXIX, *Irrigation—Major Works*, where it will be shared equally between Imperial and Provincial. Taking the heads I and XXIX together, the reclassification does not involve any loss or gain to Provincial or Imperial, and if it had been introduced when the Budget of last year was framed, the "Provincial share" under I, *Land-Revenue* would have been 1,89,75 instead of 2,05,00.

(a) The new Budget under "Provincial share" of divided revenue is framed in the expectation that the agricultural conditions of the year will be normal. The unsatisfactory character of the monsoon of 1907 necessitated the grant of specially large remissions and suspensions. With a normal season in the current year it is hoped that it will be possible to recover a proportion of the suspended revenue, in addition to the current demand. Under "Alienations" the Budget follows the last year's Revised, the increase over the last year's Budget being due to the revision of surveys in some districts. The provision of 88,68 under "Fixed allotment and adjustments" is made up of—

- (c) Fixed allotment under the Settlement 42,77
 (s) Additional assignments to Provincial on account of—

Land-Revenue.

- (i) Provincialisation of the Sind Village Officers' Cess Fund 2,50
 (ii) Division of the Khândesh district 70
 (iii) Transfer to the Civil Department of the work of payment of Military Pensions at the treasuries in the Southern Konkan 5
 (iv) Mirpur Khas Town expansion scheme 1

General Administration.

- (v) Remission of audit fees hitherto recovered from certain Local Bodies ... 67
 (vi) Introduction of the Local Audit scheme 9

Law and Justice—Courts of Law

- (vii) Revision of the Sind Sadar Court 44

<i>Police.</i>					
(viii)	Police Reorganization	...	...	...	9,50
(ix)	Additional Police reforms	...	...	...	4,25
(x)	Provincialization of charges in connection with Cantonment Police	...	...	...	50
(xi)	Relief of Municipalities from Police charges	...	...	...	5
<i>Education.</i>					
(xii)	Primary Education	...	...	...	5,00
(xiii)	Development of Technical and Industrial Education	...	...	...	1,67
(xiv)	Grant-in-aid to the Rájkot Chiefs' College	...	...	...	86
(xv)	Grant-in-aid to the University	...	...	...	65
(xvi)	European and Eurasian Education	...	...	...	35
<i>Medical.</i>					
(xvii)	Special expenditure in connection with sanitation	...	...	...	4,50
<i>Scientific and other Minor Departments.</i>					
(xviii)	Agriculture and Veterinary Development	...	...	...	3,50
<i>Stationery and Printing.</i>					
(xix)	Adjustment of stores, etc., supplied by the Central Press, Calcutta, to Provincial Presses	...	...	...	5
<i>Famine Relief.</i>					
(xx)	Famine Relief scheme	...	...	...	13,70
<i>Civil Works.</i>					
(xxi)	Grants-in-aid to District Local Boards	...	...	...	7,00
					Total ...
					98,81
<i>Deduct—</i>					
(v) Contribution to Imperial on account of—					
<i>Assignments and Compensations.</i>					
(i)	Revised treatment of <i>2</i> , Assignments and Compensations	...	...	...	7,41
(ii)	Change in classification of the contribution paid to Local Boards in lieu of the one anna cess on excise revenue...	...	...	...	78
<i>Law and Justice—Courts of Law.</i>					
(iii)	Imperialization of the charges of Cantonment Magistrates	...	...	...	70
<i>Irrigation Major Works.</i>					
(iv)	Revised system of calculating interest on productive debt	...	...	...	1,24
					Total ...
					10,13
Net Assignment to Provincial					88,68

(b) The increase under "Charges of District Administration" is due to larger provisions for famine and other temporary establishments, construction and repairs of chavdis, boundary marks, and survey of talukdári villages, and to lump provisions for additional tagai establishments, including those connected with the grant of loans to sugarcane cultivators on the Nira Canal, grain compensation, and discretionary grants to Commissioners and other heads of offices to meet unforeseen charges. Under "Survey and Settlement" the Budget differs but slightly from that for the last year, the increase over the last year's Revised being due mainly to larger charges on account of the Photozincographic Department, and to smaller recoveries on account of demarcation and division of waste lands in Sind. The increase under "Land Records and Agriculture" is due mainly to the provisions made for an expert Surveyor and land valuer, for the introduction of city survey in the towns of Godhra and Bandra, for establishments for the re-arrangement of papers in the Alienation Office, Poona, and for the partition of estates in the Ratnágiri district, and for temporary village establishments in connection with the scarcity. Increased provision has been made for the revision of tapedars' establishments in Sind, for the training of talatis and circle inspectors in survey work, and for the demarcation of waste lands in Sind. The small increase under "Allowances to district and village officers" is due mainly to extra allowances in connection with the scarcity.

IV.—Stamps—6.

36. Since 1905-06 revenue and expenditure under this head have been divided equally instead of in the proportions of 1 and 3 between Imperial and Provincial. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
	Revenue ...	48,08	82,40	81,81	82,50	82,00	82,85
Expenditure.	1,76	1,19	1,05	1,17	1,10	1,16

(a) The revenue Budget allows for an improvement of 85 over the last year's Revised, chiefly on account of sales of general stamps.

(b) The increase in the expenditure Budget as compared with the last year's Revised is due to larger provision for charges on account of district establishments and stamp paper supplied from Central Stores.

V.—Excise—7.

37. Since 1905-06 revenue and expenditure under this head have been divided equally instead of in the proportions of 3 and 1 between Imperial and Provincial. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget
	Revenue	84,91	71,84	74,18	77,50	80,25	82,50
Expenditure.	1,18	2,61	2,69	8,50	3,25	4,88*

* This is the major head estimate after deduction of 56 for probable saving, the total of the details in the Civil estimates being 5,44.

(a) The increase of revenue is due mainly to the raising of the still-head duty in some districts and to improvement in the system of management and in inspection. Increased receipts are anticipated, also on account of fees for retail licenses of country spirit.

(b) The increase in the expenditure Budget is due to larger provisions for inspecting, preventive and clerical establishments, and for the share (now fixed at three-sevenths) of the cost of the combined Salt and Excise Department in Sind, which is debitable to this head, and to provisions for grain compensation, for first year's supply of clothing to menial establishments and for the purchase of plant of certain distilleries which have been abolished.

VIII.—Assessed Taxes—10.

38. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
	REVENUES.					
Salaries and Pensions	3,97	4,16	4,48	4,25	4,55	4,65
Profits of Companies.	1,86	2,10	5,00	4,00	4,80	4,75
Interest on Securities...	1,48	1,62	1,75	1,64	1,85	1,92
Other sources of income.	10,88	10,97	11,82	11,40	12,49	12,66
Total ...	18,19	18,85	23,10	21,29	23,49	23,98
Expenditure	39	39	42	41	40	45

(a) The increase in the revenue Budget is due to a general rise in trade, and to higher receipts from the tax on salaries and interest on securities.

(b) The expenditure Budget provides for normal charges with a small addition for extra establishment and for allowances to establishments in Bombay City.

IX.—Forest—11.

39. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
	Revenue	15,10	17,42	17,11	16,50	18,50	19,00
Expenditure.	9,52	10,63	9,95	10,75	9,75	10,50*

* This is the major head estimate after deduction of 58 for probable saving, the total of the details in the Civil estimates being 11,06.

(a) The increase of the current year's revenue Budget as compared with the last year's estimates is due to anticipated improvement in the receipts from timber and other forest produce, chiefly in the Southern and Central Circles. The large receipts from teak trees on private lands in the Northern Circle included in the last year's Revised are not expected to recur to the same extent in the current year.

(b) The increase in the expenditure Budget over the last year's estimates is due chiefly to the cost of meeting the larger demands for timber and other forest produce, especially in the Southern and Central Circles, to provisions for the purchase of elephants, construction of a tramway and extension of monorails in the Southern Circle, and the preparation of an illustrated Forest Flora, and to larger provisions for forest works in Sind, and for salaries of officers.

X.—Registration—12.

40. Since 1905-06 revenue and expenditure under this head have been treated as wholly Provincial instead of being equally shared between Imperial and Provincial. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
	Revenue	2,98	6,74	6,55	6,85	6,30	7,20
Expenditure.	1,42	3,09	3,11	3,45	3,27	3,42

(a) The revenue Budget provides for a moderate increase in view of the normal expansion of the operations of the department.

(b) The expenditure Budget provides for an additional Inspector (with his establishment) and for the cost of Sub-registrars and their karkuns in accordance with the revision scheme sanctioned last year. The savings in the last year's Revised were due to delay in introducing the scheme.

XII.—Interest—13.

41. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
	Revenue	5,40	4,70	5,39	7,84	7,72	7,64
Expenditure.	6,19	6,10	6,30	6,31	6,53	6,90

(a) The decrease in the revenue Budget is due chiefly to the absence of the provision for recoveries of arrears from municipalities which were included in the last year's Budget and Revised. On the other hand, a moderate increase is expected from interest on loans to cultivators on the assumption that the season will be normal.

(b) The increase in the expenditure Budget is due to a rise in the amount of interest payable by Provincial on the mean balance of the loans provided by the Government of India, the balance having risen owing to larger amount provided for advances to cultivators, to smaller recoveries expected from them, and to a special provision for loans to the Gujarát tálukdárs.

The amount allotted by the Government of India for loans is distributed as shown below :—

(i) Loans to cultivators—						
Northern Division ...	...	...	...	...	...	10,10
Central " ...	...	...	...	...	...	14,50
Southern " ...	...	...	...	...	...	3,50
Sind ...	...	...	...	...	...	6,25
Reserve with Government	...	...	...	...	...	50
						34,85
(ii) Loans to Tálukdárs in Gujarát and to Incumbered Estates in Sind...						8,57
(iii) Loans to local bodies on account of public works, plague, etc.						1,58
(iv) Loans for the purposes of the Co-operative Credit Societies Act						15
						45,15
						Total ...

General Administration—18.

42. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Expenditure	14,65	15,68	14,57	15,41	15,66	16,50

The increase over the last year's Budget is due to (i) a lump provision of 71 for the grant of local allowance to Provincial clerical establishments in Bombay City, (ii) the remission of audit fees which were hitherto recovered from certain local bodies and taken by deduction from charges, (iii) additional charges on account of Civil Secretariats, and (iv) purchase of tents for the Commissioner in Sind. The increase over the last year's Revised is due mainly to the causes mentioned under (i) and (iv) above.

XVI-A.—Law and Justice, Courts of Law—19-A.

43. The figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Revenue	4,35	4,78	5,08	5,50	5,20	5,50
Expenditure...	49,20	50,00	50,92	52,22	51,25	52,20*

* This is the major head estimate after deduction of 50 for probable saving, the total of the details in the Civil estimates being 52,70.

(a) The increase in the revenue Budget over the last year's Revised is due mainly to receipts anticipated by the Administrator General on account of some large estates which are liable for transfer to Government this year.

(b) As compared with the last year's Budget, the expenditure Budget provides for increased charges on account of (i) an additional High Court Judge for seven months, (ii) establishment and contingent charges of the Judicial Commissioner of Sind,

(iii) salaries and establishments of Subordinate Judges and (iv) process serving establishments. These increases are partially counterbalanced by smaller expenditure on account of the Dekkhan Agriculturists' Relief Courts, and payments to officers of other provinces. The increase as compared with the last year's Revised is due to the causes mentioned under (ii) to (iv) above, to the lump provision for village munsiffs and conciliators, and to higher provision for salaries and establishments under "Criminal Courts."

XVI-B.—Law and Justice, Jails—19-B.

44. The figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Revenue ...	1,98	1,92	2,21	2,21	2,15	2,30
Expenditure	7,74	8,26	8,93	8,65	8,45	9,00*

* This is the major head estimate after deduction of 25 for probable saving, the total of the details in the Civil estimates being 9,25.

(a) In view of greater activity in jail industries a moderate increase has been provided for under the revenue Budget.

(b) The increase in the expenditure Budget is due chiefly to the contemplated revision of warders' establishments and to increased provision for dietary charges and jail manufactures.

XVII.—Police—20.

45. The figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Revenue ...	4,91	4,18	4,48	4,21	4,62	4,25
Expenditure—						
Cash	58,37	59,37	66,05	68,06	72,19	68,26
Alienations ..	4,88	4,93	4,98	4,94	5,00	4,99
Total ...	68,26	64,50	71,08	78,00	77,19	88,26*

* This is the major head estimate after deduction of 1,22 on account of probable saving, the total of the details in the Civil estimates being 89,47.

(a) As compared with the last year's Budget the revenue Budget provides for larger recoveries from employers of *ramoshis*, and for increased miscellaneous receipts, but the increase is partially counterbalanced by the absence of receipts from *abkari* farmers in consequence of the replacement of excise police by *abkari* peons. The decrease as compared with the last year's Revised is due to the absence of receipts from *abkari* farmers, partially counterbalanced by increased recoveries from private employers of *ramoshis*.

(b) The increase in the expenditure Budget as compared with the last year's estimates is due chiefly to increased provision for charges connected with the police re-organization and reforms, and the absence of the contribution hitherto paid by the Bombay Municipality towards the cost of "Presidency Police," which will be borne wholly by Government under the City of Bombay Police Charges Act, 1907. The Budget also includes provision for grain compensation and temporary famine police charges, increased house rent allowance to the Bombay City Police and rent of quarters for Sub-Inspectors, grants-in-aid to mounted police funds, abolition of cuttings from the pay of policemen on account of conservancy funds, allowances to heads of village police in connection with the famine, and revision of the office establishment of the Commissioner of Police, Bombay. Increased provision has been made under "Supplies and services" and "Contingencies" of the "District Executive Force," chiefly on account of clothing charges, special rewards, petty repairs, and supply of arms.

XVIII.—Ports and Pilotage—21.

46. The nomenclature of this major head has now been changed from *Marine to Ports and Pilotage*. The figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget	Revised.	Budget.
Revenue ...	81	79	84	91	94	1,00
Expenditure.	45	41	45	50	55	57

(a) The revenue Budget provides for a normal increase in receipts from registration and other fees.

(b) The increase in the expenditure Budget is due mainly to higher provision for rent of the Shipping Office, Bombay, and for fees for overtime work.

XIX.—Education—22.

47. The figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05	1905-06.	1906-07	Budget	Revised.	Budget.
Revenue ...	3,20	3,57	3,73	3,75	3,86	4,20
Expenditure.	22,93	24,35	26,96	31,52	28,50	43,32*

* This is the major head estimate after deduction of 2,00 for probable saving, the total of the details in the Civil estimates being 45,32.

(a) The increase in the revenue Budget is due to anticipated improvement in fee receipts, and to provision for royalty on the sale of the Vernacular Reading Series and for sale proceeds of Sanskrit Books which were hitherto credited to the Government Central Book Depot Fund.

(b) The increase in the expenditure Budget is due mainly to the transfer to this head of 10,71 on account of grants to Local Boards for primary schools and continuation and industrial schools, which were hitherto charged to the head *Contributions to Local*, and to the provisions made for the following items :—

(i) Hostels in connection with High Schools	...	...	2,00	/
(ii) Arrears of grant-in-aid to the Rajkumar College	...	...	61	/
(iii) Increase in the pay of teachers in primary schools	...	...	50	/
(iv) Additional grants in connection with the education of European and Eurasian children	...	...	40	/
(v) Publication of the Sanskrit series (a charge hitherto debited to the Government Central Book Depot Fund)	...	...	25	
(vi) Unutilized portion of the last year's grant for continuation schools transferred to this year	...	...	21	/
(vii) Revision of salaries of Head Masters in High Schools	...	...	17	/
(viii) Purchase of land for play grounds for High Schools	...	...	12	/
(ix) Inspector of Drawing	...	...	8	
(x) Additional Professor of Geology and Zoology, College of Science	...	...	5	/

The Budget includes the normal provision of 65 for reforms necessitated by the Indian Universities Act, 1904. A provision of 1,67 is also made as shown below against the Imperial assignment for technical and industrial education :—

(i) Development of technical education	...	...	1,55	
(ii) Additional expenditure at the Sir J. J. School of Art for a Superintendent of Pottery, a course of lectures to the Architectural Class, standard pattern of books of the principal indigenous art industries, etc.	...	...	8	
(iii) Instructor of the Normal Class, College of Science	...	...	3	
(iv) Manual Training Class at the Belgaum High School	...	...	1	
Total ...			1,67	

The special grant of 5,00 for primary education is distributed under the following heads :—

(i) Grants-in-aid	...	...	...	3,00
(ii) Building Grants	...	...	...	1,00
(iii) Inspection	...	...	...	56
(iv) Government Schools, Special	...	...	...	44
				Total .. 5,00

As compared with the last year's Budget the reduction of 73 under "Payments in support of Municipal Schools" and of 6 under "Grants-in-aid to Primary and Indigenous Local Schools" is due to the omission of the grants to primary schools in Bombay City, which are now taken as a set-off against police charges under the City of Bombay Police Charges Act, 1907.

48. The expenditure estimate of 43,82 mentioned above is exclusive of the following items, which are provided under other heads, for purposes connected with education.—

(i) Construction and maintenance of Government educational buildings	...	4,61
(ii) The Grant Medical College and the Medical Schools at Poona, Ahmedabad and Hyderabad	...	2,84
(iii) The Agricultural College at Poona	...	64
(iv) The Veterinary College in Bombay and the Veterinary Class at Poona (exclusive of 31 borne by Imperial revenues on account of the salary and exchange compensation allowance of the Principal and Assistant Principal, Veterinary College, Bombay)	...	31
(v) Allowances to Dakshina Fellows and others	...	21
(vi) Donations to Scientific Societies	...	10
(vii) Preservation and translation of ancient manuscripts	...	3
		Total ... 8,74

The total Provincial expenditure on educational objects in 1908-09 is thus estimated at 52,56.

XX.—Medical—24.

49. The figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1906-06.	1906-07.	Budget.	Revised.	Budget.
Revenue ..	2,14	2,20	2,23	2,20	2,23	2,22
Expenditure.	20,74	22,04	22,02	24,00	18,96	27,88*

* This is the major head estimate after deduction of 1,45 for probable saving, the total of the details in the Civil estimates being 29,33

(a) The revenue Budget provides for small increases in Medical College Fees and other receipts, partially counterbalanced by the omission of the contribution payable by the Bombay Municipality towards the Jaffer Suleman Dispensary, which has ceased under the City of Bombay Police Charges Act, 1907.

(b) The increase as compared with the last year's estimates is due mainly to the provision for (i) special expenditure in connection with sanitation, for which an assignment of 4,50 has been made from Imperial revenues, (ii) grants (1,00) to municipalities for sanitary objects, for which provision was made last year under 32, *Miscellaneous*, (iii) equipment and additional establishments, dieting and contingent charges, and grants-in-aid of nursing at hospitals, (iv) allotments to Collectors for expenditure on evacuation, inoculation and rat destruction, (v) larger expenditure on establishment and supplies and services of the Bombay Bacteriological Laboratory owing to increased demand for the plague prophylactic, and (vi) additional staff at the J. J. Hospital and the Grant Medical College in connection with the teaching of the new M.B., B.S. course. The increase is partially counterbalanced by provision for the additional contribution payable by the Bombay Municipality towards the cost of hospitals and by the cessation of the

Government contribution towards the upkeep of the Matunga Leper Asylum in accordance with the provisions of the City of Bombay Police Charges Act, 1907.

Political—25.

50. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Expenditure.	3,75	3,94	4,29	4,88	4,17	4,28

The decrease as compared with the last year's Budget is due to smaller provision for payments to officers of other provinces, partially counterbalanced by increased expenditure on salaries due to the re-organization of the Political Department. As compared with the last year's Revised, larger provision is made in the new Budget mainly for salaries of officers and payments to officers of other provinces.

XXI.—Scientific and other Minor Departments—26.

51. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Revenue ...	26	50	53	52	68	87
Expenditure.	2,94	6,95	5,29	8,10	6,02	6,69

(a) The increase in the revenue Budget is due mainly to larger receipts expected at the Poona, Surat, Dhárwár and Manjri farms, and from fees for the Vernacular Final Examination.

(b) The decrease in the expenditure Budget as compared with the last year's Budget occurs chiefly under (i) "Provincial Museums," due to the absence of the special provision made last year for contribution to the Prince of Wales Museum for Western India and to the cessation, under the City of Bombay Police Charges Act, 1907, of the contribution payable by Government for the Victoria and Albert Museum, and (ii) "Experimental Cultivation," due mainly to the absence of the special provision of 1,00 made last year for the Agricultural College, and to the transfer of the charges of the Agricultural School, Hyderabad, to the head, 3, *Land-Revenue*, partially counterbalanced by increased provision for supplies and services and salaries of the staff of the Agricultural College. Grants to local veterinary dispensaries, which were hitherto debited to the head *Contributions to Local* have now been provided for under this head. The increase as compared with the last year's Revised is due to this change of classification, to larger provision for expenditures connected with the Agricultural College, and to a lump provision for the development of subordinate veterinary establishments.

52. The special grant of 3,50 made by the Government of India for Agricultural and Veterinary development is distributed in the Budget as shown below :—

(i) Buildings connected with the Agricultural College, Poona, and on Agricultural stations under 45, <i>Civil Works</i> ...	1,77
(ii) Experimental cultivation ...	1,43
(iii) Re-organization of the Subordinate Civil Veterinary Service ...	30
Total ...	3,50

The provision made under "Experimental Cultivation" in the Budget of 1904-05, on which the current Provincial settlement was based, was 1,10, while that in the current year's Budget is 3,93. Out of the difference of 2,83 a sum of 1,43 is provided from the Imperial contribution of 3,50 mentioned above, while about 38 on account of the Director of Agriculture and his establishment have been transferred to this head from

3, *Land-Revenue*. The balance of 1,02 may be taken as the extra provision made for the current year from ordinary Provincial resources.

XXII.—Superannuation Allowances—29.

53. The Provincial figures are:—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Revenue	1,98	2,06	2,06	2,12	2,20	2,20
Expenditure	23,45	24,03	26,09	26,75	25,82	27,02

- (a) The revenue Budget follows the last year's Revised.
 (b) The expenditure Budget allows for the normal growth of pension charges.

XXIII.—Stationery and Printing—30.

54. The Provincial figures are:—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Revenue	85	81	79	84	90	86
Expenditure	11,16	10,60	11,74	11,58	11,92	11,91

(a) The revenue Budget provides for normal receipts. The last year's Revised included large receipts from the sales of *Government Gazettes* and other publications.

(b) The increase in expenditure over the last year's Budget is due mainly to an increased demand by the Government Presses for printing paper, and to the substitution of country-made for imported paper. The increase is partially counterbalanced by smaller expenditure under "Government Presses."

XXV.—Miscellaneous—32.

55. The Provincial figures are:—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Revenue	95	1,25	61	1,10	66	78
Expenditure	2,50	2,90	3,58	4,13	2,84	2,88

(a) The decrease in revenue as compared with the last year's Budget is due mainly to the abolition of fees charged for the audit of Local Fund Accounts, partially counterbalanced by anticipated refund by a Local Board of a part of the contribution formerly paid to it from Provincial revenues. The increase over the last year's Revised is due mainly to this return.

(b) The decrease in expenditure as compared with the last year's Budget is due mainly to the absence of the provisions for (i) grants to municipalities for sanitary projects, which now appear under the head 24, *Medical*, and (ii) arrears of rates and taxes on Government buildings in Bombay City. The decrease is partially counterbalanced by larger provision for the writing off of irrecoverable temporary loans.

*Famine Relief—33.**Reduction or Avoidance of Debt—36.*

56. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
33, Famine Relief ...	28	2,68	9,37	...	...	...
36, Reduction or Avoidance of Debt .	..	...	...	13,70	13,70	13,70

In accordance with the new arrangement for the incidence of famine charges described in paragraph 15 of the Financial Statement for 1907-08, an annual assignment of 13,70 is made from Imperial to Provincial for the purpose of building up a reserve of credit upto a maximum of 80,00. *Per contra*, these assignments are debited in the Provincial account to the expenditure head No. 36. A separate administrative account is kept of the accumulations to the credit of the Local Government. Direct famine expenditure is to be charged against Imperial revenues under the head 33, until the amount to the credit of the Local Government is exhausted. This expenditure is estimated at 34 during 1907-08 and 5,00 during 1908-09. According to these estimates the separate administrative account will show at the end of this year a balance of 22,06 (27,40 minus 5,34) to the credit of the Local Government.

Miscellaneous Railway Expenditure—41.

57. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget.	Revised.	Budget.
Expenditure.	13	21

With a view to relax the stringency of the control exercised by Government over the affairs of Railway Companies, the Government of India have issued orders for the abolition of the combined office of Secretary to Government, Public Works Department (Railway), and Consulting Engineer for Railways, Bombay. This officer was also the expert adviser of this Government in all railway matters, although the expenditure connected with his office was borne by Imperial revenues. In order to provide temporarily for such expert advice in the conduct of its remaining Railway business this Government has, with the approval of the Government of India, sanctioned for a period of six months from 1st January 1908 the appointment of a Joint Secretary to Government, Public Works Department, Railway Branch, with office establishment for him. Expenditure amounting to 6 and 13 respectively is estimated on this account during the years 1907-08 and 1908-09. The remaining expenditure of 7 in the last year and 8 in the current year is on account of the survey of the proposed Kalyan-Belapur-Panvel-Karjat-Nagothna Light Railway.

XXIX & XXX.—Irrigation—42 & 43.

58. Under the old Settlement the receipts and charges on account of the Gokak Canal, 1st Section, and Storage Works were the only Provincial items under the heads *XXIX and 43, Irrigation*. Since 1905-06 the revenue heads *XXIX, Irrigation—Major Works—Direct Receipts* and *XXX, Irrigation—Minor Works and Navigation*, and the expenditure heads *42, Irrigation—Major Works—Working Expenses and Interest* and *43, Irrigation—Minor Works and Navigation* have been treated as half Provincial and half Imperial. The Provincial share of the receipts under

XXIX, Irrigation—Major Works—Portion of Land-Revenue due to Irrigation was until the beginning of 1907-08 included in the "Provincial $\frac{1}{2}$ share" under the head *I, Land-Revenue*. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05	1906-06.	1906-07.	Budget.	Revised.	Budget.
<i>Revenue.</i>						
<i>XXIX, Major Works—</i>						
<i>{ Portion of Land-Revenue due to Irrigation</i>	..	..	...	...	13,70	14,84
<i>{ Direct Receipts</i> ..	..	5,10	4,80	5,07	5,48	5,70
<i>XXX, Minor Works and Navigation</i>	34	1,57	1,51	1,43	2,00	1,61
Total	34	6,67	6,31	6,50	21,18	22,15
<i>Expenditure.</i>						
<i>42, Major Works</i>						
<i>{ Working expenses</i> ..	..	5,33	5,13	5,10	5,35	5,34
<i>{ Interest on debt</i> ..	..	0,94	7,57	9,34	8,04	8,35
<i>43, Minor Works and Navigation</i>	11	15,49	13,79	15,94	15,00	16,11
Total	11	20,75	28,90	30,47	28,39	29,80

The foregoing statement should not be taken as a complete indication of the profitableness of our irrigation works, because a considerable amount of land-revenue due to irrigation is earned by Minor Works, but no separate account of it is taken in the Budget.

(a) The increase over the last year's Revised under land-revenue due to irrigation occurs in Sind, and is due chiefly to anticipated increase in the cultivation on the Dad, Nasrat and Eastern Nára Canals. Out of the total revenue of 7,31 expected under *XXIX, Major Works—Direct receipts* and *XXX, Minor Works and Navigation* a sum of 5,30 is estimated in connection with irrigation works in the Deccan and Gujarát, chiefly the Mutha, Nira, Gokák and Krishna Canals and the Ekruk Tank, and the balance of 2,01 is estimated for works in Sind, chiefly the Desert, Begari, and Fuleli Canals and the Eastern Nára works. The increase over the last year's estimates under *Direct receipts* is due chiefly to larger demand for water and extension of rabi cultivation. The increase over the last year's Budget under *XXX* is due to larger receipts from the Khari Cut in Gujarát and from certain works in Sind. The Revised for the last year under *XXX* included recovery of outstandings in the Sátára district.

(b) The provision for expenditure in 1908-09 is distributed as shown below :—

	Major Works.			Minor Works.		
	Deccan and Gujarát.	Sind.	Total.	Deccan and Gujarát.	Sind.	Total.
<i>Original works</i> ..	8	13	20	2,39	1,08	3,47
<i>Maintenance and repairs</i> ..	53	2,62	3,35	1,77	7,08	8,85
<i>Establishment</i> ..	37	1,80	1,67	85	2,59	3,44
<i>Tools and plant</i> ..	5	6	11	8	27	35
<i>Refunds</i> ..	1	...	1	...	..	...
<i>Interest Account</i> ..	4,01	4,34	8,25	...	...	...
Total ..	5,05	8,64	13,69	5,09	11,02	16,11

The increase over the last year's Budget under *42, Major Works—Working expenses* is due to additional provision for the Eastern Nára, Dad and Nasrat Canals. The decrease in the interest charge is due to the introduction of the revised system of calculating interest on productive debt, the increase over the last year's Revised being due to the larger provision for the Godávári and Mutha Canals in 1908-09. The increase under *43*

over the last year's Budget is due chiefly to larger provision for establishment necessitated by the formation of the new Godáviri Irrigation District. The last year's Revised is low owing to short outlay on the Mutha Canal.

XXXI.—Civil Works—45.

59. The number of this major head has now been altered from XXXII to XXXI on the receipt side. The Provincial figures are :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06	1906-07.	Budget.	Revised	Budget.
<i>Public Works Department.</i>						
Revenue ...	6,46	6,61	7,30	7,20	8,10	6,90
Expenditure.	45,49	53,97	61,60	66,23	75,00	67,97
<i>Civil Department.</i>						
Revenue ...	7	7	8	7	7	7
Expenditure.	54	1,10	94	14	18	8,06

(a) The decrease in the Public Works receipts as compared with the last year's Budget is due to the abolition of tolls on certain Provincial roads referred to in paragraph 14 above.

(b) The expenditure Budget of 1908-09 is distributed as follows :—

<i>Original Works.</i>					
Civil Buildings	...	...	...	...	29,16
Communications	...	...	...	...	4,92
Miscellaneous Public Improvements	...	...	...	...	41
Reserve	...	...	...	...	4,59
					39,08
<i>Repairs.</i>					
Civil Buildings	...	...	...	...	5,01
Communications	...	...	...	...	11,13
Miscellaneous Public Improvements	...	...	...	...	25
					16,39
Establishment	...	...	...	...	11,20
Tools and Plant	...	...	...	...	70
					Total ... 67,37

The provision of 39,08 for original works is made up of 24,23 for major works in progress, 10,26 for new major works, 3,64 for minor works, including 20 for works in connection with the plague, and 95 Reserve with Government. The provision 29,16 for "Original Works—Civil Buildings" is distributed as shown below :—

Medical	...	...	...	...	7,83
Administration	...	...	...	...	6,15
Education	...	...	...	...	4,30
Police	...	...	...	...	4,54
Miscellaneous	...	...	...	...	2,23
Jails	...	...	...	...	1,45
Law and Justice	...	...	...	...	2,52
Ecclesiastical (Provincial)	...	...	...	...	11
					Total ... 29,16

The grant for works in progress will be spent chiefly on—

- (i) New Distillery at Godhra (42), Mámílatdár's Kacheri at Dholka (20), Central Record Room for the Káthiáwár Political Agency at Bájkot (20), Mámílatdár's Kacheris at Málégaon (21) and Navalgund (24);
- (ii) Quarters for students of the Grant Medical College in the compound of the Sir J. J. Hospital and subsidiary buildings (60), Lecture theatre in connection with the Grant Medical College (56), New building in the compound of the Sir J. J. School of Art, Bombay, (20), Additions to the main building to accommodate the Physics Department and new Chemistry and

- Geology buildings in connection with the College of Science, Poona (42), and Agricultural College and Research Institute Buildings, Poona (1,54);
- (iii) Installing Electric light, lift and fans in the High Court Building, Bombay (81), Coroner's Court and Pathological and Police Surgeon's Laboratory in connection with Public Morgue and Hospital Mortuaries in the Sir J. J. Hospital, Bombay, and a refrigerating room and apparatus in the mortuary, etc. (58);
- (iv) Acquisition of land for the New Jail for the city of Bombay (100);
- (v) Police Training School, Násik (25), Police Lines, Malcolm Peth, Sátára district (20), Head-Quarter Police Lines, Kárwár (20);
- (vi) Hostel for the medical students and quarters for the Resident Assistant Surgeon at the B. J. Medical School, Ahmedabad (26), Additions and alterations to the Lunatic Asylum at Ahmedabad (27), Out patient Department in the compound of the St George's Hospital, Bombay (33), Quarters for the Assistant Surgeons and the Stewards of the Sir J. J. Hospital, Bombay (30), Central Lunatic Asylum, Yeravda (1,50), New buildings in connection with the B. J. Medical School, Poona (73), Mr Jacob Sassoon European General Hospital, Poona (50), Leper Asylum, Poona (31), New Civil Hospital, main and subsidiary buildings, drainage and water-supply projects, Belgaum (63), Depôt for the preparation of vaccine lymph, Belgaum (60), Civil Hospital Karáchi (42), and additions and alterations to the Civil Hospital, Hyderabad (26);
- (vii) Central block of buildings for the accommodation of Government offices, Poona (80);
- (viii) Road from Vihigaon to Khodala, Thána district (40), Improvements to the Khándesh Nizam Frontier Road, Násik district (20), Improving Pandharpur-Poona Road, Sholápur district (25), Road from Bhatral to Mysore Frontier, Kánara district (30);
- (ix) Constructing the Visapur Tank, Ahmednagar district (20).

Among the new major works the most important are :—

- (i) Bungalow with office accommodation and peons' quarters, etc., for the Assistant Collector of Excise, Northern Gujará (20), Bungalow with office accommodation and peons' quarters, etc., for the use of the Assistant Collectors of Excise, Poona, Ahmednagar and Sátára districts (20), payment of land compensation to the owners of the bungalows which are to be resumed at Purandhar (32), Kachei and Court house, Hyderabad (75), City Magistrate's Court and new Mukhtarkarate, Hyderabad (33);
- (ii) Police Lines, Wadhwan, Káthiáwár (45), Police Lines, Chok and Datha, Káthiáwár (21), two new blocks for the Foot Police, Pálanpur (23), Police Lines, Váda, Thána district (21), Offices and quarters for the head quarter Police Lines, Sátára (25), Sub-Inspector's Kachei and Police quarters, Sátára City (20), New Lines for the mounted and foot Police, Kotri (20);
- (iii) Replacing the floors of the Bai Motlibai and Petit Hospitals (30);
- (iv) Building three flats in the Marine Lines, Bombay (45);
- (v) Surul-Mahábleshwar Road Diversion near Wá, Sátára district (37), Bridges on Kolhápur Road, Ratnágiri and Kolába districts (20).

(c) The estimate of receipts for the Civil Department is normal. The large increase in expenditure is nominal being due chiefly to the transfer to this head of contributions to Local Boards for village water-supply and local public works, which were formerly debited to the adjusting head *Contributions to Local*.

SECTION IV.—Local Funds.

60. As explained in paragraph 15 above, the transactions connected with the funds

(1) Steam Boiler Inspection Fund.

(2) Government Central Book Depôt Fund.

mentioned in the margin and of District Boards, which used to appear in the Government accounts, have been excluded from the Budget. Fund No. (1) will continue to be controlled as hitherto by Government Officers, while fund No. (2) has been merged into the Provincial Account. The revenue and expenditure of fund No. (1) are shown below :—

	Actuals.			1907-08.		1908-09.
	1904-05.	1905-06.	1906-07.	Budget	Revised.	Budget.
Steam Boiler Revenue	57	61	69	66	73	73
Inspection Expenditure.	64	52	57	61	63	66

The last year's Revised estimate includes slightly larger receipts from inspection and examination fees. This improvement is allowed for in the current year's Budget, which also provides for increased expenditure on account of establishment and contingencies.

61. The revenue and expenditure of the Local Funds which are administered by the Local Boards constituted under Bombay Act I of 1884 are shown in Appendix C. The details of their working are published in an annual Administration Report, and their financial operations call for no comment, as they are not controlled directly by Government and do not fall within the scope of Provincial finance.

R. A. LAMB.

APPENDIX A.

Schedule of Provincial Revenue and Expenditure.

REVENUE.			EXPENDITURE.		
1	2	3	4	5	6
Major Heads.	Minor Heads.	Provincial Share.	Major Heads.	Minor Heads.	Provincial Share.
I.—Land-Revenue.	Assessment of alienated lands less quit-rent. All other minor heads ...	The whole. One-half.	1.—Refunds, etc. ...	The heads of which the corresponding receipts are wholly or partly Provincial.	The same share as in the case of the corresponding heads of receipts.
IV.—Stamps ...	All	One-half.	2.—Assignments and Compensations.	Do. do. Miscellaneous Compensations	Do. do. The whole.
V.—Excise ...	All	One-half.	3.—Land-Revenue ...	All	The whole.
VIII.—Assessed Taxes.	All, except tax on surplus profits of Railway Companies.	One-half.	6.—Stamps	All	One-half.
IX.—Forest ...	All	One-half.	7.—Excise	All	One-half.
X.—Registration.	All	The whole.	10.—Assessed Taxes ...	All	One-half.
XII.—Interest ...	Interest on Provincial loans and advances. Interest on Government securities.	The whole.	11.—Forest	All	One-half.
XVIA.—Courts of Law.	All	The whole.	12.—Registration ...	All	The whole.
XVIB.—Jails ...	All	The whole.	13.—Interest	Interest on Provincial Advance and Loan Account.	The whole.
XVII.—Police ...	All	The whole.	18.—General Administration.	Civil Offices of Account and Audit. All other minor heads, except— Currency Department. Reserve Treasury. Allowance to Presidency Banks.	Local Fund Audit Establishment. The whole.
XVIII.—Ports and Pilotage.	All	The whole.	19A.—Courts of Law ..	All	The whole.
XIX.—Education ...	All	The whole.	19B.—Jails	All	The whole.
XX.—Medical ...	All	The whole.	20.—Police	All	The whole.
XXI.—Scientific and other Minor Departments.	All	The whole.	21.—Ports and Pilotage.	All	The whole.
XXII.—Superannuation Receipts.	Contribution for pensions and gratuities. Miscellaneous ...	The whole.	22.—Education	All	The whole.
XXIII.—Stationery & Printing.	All	The whole except receipts for the value of supplies from Central Stores to Railways, Local Funds, Municipalities, and other independent bodies.	24.—Medical	All	The whole.
XXV.—Miscellaneous.	Fees for Government Audits. Extraordinary items ... All other minor heads except— Gain by Exchange ... Premiums on Bills ... Unclaimed Bills of Exchange. Recovery of Insurance and other charges on Euro, & Stores. Receipts for the purchase, sale, etc., of Government Securities by Accountant General, Bombay. Value of old currency notes assumed to be no longer in circulation.	Items classified as Provincial in 1904-05. Items not exceeding Rs. 10,000. The whole.	25.—Political 26.—Scientific and other Minor Departments. 29.—Superannuation Allowances, etc. 30.—Stationery and Printing. 32.—Miscellaneous ...	All, except— Refugees and State Prisoners. Charges of Aden, Baroda and Persian Gulf Veterinary charges ... All other minor heads, except— Census Ethnographic Survey All, except— Imperial Marine Pensions. Pensions of the Military Fund. Pensions of the Military Orphanage and Madras Civil Funds. Pensions of the Bombay Civil Fund. All, except Stationery purchased for Central Stores. Extraordinary items ... All other minor heads, except— Charges for Remittance of Treasure. Discount on Bills ... Loss by Exchange ... Refunds of value of old currency notes credited to Government.	The whole, except the pay and allowances of officers on the cadre of the Civil Veterinary Department. The whole. The whole. The whole. Items not exceeding Rs. 10,000. The whole.
			33.—Famine Relief ...	All	As explained in paragraph 15 of the Financial Statement for 1907-08.
			36.—Reduction or Avoidance of Debt.	All	

APPENDIX A—continued.

REVENUE.			EXPENDITURE.		
1	2	3	4	5	6
Major Heads.	Minor Heads.	Provincial Share.	Major Heads.	Minor Heads.	Provincial Share.
XXIX.—Irrigation— Major Works.	{ Portion of Land-Revenue due to Irrigation. ... Direct Receipts }	} One-half.	40.—Subsidised Com- panies.	Land	} The whole, except in cases in which the outlay is specially incurred from Imperial Funds, but Provincial expenditure under these heads is per- mitted only under special orders of the Government of India in regard to each Railway.
XXX.—Irrigation— Minor Works and Navigation.	All	One-half.	41.—Miscellaneous Railway Expendi- ture.	Surveys	
XXXI.—Civil Works.	All	The whole, except receipts on ac- count of build- ings for the use of Imperial De- partments.	41A.—Construction of Railways.	All	
			42.—Irrigation—Major Works.	Working expenses	
			43.—Irrigation—Minor Works and Navi- gation.	Interest on debt . . .	} One half.
			45.—Civil Works ...	All	} One half.
					} The whole, except ex- penditure on buildings for the use of Imperial Departments.

APPENDIX B.

Provincial Revenue and Expenditure by Major Heads for the years 1906-07, 1907-08 and 1908-09.

[In thousands of rupees.]

B 849-46

Number of Account Head.	Major Heads of Revenue.	Accounts, 1906-07.	Budget, 1907-08.	Revised, 1907-08.	1908-09.	Number of Account Head.	Major Heads of Expenditure.	Accounts, 1906-07.	Budget, 1907-08.	Revised, 1907-08.	Budget, 1908-09.
I	Land-Revenue ... { Provincial share .. 2,09,57 Alienated .. 91,26 Fixed allotment and adjustments 75,61	2,09,57	2,05,00	1,66,80	1,97,66	1	Refunds and Drawbacks ...	2,56	2,73	3,16	2,87
IV	Stamps ...	31,31	32,50	32,00	32,35	2	Assignments and { Cash ... 8,65 Compensations. { Alienations ... 79,04	8,65	8,47	8,74	9,55
V	Excise ...	74,18	77,50	80,25	82,50	3	Land-Revenue ... { Cash ... 67,82 Alienations ... 7,24	79,04	78,86	79,49	79,46
VIII	Assessed Taxes ...	23,10	21,29	23,49	23,98	6	Stamps ...	71,41	71,10	69,66	72,72
IX	Forest ...	17,11	16,50	18,50	19,00	7	Excise ...	7,10	7,10	7,28	7,28
X	Registration ...	6,55	6,85	6,90	7,20	10	Assessed Taxes ...	1,05	1,17	1,10	1,16
XII	Interest ...	5,88	7,84	7,72	7,64	11	Forest ...	2,69	3,50	3,25	4,88
XVI-A	Law and Justice—Courts of Law ...	5,08	5,50	5,20	5,50	12	Assessed Taxes ...	42	41	40	45
XVI-B	Do. —Jails ...	2,21	2,21	2,15	2,30	13	Forest ...	9,95	10,75	9,75	10,50
XVII	Police ...	4,46	4,21	4,62	4,25	18	Registration ...	8,11	3,45	3,27	3,42
XVIII	Ports and Pilotage ...	84	91	94	1,00	19	Interest on Ordinary Debt ...	6,30	6,21	6,58	6,90
XIX	Education ...	3,73	3,75	3,86	4,20	19A	General Administration ...	14,47	15,41	15,66	16,10
XX	Medical ...	2,33	2,20	2,23	2,22	19B	Law and Justice—Courts of Law ...	50,92	52,22	51,25	52,20
XXI	Scientific and other Minor Departments ...	53	52	63	87	20	Do. —Jails ...	8,93	8,65	8,45	9,00
XXII	Receipts in aid of superannuation ...	2,06	2,12	2,20	2,20	21	Police ... { Cash ... 66,08 Alienations ... 4,98	66,08	68,06	72,19	68,26
XXIII	Stationery and Printing ...	79	84	90	86	22	Ports and Pilotage ...	4,98	4,94	5,00	4,99
XXV	Miscellaneous ...	61	1,10	66	78	23	Education ...	45	50	55	57
XXIX	Irrigation—Portion of Land-Revenue due to irrigation.			13,70	14,84	24	Medical ...	26,95	31,52	28,50	43,82
XXIX	Irrigation—Major Works—Direct Receipts ...	4,60	5,07	5,46	5,70	25	Political ...	22,02	24,00	18,96	27,88
XXX	Irrigation—Minor Works and Navigation ...	1,51	1,43	2,00	1,61	26	Scientific and other Minor Departments ...	4,29	4,38	4,17	4,28
XXXI	Civil Works ...	7,38	7,27	8,17	6,97	27	Superannuation Allowances and Pensions ...	5,29	8,10	6,02	6,69
	Contributions from Local to Provincial ...	53	65	57		28	Stationery and Printing ...	25,09	26,75	25,82	27,08
	Total ...	5,70,68	5,76,98	5,69,50	6,04,04	29	Miscellaneous ...	11,74	11,56	11,82	11,91
	Opening Balance ...	80,66	1,00,96	93,18	84,98	30	Famine Relief ...	3,58	4,13	2,84	2,88
	Balance of Government Central Book Depot ...				87	31	Reduction or Avoidance of Debt ...	9,37			
	Fund merged in Provincial Revenues ...					32	Miscellaneous ...		13,70	13,70	13,70
	Grand Total ...	6,51,29	6,77,84	6,67,68	6,89,89	33	Miscellaneous Railway Expenditure ...			18	21
						34	Irrigation—Major Works { Working expenses ... 5,13 Interest ... 7,87	5,13	5,19	5,35	5,34
						35	Irrigation—Minor Works and Navigation ...	7,87	9,94	8,04	8,35
						36	Civil Works ...	13,79	15,94	15,00	16,11
						37	Contributions from Provincial to Local ...	62,54	66,87	75,13	75,43
						38	Total ...	20,71	20,62	21,34	
						39	Closing Balance ...	98,18	91,88	84,98	80,76
						40	Grand Total ...	6,51,29	6,77,84	6,67,68	6,89,89

APPENDIX C.

Statement showing the Local Revenue and Expenditure under Bombay Act I of 1884 (including the cost of collection of the revenues assigned under section 44 of the Act) for the years 1906-07, 1907-08 and 1908-09.

[In thousands of rupees.]

Major Heads of Revenue.	Actuals, 1906-07.	Budget, 1907-08.	Revised, 1907-08.	Budget, 1908-09.	Major Heads of Expenditure.	Actuals, 1906 07	Budget, 1907 08.	Revised, 1907 08.	Budget, 1908 09.
I. Land-Revenue	2,20	2,12	2,30	2,07	1 Refunds and Drawbacks	13	16	16	14
VI. Provincial Rates	32,11	30,00	30,00	30,05	3. Land-Revenue	2	2	2	3
XII. Interest	16	16	16	13	8. Provincial Rates	47	58	50	53
XVII. Police	2,37	2,38	2,57	2,43	14. Interest	7	7	7	5
XIX. Education	1,53	1,53	1,60	1,54	13. General Administration	1,64	1,65	1,54	1,56
XX. Medical	11	12	17	13	20. Police	1,26	1,32	1,30	1,34
XXI. Scientific and other Minor Departments	32	20	30	31	22. Education	19,32	19,91	20,00	21,90
XXV. Miscellaneous	15	19	34	48	24. Medical	3,13	3,31	3,24	4,00
XXXI. Civil Works Contributions	5,79	6,23	5,33	5,39	23. Scientific and other Minor Departments.	1,09	1,13	1,13	1,42
	22,82	22,72	23,59	23,05	29. Superannuation	5	5	5	7
Total ..	67,56	65,65	66,36	65,58	30. Stationery and Printing	14	21	18	15
Debt, Deposit and Advances ..	71	...	...	...	32. Miscellaneous	48	49	49	76
Opening Balance ...	20,97	26,99	30,61	32,98	33. Famine Relief (Public Works Department)	11	...	...	...
Grand Total ...	89,24	92,64	96,97	98,56	45. { Civil Works in charge of Civil Officers.	14,15	16,38	16,00	13,01
					{ Do. do. Public Works Officers	12,98	10,38	16,50	11,87
					Contributions	2,64	2,75	2,32	2,77
					Total ..	57,68	58,41	64,00	64,65
					Debt, Deposit and Advances ...	95	...	...	...
					Closing Balance ..	30,61	34,23	32,97	33,91
					Grand Total ..	89,24	92,64	96,97	98,56

Abstract of the Proceedings of the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 and 25 Vict., c. 67, and 55 and 56 Vict., c. 14)

The Council met at Poona on Saturday, the 3rd October 1903, at 12 o'clock noon.

P R E S E N T :

His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E., Governor of Bombay, *presiding*.

The Honourable Mr. J. W. P. MUTE MACKENZIE, M.R.A.C., C.S.I., I. C. S., J.P.

The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I. C. S.

The Honourable Mr. ALEXANDER COCHRANE LOGAN, I. C. S.

The Honourable Mr. GEORGE OWEN WILLIAM DUNN, M.INST.C.E., J.P.

The Honourable Mr. F. G. SELBY, M.A., C.I.E.

The Honourable Mr. W. L. S. L. CAMERON, A.M.I.C.E., J.P.

The Honourable Mr. CHIMANLAL HARILAL SETALVAD, B.A., LL.B., J.P.

The Honourable Mr. GOKULDAS KAHANDAS PAREKH, B.A., LL.B., J.P.

The Honourable Sir VITHALDAS DAMODHER THACKERSEY, Kt., J.P.

The Honourable Mr. RICHARD AMPHLETT LAMB, C.I.E., I. C. S.

The Honourable Sir PHEROZESHAH M. MEHTA, K.C.I.E., M.A., J.P.

The Honourable Khán Bahádúr NAVROJI PESTANJI VAKIL, C.I.E.

The Honourable Sir WALTER C. HUGHES, Kt., C.I.E.

The Honourable Mr. H. E. E. PROCTER.

The Honourable Sirdar Meherbán LAKHAMGAUDA BASAVPRABHU, Sar Desai of Vantmuri.

The Honourable SYED ZAIN EL EDRUS.

The Honourable Mr. MALCOLM ROBERT JARDINE, Advocate-General.

N E W M E M B E R S.

The Honourable Sir PHEROZESHAH M. MEHTA, The Honourable Sirdar Meherbán LAKHAMGAUDA BASAVPRABHU, The Honourable SYED ZAIN EL EDRUS and the Honourable Mr. MALCOLM ROBERT JARDINE took their seats as Additional Members of Council.

QUESTIONS AND ANSWERS.

The following is a list of the questions put by the Honourable Mr. GOKULDAS K. PAREKH with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to say—*

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(a) *Whether in consequence of the failure of crops, the collection of the Government demands for 1904-05 in respect of the dry crop lands of the Matar taluká was suspended?*

(b) *Whether the Collector of Kaira, at the end of the year 1907, had issued a notification remitting the Government demands for 1904-05, the collection of which had been ordered to be suspended?*

(c) *Whether in respect of survey number 481 of the village of Matar, survey numbers 573 and 582 of the village of Heranj, survey number 469 of the village of Sokhda and survey numbers 22, 23, 49, 135, 141, 162, 248, 259, 261, 297, 347 and 456 of Malataj, the Government demands for 1904-05 were paid voluntarily by the mortgagor occupants in or about January 1907?*

(d) *Whether according to the agreements which were registered in the Record-of-rights, the mortgagor occupants had not, as between themselves and the mortgagees, rendered themselves responsible for the payment of the Government demands?*

(e) *Whether the Collector of Kaira, in or about May 1907, directed without any applications on the part of the mortgagor occupants that the amounts paid by them should be either returned to them or transferred to their tagavi or other accounts with Government?*

(f) *Whether notices for the payment of the Government assessments, which became payable in respect of the said survey numbers by reason of such returns or transfers, have been issued against the mortgagees and whether in these notices, the mortgagees are threatened with forfeiture of their rights, if the payments are not made within a fortnight?*

Answer.—Government have no information regarding the circumstances alleged in the question. It does not appear that redress for any grievance which may exist has been sought by appeal to the Commissioner against the orders of the Collector. Should the parties be dissatisfied with the orders passed on appeal by the Commissioner, they should apply to Government. Government have not received any application in this case.

Question No. 2.—Will Government be pleased to say—

(a) *What area of unoccupied land has been given during the last two years in the districts of the Panch Maháls and Western Khándesh on ordinary tenure and what area on restricted tenure?*

(b) *What portion of the area given on restricted tenure has been given to occupants of the aboriginal classes and what portion to others?*

Answer.—(a) A statement of lands held on the non-transferable tenure in the Bombay Presidency was laid on the Table at the Meeting on 16th March 1907, in reply to questions Nos. 1 and 2 put by the Honourable Sir Pheroza Shah M. Mehta on 18th August 1906. The Honourable Member is referred to that statement. In the year 1906-07 the area held on that tenure increased in the Panch Maháls district by 6,842 acres, and in the West Khándesh district by 25,556 acres. The figures for 1907-08 have not yet been received by Government.

(b) From the final replies to previous questions by the Honourable Member, which are laid on the Table to-day, it will be seen that in some instances the instructions of Government relating to the giving out of land on the non-transferable tenure have not been strictly followed, and that directions have been given for their being closely adhered to in future. The area involved in those instances has not been reported to Government.

Question No. 3.—*Will Government be pleased to say—*

(a) *Whether in the Kálol táluká and Hálol mahál of the Panch Maháls there is sufficient arable land available for meeting the demands of the people?*

(b) *Whether in these tálukás there are in the charge of the Forest Department large portions of lands on which there are either no forests or no forests of appreciable value and which are not fit for the growing of forests?*

(c) *Do Government propose to take such lands from the charge of the Forest Department and give them away for cultivation?*

Answer.—(a) There is still unoccupied culturable land available for giving out in occupation.

The answer to clauses (b) and (c) of the question is in the negative.

Question No. 4.—*Will Government be pleased to say—*

(a) *Whether the work of compiling the Record-of-rights in the Borsad táluká is completed?*

(b) *Whether there is now any officer vested with the powers of First Class Magistrate regularly staying in the Borsad táluká?*

(c) *How and where is the Resident Magistrate of Borsad now employed?*

(d) *When is he likely to be available for being sent to Borsad again?*

Answer.—(a) Yes.

(b) No.

(c) The Magistrate, who was formerly resident at Borsad, is now employed at Anand.

(d) No definite reply can be given. The advisability of transferring the Magistrate permanently from Borsad to Anand is under consideration.

Question No. 5.—*Will Government be pleased to inquire whether the land-holders of the Kunbi and Vanjara castes in the Nandurbár táluká are, as a class, fit for being entrusted with the right of transfer of their lands?*

Answer.—Careful inquiries have shown that the Vanjaris and Kunbis in the Nandurbár táluká are not fitted, as a class, to exercise the right of transfer. The Honourable Member is referred to the reply to his question No. 14 asked at the last meeting of the Council.

Question No. 6.—*Will Government be pleased to say what has been the result of the inquiry which the Commissioner, N. D., was making in connection with my question No. 1 (d) and (e) asked on the 20th of June 1908, about the levy of Choravero in the Panch Maháls?*

Answer.—It has been ascertained that the contributions have been collected in accordance with long-standing practice and that in case of refusal to contribute steps have not been taken to enforce payment. Orders have now been issued that the practice, which has no legal basis, should be discontinued.

Question No. 7.—*Will Government be pleased to say what has been the result of their inquiry upon the question whether in the conversion of ordinary ryotwari tenure into restricted tenure in the Panch Maháls the orders of the Government for safeguarding the rights of creditors against fraud are acted upon?*

Answer.—The Honourable Member is referred to final reply to his question No. 8 asked at the last meeting of the Council, which is now placed on the Council Table.

Question No. 8.—*Will Government be pleased to state what has been the result of their inquiry in connection with the complaint about the use of rigorous measures for the collection of arrears of land-revenue in the village of Magod of the Balsár taluká ?*

Answer.—The total area of occupied cultivable land in Magod is 1,662 acres. Out of this, about 70 per cent. is kept fallow under grass and *bábhul*, because these pay the occupants better than such crops as will grow on dry crop land in that village. The cultivated area amounts to 423 acres. Out of the total occupied area of 1,662 acres 121 acres assessed at Rs. 217-13-0 were forfeited on account of unsuspended arrears of 1907-08 and the three preceding years, amounting to Rs. 321-7-7. Suspension in full had been granted in respect of unirrigated rice land only, no suspension had been granted in respect of dry crop land on which the crops were half to full normal or which bore grass and *bábhul* more valuable than dry crops. 27 notices were issued ; 7 paid up on issue of notice ; in 20 cases forfeiture was ordered. Government are satisfied that the proceedings of the Collector and revenue staff were entirely correct.

Question No. 9.—*Will Government be pleased to give a statement of the position of the wounds on the bodies of the different persons, who were killed or wounded by shots during the recent riots in Bombay ?*

Answer.—The Honourable Member is referred to the Government Resolution regarding the recent disturbances, a copy of which has been supplied to him.

Question No. 10.—*In connection with the project of the Kapadvanj Railway, will Government be pleased to say if any decision has been arrived at for the adoption of any of the two alternative routes, Nadiád to Kapadvanj and Mehmadaabad and Kaira to Kapadvanj ?*

Answer.—Yes. On full consideration, preference has been given to Nadiád as the starting point of the proposed line to Kapadvanj.

Question No. 11.—*Will Government be pleased to say what were the total casualties of the railway accident at Itola that occurred in June last as ascertained up to date ?*

Answer.—It has been reported to Government that the casualties in the Itola accident as ascertained up to the present, are—

26 killed	{	24 passengers.
		2 Railway employés.
39 injured	{	34 passengers.
		5 employés.

Question No. 12.—*Will Government be pleased to say whether the Standing Order dated 24th February 1860 about the closing of liquor shops at sunset is still being acted upon ?*

Answer.—The Standing Order in question has been superseded by later orders. The question of the hour at which liquor shops should be closed is under consideration.

Question No. 13.—*Will Government be pleased to say what number of liquor shops in the city and the cantonment of Poona they propose to reduce and which are the localities of such shops ?*

Answer.—In the cantonment and elsewhere four shops have been closed in the year 1908-09. The number and distribution of shops in the city and the cantonment will be considered by the respective Local Committees about to be appointed.

Question No. 14.—(1) *Will Government be pleased to say whether in the district of Poona (excluding the Poona city and cantonment) the cost of country liquor to the licensed vendors consisting of the Government duty, the price payable to the manufacturer and the average incidence per gallon of the license fee, and exclusive of rent, servants' wages and lighting charges is rupees six per gallon and the maximum price at which they are permitted to sell is also rupees six per gallon?*

(2) *Will Government be pleased to explain why the licensed vendors of liquor carry on business at loss?*

Answer.—(1) For the year 1908-09, and for the Poona district, excluding the city and environs, the figures are :—

					Rs. a p.
Maximum selling price	...	...	...	6	0 0
				Rs. a. p.	
Cost price and duty	...	...	4	11	0
Average incidence of license fee	...	...	1	3	1
			5 14 1		
Balance	...	...	0	1	11

The average incidence of license fee is calculated on the recorded sales of 1906-07. Should the sales in 1908-09 exceed those of 1906-07, the incidence will of course be less, and the balance greater, than above shown; should the sales be less, as may be the case in a Sinhast year, the incidence will be greater and the balance less.

(2) Government are well aware of the grave defects arising from the present system of disposing of shop-licenses by auction to one of which the Honourable Member alludes in this question, and as stated by His Excellency the Governor in reply to the representation of the Poona Temperance Association, Government are doing their utmost to remedy those defects.

Question No. 15.—*Will Government be pleased to direct that the monthly returns of the consumption of liquor at the different licensed shops for selling country liquor which are submitted to the Collector be open for inspection to the public?*

Answer.—Government must decline to issue such a direction as is suggested.

Question No. 16.—*Will Government be pleased to say if they have ordered any inquiries to be made about the facts mentioned in the printed representation of the Poona Temperance Association submitted to them and, if they have, what is the result of the same?*

Answer.—The Honourable Member is referred to the reply which was given by His Excellency the Governor to the deputation which waited on him. The reply has been published and states plainly the points on which His Excellency intimated that inquiry would be instituted. The results of the inquiries will be published in due course.

Question No. 17.—*Will Government be pleased to say—*

(1) *Whether a criminal complaint of assault was lodged by one Malhari against Dosumia and Rupchand Amthabhai in the Court of the Second Class Magistrate of Vadga on the 14th of February 1908?*

(2) *When was the case disposed of and by which Court ?*

(3) *What are the reasons of the delays in the hearing of the case and its disposal ?*

Answer.—(1) Yes.

(2) The case was disposed of on the 23rd September 1908 by the Court of the Second Class Magistrate, A'mod.

(3) Government have ordered an inquiry into the cause of the delay which has occurred in disposing of this case and the result of this inquiry will be communicated to the Honourable Member.

The following is a list of the questions put by the Honourable Meherbáu NARAYANRAO GOVIND *alias* BABA SÁHEB GHORPADE, Jágírdár of Ichalkaranji :—

Question No. 1.—*Will Government be pleased to state whether any of the rules now in force relating to Saranjáms lay down that on the death of a holder the Saranjám should be resumed and newly granted to the lineal heirs of the deceased? If so, will Government be pleased to keep a copy of the rules on the Council Table ?*

*Answer.—*The Rules* relating to Saranjáms, which were published in the *Bombay Government Gazette* of the 19th May 1898, are laid on the Council Table. The Honourable Member's attention is

invited to Rules 2 and 5 thereof.

Question No. 2.—*Having regard to the fact that the Government of Madras have opened tanning factory and aluminium factory under the supervision of the Department of 'Industrial and Technical Inquiries', will Government be pleased to consider the advisability of opening a sugar factory in a place like Bárámati, where there is sugarcane cultivation on a large scale, for the education of the people ?*

*Answer.—*The Honourable Member is referred to the following extracts from Government Resolution No. 5184, dated 17th August 1908 :—

Resolution No. VII (a) passed at the Third Indian Industrial Conference held at Surat in December 1907 :—

“That this Conference notices with concern the increase in the imports of foreign sugar, and is of opinion that to arrest the steady decline of the indigenous industry it is absolutely necessary to encourage the cultivation of healthier and more prolific varieties of cane, to employ greater care in cultivation, to use more economical processes for extracting the juice and, above all, to adopt the most modern and efficient methods of refining.”

Paragraph 9 of Government letter to the General Secretary to the Indian Industrial Conference, No. 5184, dated 17th August 1908 :—

“Referring to Resolution No. VII (a) dealing with the sugar industry, I am to observe that the question of the improvement of the Indian Sugarcane Industry was considered by a Sub-Committee appointed by the Board of Agriculture at Cawnpore in February 1907. The Report of the Sub-Committee was adopted by the Board, subject to the modification that sugarcane experiments on the scale contemplated by the terms of reference should be started only in tracts where the crop was of commercial importance. The Board also suggested that Local Governments might consider the advisability of granting

concessions to pioneer central sugar factories, when suitable tracts for the establishment of such factories are discovered. The Director of Agriculture in this Presidency has been requested to consider carefully the recommendations of the Board. His attention is at present occupied with manurial experiments. When these are completed, questions in connection with the cultivation of cane, its improvement by chemical selection and possibly the manufacture of sugar, will be taken up. The suggestions made by the Board regarding the grant of concessions to pioneer central sugar factories will be considered when specific application for such concessions is made."

Question No. 3.—*Will Government be pleased to state what is the income derived from the fees paid by the scholars in the Government primary vernacular schools in the Bombay Presidency?*

Question No. 4.—*Will Government be pleased to state how many new primary schools were opened in the year 1907 and what was the number of boys in these schools?*

Question No. 5.—*Will Government be pleased to state how much revenue will be sacrificed if fee in all primary schools were abolished?*

Answer.—This information will be given shortly.

The following is a list of the questions put by the Honourable Sir PHEROZESHAH M. MEHTA :—

Question No. 1.—*Will Government be pleased—*

(a) *to state briefly the measures adopted to obtain a suitable design for the building of the Prince of Wales Museum of Western India;*

(b) *to say what is being done at the present moment to make a final choice in that behalf; and*

(c) *to say when building operations are likely to commence?*

Answer.—(a) Designs were called for by competition. The design selected as the most attractive by the Museum Committee has since been abandoned, as involving expenditure considerably greater than that specified in the terms of competition.

(b) Fresh designs are in course of preparation.

(c) It is hoped that building will commence in the course of the next few months.

Question No. 2.—*Will Government be pleased to state whether they have considered the desirability of associating a small committee of competent non-official gentlemen with the Special Officer proposed to be appointed under the recent Resolution of Government on the subject of the development of Salsette?*

Answer.—Government do not consider that any useful purpose would be served by the appointment of a committee of the nature referred to by the Honourable Member at this stage of the inquiry.

Question No. 3.—*Will Government be pleased to state if the decision of the Government of India and the Secretary of State for India on the conclusions referred to in the ad interim Report dated 3rd December 1907 of the Select Committee appointed to consider Bill No. II of 1897 (1907 ?) for amending the City of Bombay Improvement*

Act, 1898, has been received, and if they will communicate the results thereof to the Bombay Municipal Corporation and the public before the Select Committee proceeds to consider them?

Answer.—The Government of India and the Secretary of State for India have not yet been addressed in the matter, as a report from the Trust regarding their financial position is awaited.

The following is a list of the questions put by the Honourable Mr. DAJI ABAJI KHARE :—

Question No. 1.—(a) *Is it the case that throughout the fair season up to June last steamers of the Bombay Steam Navigation Company never touched at Bankot and consequently great hardship was caused to the large number of passengers going to Bankot and places up the Bankot river?*

(b) *Do Government intend to require the said Company to resume the old arrangement about the steamers touching Bankot?*

Answer.—(a) The company is under no contract with Government as to the ports at which its vessels will call, and Government are consequently unable to make on the company any such requisition as is suggested in clause (b) of the question.

(b) Government have received information that the bar at the mouth of the Bankot creek renders it unsafe or impossible for the steamers of the company to call at Bankot; and have directed that the feasibility of dredging and keeping open a channel shall be examined and reported on.

Question No. 2.—(a) *Is it the case that the Dharamtar creek and the different creeks on the western coast which in former years afforded approach to important bunders for country craft are almost all silted up and thereby great hardship and loss of time and money is caused to travellers and merchants?*

(b) *Do Government intend to take steps to restore these old important water-ways by dredging?*

Answer.—The Honourable Member is referred to the answer given to Question No. 1 put by the Honourable Mr. Procter at the last meeting of this Council. The extensive denudation of the country resulting from the spread of cultivation, the limited reservation of land for forests, the liberal grant of privileges in the Reserved Forests and the disposal or grant of the Government right to trees in occupied lands, has unquestionably contributed largely to the silting up of the creeks and water-ways. The question whether the cost of dredging channels and keeping them open would in fact be prohibitive has been raised and further reports on the subject have been called for by Government.

Question No. 3.—*Will Government be pleased to state the number of milch and plough cattle in the Kánara district in 1905-06 and 1906-07 as compared with the number for 1880-81, 1890-91 and 1900-1901?*

Answer.—The Honourable Member is referred to the following papers which have been published :—

Report on the administration of the Bombay Presidency, 1880-81, Appendix IV-A (4);

Report of the Department of Land Records and Agriculture, 1890-91 and 1900-01, Return No. V of Agricultural Stock Statistics ;

Annual Season and Crops Report, 1905-06.

Question No. 4.—*Will Government be pleased to state the opinions of Mr. Panse (the late Collector) and of the present Collector of Kánara regarding the proposed enhancements of assessments in the different tálukás in the district of Kánara ?*

Answer.—The Honourable Member is referred to the Government Selections containing the settlement reports on the various tálukás, which are available to the public and in which the opinions of the Collectors for the time being are given in full.

Question No. 5.—*(a) Is it the case that the municipality of the town of Ratnágiri is heavily burdened with debts (not of their own borrowing) and a heavy current expenditure in maintaining the channel for bringing in water from the village of Nachana which seriously impair its ability to perform even its ordinary duties ?*

(b) Do Government propose to afford relief to the municipality in this matter ?

Answer.—*(a)* Government are aware that the maintenance of the water-works imposes a heavy charge on the municipality, and that on that account other departments of municipal work suffer.

(b) The question of affording relief to the municipality is under consideration.

Question No. 6.—*Will Government be pleased to state the progress that has been made in the matter of the proposed construction of the Light Railway from Kalyán to Talaja, Panvel, Chawk and Karjat and also to give information about the time when the construction will be taken in hand ?*

Answer.—A detailed survey of the line is being carried out for Government by the G. I. P. Railway Administration, and the project plans and estimates are awaited. Government cannot say when construction will be taken in hand.

Question No. 7.—*(a) Is it a fact that on account of the opening of primary schools in more villages in recent years the work of the Head Masters of the táluká schools has increased owing to the latter having to perform various duties in connection with the village schools ?*

(b) If so, do Government propose to give the Head Masters of the táluká schools some addition to their pays on that account ?

Answer.—Inquiries are being made.

Question No. 8.—*(a) Will Government be pleased to state the particulars of the conduct of the Bráhmín inhabitants of the village of Kelshi in the Dápoli táluká of the Ratnágiri district which led to the imposition of additional Police in the said village ?*

(b) Were the Bráhmín inhabitants of the said village asked to explain their conduct which has led to this imposition, and, if so, what was the explanation given by them ?

(c) Will Government be pleased to state the number of offences committed in the said village during the last five years and how many of them were committed by the Bráhmín inhabitants of the village ?

Answer.—*(a)* During the last five years 11 crimes of violence have occurred at Kelshi, and in all these cases suspicion fell on certain members of the Bráhmín community whose general reputation is that of gamblers and loose characters. None of them

gave any assistance to the Police. The Bráhmín community of Kelshi are regarded by the district authorities as a source of danger owing to their immoral and criminal disposition and there is good reason to apprehend that their gambling and drinking propensities will lead to further crimes of violence among themselves.

(b) No.

(c) The information is being called for.

Question No. 9.—*Will Government be pleased to state when will the construction of the proposed bridge over the creek between Kalyán and Bhiwóni be commenced?*

Answer.—The plans and estimate for the bridge, the latter amounting to about Rs. 4½ lákhs, have been prepared and the work will be commenced as soon as funds can be spared. No money is available for it during the current year.

Question No. 10.—*Will Government be pleased to give the income-tax receipts from the Koldába Collectorate for the years 1901 to 1907?*

Answer.—For the years 1900-01 to 1906-07 the Honourable Member is referred to the Income Tax Reports and Statistical Returns of those years. For 1907-08 the figures are as follows :—

Salaries, Pensions, Annuities and Gratuities paid by the local authorities.	Salaries, &c., paid by Companies, Public bodies, Associations and Private employers (tax levied under section 9 (1) of the Act)	Other sources of income.	Total collections in respect of the year's assessment.	Arrears of previous years.	Excess collections and advance payments	Total.
Amount of tax	Amount of tax.	Amount of tax.	Amount of tax (total of the previous 3 columns).			
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
48	306	26,241	26,595	1,843	170	28,108

Question No. 11.—*Do Government propose to issue orders in the case of sarbarai (providing provisions to the touring officers) that officers should make purchases in the Bazárs directly and not compel shop-keepers to come to their camps?*

Answer.—Government do not consider it desirable to issue a general order of the nature suggested by the Honourable Member.

An extract* from the Assistant Collectors' Manual, and a copy* of recent orders of

* *Vide* Appendices B and C. Government are laid on the Table.

Question No. 12.—(a) *Is it the case that much inconvenience and loss is caused to merchants at Dhulia on account of the absence of a goods-shed at the Railway Station?*

(b) *If so, do Government intend to ask the G. I. P. Railway to provide a proper goods-shed?*

Answer.—The Honourable Member is referred to the answer to question No. 10 put by the Honourable Mr. Hari Sitaram Dikshit at the Council meeting on 22nd June 1907. The position is still the same but the Agent hopes that it will be possible to undertake the work during the next Financial year.

Question No. 13.—(a) *Is it the case that much hardship is caused to the poor students of primary schools by the high prices of the first three books of the new Maráthi series as compared with the prices of books of the old series?*

(b) *Is it a fact that the following is a correct statement of the prices of the different books?*

		<i>Old Price.</i>		<i>New Price.</i>	
		<i>Rs. a. p.</i>		<i>Rs. a. p.</i>	
<i>First Book</i>	...	... 0	1 3	0	2 6
<i>Second Book</i>	...	... 0	2 8	0	3 6
<i>Third Book</i>	...	... 0	3 0	0	6 0

Answer.—(a) The Honourable Member is referred to the reply placed on the Council Table to his question No. 9 put at the Council meeting held on 20th June 1908.

(b) The statement is correct except that the old price of Book II was 2 annas and 6 pies and not 2 annas and 8 pies.

The following is a list of the questions put by the Honourable Mr. CHIMANLAL HARILAL SETALVAD:—

Question No. 1.—*Whether Government have come to any, and, if so, what decision on the report of the Committee appointed to consider the question of the location of the Elphinstone College?*

Question No. 2.—*Whether Government have come to any conclusion regarding the question of proper accommodation for the large number of students attending the Government Law School at Bombay?*

Answer.—The subject is still under consideration.

Question No. 3.—*Whether Government will be pleased to take into consideration the desirability of taking measures to improve the present "unhealthy and unwholesome" hostel attached to the Elphinstone College?*

Answer.—Inquiries will be made.

PAPERS PRESENTED TO THE COUNCIL.

1. Reply to question No. 6 put by the Honourable Meherbáun Narayanrao Govind alias Baba Sáheb Ghorpade, Jághirdár of Ichalkaranji, at the meeting of the Legislative Council held on the 20th June 1908.

Vide Appendix D.

2. Reply to question No. 5 put by the Honourable Mr. Chimanlal Harilal Setalvad at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix E.
3. Replies to questions Nos. 7 and 10 put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix G.
4. Replies to questions Nos. 9 and 10 (b) put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix H.
5. Reply to question No. 23 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix I.
6. Letter from the Secretary to the Government of India, Legislative Department, No. 1702, dated the 12th August 1908—Returning, with the assent of His Excellency the Viceroy and Governor General signified thereon, the authentic copy of the Government Occupants (Sind) Amendment Law.
7. Reply to question No. 24 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix J.
8. Reply to question No. 2 put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix K.
9. Reply to question No. 3 put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix L.
10. Reply to question No. 9 put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix M.
11. Reply to question No. 13 (b) and (c) put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix N.

OPENING REMARKS.

His Excellency the PRESIDENT in opening the proceedings said:—Gentlemen:—I wish to welcome you again to Poona, but I am sorry to say that our numbers will be diminished to-day, as I have heard from several honourable members that they will be unable to be present. The business before us consists of two Bills, both Amending Bills, in which I hope there will be nothing of a contentious character. I will ask the Honourable Mr. Jenkins to introduce the first Bill.

BILL NO. II OF 1908 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY IMPROVEMENT ACT, 1898).

The Honourable Mr. J. L. JENKINS said :—Your Excellency,—The circumstances which have rendered the introduction of this Bill necessary are set forth in general terms in the Statement of Objects and Reasons. The Bill is, of course, of general application to all lands on which the Crown has an interest but I propose by way of illustration to give some account

The Honourable Mr. J. L. Jenkins moves the first reading of a Bill farther to amend the City of Bombay Improvement Act, 1898.

of the specific cases which have exposed the defects in the law which we now desire to amend. In Bombay there are numerous holdings, especially in the north of the island, held under what is called "toka" tenure, the tenants of which pay rent to Government. In the course of their operations, the Improvement Trust have found it necessary to acquire many of these holdings, and the Collector acting under the provisions of the Land Acquisition Act, as applied to the operations of the Trust by the Improvement Trust Act, has awarded compensation to Government and the tenants separately on account of their respective interests in the land. It has, however, been held by the Tribunal of Appeal in one of these cases that compensation cannot be awarded to Government because Government cannot be considered to be a person interested as defined by section 3, clause 2 of the Land Acquisition Act. Upon this finding it might be expected that, Government not being an interested party for the purposes of the Act, the interests of Government would have been excluded altogether from the purview of the Court. Not at all. The Tribunal awarded the value of the interests of Government to the tenant, who thus comes off with a liability magically converted into a source of profit.

I am, by no means, certain that this is good law, I am quite certain that it is contrary to common sense. The case already decided is not to be taken as a precedent, and it may be that the Tribunal may find it possible to reconcile law and common sense. The amount of public money at stake is, however, considerable, and we cannot afford to trust to a possibility. We, therefore, propose to modify section 3, clause 2 of the Land Acquisition Act as applied by section 47, clause 1 of the Improvement Trust Act by inserting the words "including the Crown". The effect will be to make it clear that the Crown is a person interested, and to enable the Collector and the Tribunal of Appeal to settle and award compensation on account of interests of the Crown which may be found to exist in lands acquired by the Trust.

Section 3 of the Bill is intended merely to relieve the Trust from the obligation to enter into formal agreements to pay any further costs which may be incurred on account of the acquisition of lands transferred to the Board. Such agreements are unnecessary, and as a matter of fact have never been executed. It is necessary that retrospective effect should be given to this measure both to absolve the Board from their liability to execute agreement for lands already transferred and to insure that the cases already decided by the Collector, and now pending before the Tribunal of Appeal, shall be decided in accordance with the provisions of section 2 of the Bill.

I move that the Bill be read a first time.

The Honourable Sir PHEROZESHAH M. MEHTA said :—May it please Your Excellency ; I have been unable to follow my honourable friend in charge of the Bill with regard

to what he said about the final character of the decisions of the Tribunal of Appeal. Under the Improvement Trust Act, they are liable to appeal under a certificate and legislation is never undertaken to modify a course of judicial decisions, until tested by such appeal as may exist.

The Honourable Mr. JENKINS :—I may explain that we applied to the Tribunal of Appeal for a certificate which might enable us to appeal to the High Court, but it was refused, the Judge saying at the same time that the decision in one case was not to be considered as a precedent and that it would not necessarily be followed in other cases, and that there was no appeal against this decision.

The Honourable Sir PHEROZESHAH MEHTA :—I confess I am astonished at the statement made by my honourable friend. It is most extraordinary that a Judge should refuse the certificate for appeal and follow that up by adding that his decision was not to be considered as a precedent, in cases to follow. But it is not necessary to press this point. I see that my honourable friend says that it is quite inequitable that Government should be debarred from participation in the distribution of the compensation. I quite admit that it is inequitable, but it is equally inequitable that the interests of Government should have to be adjudicated upon, in the first instance, by the Collector, who, it must be borne in mind, is for purposes of land acquisition, something like an agent of Government to make as it were amicable offers of compensation, and in the second place adjudicated upon by a Tribunal of Appeal constituted as in the Improvement Trust Act. What is the constitution of the Tribunal of Appeal? It is a Judge appointed by the Government every year; an Assessor appointed by Government and a second Assessor, appointed by the Bombay Municipal Corporation. It is a body composed of a majority of persons, a Judge and an Assessor, appointed by Government themselves and appointed at short intervals of time. Now, I ask my honourable friend, is it fair; is it just; is it equitable; that questions regarding the interest of Government and important and complicated questions connected with them should be decided by a body composed in the manner I have described, and should not only be decided in that manner, but should be decided without any appeal to a higher Tribunal. I may remind the Council that there are already proposals before it in the shape of amendments of which notice have been given in connection with the larger Improvement Trust Amendment Bill which is pending before the Council which aim at doing away with the Tribunal altogether and reverting to the normal procedure of the Land Acquisition Act. We cannot deal with the larger question now. But justice and fairplay require that if the Tribunal as now constituted is to be entrusted with the task of adjudicating on the claims and interests of Government, something at the same time should be done to safeguard the interests of the "other" parties and to inspire them a sense of confidence and impartial treatment. They should at least have a right of appeal to the High Court without the need of a certificate.

My honourable friend Mr. Jenkins and my honourable friend and Senior Member of Council, Mr. Muir Mackenzie, who know so well the revenue law of the Presidency, will bear me out, that, so far as the City of Bombay is concerned, questions have arisen, ever since the acquisition of the island in the time of Charles II, of the utmost complexity, with regard to the tenure of the land. My honourable friend Mr. Muir Mackenzie cannot have forgotten the valuable reports made by Captain Warden with

regard to the question whether there is anything like freehold or perpetual tenure in the island as constantly denied by Government and as constantly asserted by the people. We know that when the East India Company got the grant of this island Governor Gerard Angiers entered into an agreement with the inhabitants of the island of Bombay, by which Government abandoned the claim which they had set up that the land was only held on sufferance or leasehold, and assured to the inhabitants of the city a fixed and perpetual tenure on the annual payment of 20,000 xeraphims. Sir Michael Westropp pointed out, in the case of *Nacroji Byramji vs Rogers*, that it was idle to say that there was no such thing as a permanent freehold tenure in the island of Bombay.

My honourable friend will also remember that, subsequently, Government over and over again, tried to maintain that all the land in the city was held on a leasehold tenure, or on tenancy at will, and that, unless they came forward and took the leases for twenty-one or forty years, the lands would be resumed by Government. Again Government had to give way on the advice of their own law officers. Then comes the Foras Act, by which the Government abandoned their claims in Foras lands at the time when Grant Road was in contemplation. Then there are difficult and complicated questions about the Toka tenure, and it is surprising to find that the Collector has awarded to Government nearly half or more than half the total compensation which is fixed for the whole holding. Now, so far as I remember, in the old days, the Toka tenure was a tenure under which the tenant paid something like a third or a fourth of his produce to Government. This was afterwards commuted into a money payment, but it is surprising to find that the awards that the Collector makes amount to forty, forty-five and even sixty *per cent.* of the total compensation allowed. He tries to make out that land that was originally paying only one-third or one-fourth of its produce, now, in some way, is bound to pay forty to sixty *per cent.* of the total value of the holding. It is an extraordinary conclusion to arrive at, and I think it ought to be tested severely in a competent court of law. The questions which the Tribunal of Appeal will be called on to decide are of a very complicated character. I will put it whether, while the interests of the Government, on the one hand, should be safeguarded, as I quite admit they should be, the interests of the actual holders of the land, on the other hand, should not also be safeguarded, and an opportunity given them of contesting their rights before a Tribunal specially competent to do impartial justice between the two parties. If this amendment is carried, questions between Government and the present holders of the land will be decided by a Tribunal the majority of which are appointed by Government as their nominees, whose decision would not be open or liable to appeal without certificate. That is a contingency which I view with alarm, so far as the just interests of the people are concerned. In this connection I must point out that one difficulty in the way of doing what my honourable friend proposes lies in the clause regarding the calculation of compensation. Under the Land Acquisition Act compensation, among other things, depends, mainly, upon the market value of the land; and the Collector has to decide that. The market value of the land is the value which is obtained when sales and purchases are made. But if the sales and purchases of land are made under different tenures, the interest of Government is never taken into account, because the seller parts with the land subject to the tenure payment to the Government. And, therefore, the market value takes into account only the interests of the land-holders, independent of the character or

amount of the compensation which might accrue to Government in respect of their own rights. If you simply take the market value, these questions do not come in. I am quite willing that these questions should be left to a proper Tribunal, but I hope that this Bill will not be rushed through, but be referred to a Select Committee, in order to enable them to see whether it would not be advisable to entrust the question to this Tribunal or whether they should provide that the award of the Collector should be subject to appeal to the High Court, as is the case in ordinary cases under the land acquisition legislation. Under the Land Acquisition Act, when the Collector makes an award, the person has the right to appeal to the High Court and then again the decision of the High Court is liable to an appeal to the Privy Council. It is not likely that, except in one or two cases an appeal would be carried to that extent, for, once the High Court decides that certain tenures are of a particular character, one can well imagine that persons would not subsequently come to the court and incur the risk and damage of litigation, but would be satisfied with the settled decision of the High Court. There is no fear of litigation being increased by that procedure. We know that, once the High Court decides finally what is the character of certain things, there are no further appeals from that decision, and, therefore I appeal to this Council and to Your Excellency. This is a matter which requires careful consideration and in which it is necessary to consider whether further safeguards should not be provided so far as the interests of land-holders are concerned.

I do not know what my honourable friend intends to do after the first reading is over and what course he intends to follow. I implore the Council and Your Excellency not to hurry on the passing of this Bill at once, as it is not a formal one, but to allow it to pass through the various stages in the ordinary course. This Bill involves important considerations and a Select Committee should be appointed and the further stages taken in the usual course. I hope, therefore, that my honourable friend will state what course he intends to follow on this occasion. Uptil now, the public are under the impression that the Bill is set down today only for the first reading.

The Honourable Mr. SETALVAD said :—Your Excellency,—May I be permitted to say one word with regard to what my honourable friend, Mr. JENKINS, has just now said? If I understood him rightly he said that when Government applied to the Tribunal of Appeal for a certificate to appeal to the High Court it refused to grant it. I may say that I know something about the facts of the case and I assure my honourable friend that such is not the case. What happened was that when the Tribunal held that Government were not a "person interested" and that therefore their claim could not be gone into, the question arose as to whether the whole compensation should be paid to the landholder or not. Counsel appearing for the Improvement Trust said that that was a question with which they were not concerned and Counsel representing Government did not argue the question. The Tribunal thereupon ordered that the whole compensation should be paid to the claimant. Government were informed of this and they took time to consider whether they should apply for a certificate to appeal to the High Court. The Tribunal gave them time to consider their position and ultimately the Government Solicitor intimated to the Tribunal that Government did not want to appeal. After that the Trust applied for a certificate and that was refused on the ground that they had said that they were not concerned with the matter as the question was entirely between Government and the holder of the land. The whole dispute was between Government and the

holder of the land and Government deliberately intimated that they did not want to appeal. That is how the matter really stands. I have no doubt that if Government had chosen to ask for a certificate the Tribunal was bound to give it and in that case the matter would have gone to the High Court. I quite agree with the Honourable Mr. JENKINS that the decision of the Tribunal to give the whole amount of compensation to the tenant was wholly wrong, and it is a great pity that Government declined to appeal, as it appears from the records of the Tribunal. Under these circumstances the Tribunal was perfectly justified in refusing the Trust's application, but I feel sure that if Government were even now to make such an application in some other similar case the Tribunal would grant them a certificate to appeal and they could go to the High Court and have the matter finally settled. But unfortunately we find now that Government have somehow taken the attitude of practically sitting on the fence. I do feel that if Government would even now take up a fighting attitude on that question and apply for a certificate in one of the cases now pending before the Tribunal there would be no difficulty in their getting a certificate and they would be able to get the question finally settled by the High Court as they were entitled to do. The decision of the Tribunal is not final on the point, and as yet no attempt has been made to get it finally settled by the High Court and therefore no clear justification for this legislation has been made out. The Bill involves very important questions and it is desirable that it should not be hurried through its final stage without being referred to a Select Committee. I submit that the appointment of a Select Committee need not necessarily involve a great delay, for it can be instructed to make its report in a short time. The advantage of appointing a committee will be that it will consider the question from all points of view.

The Honourable Khán Bahádur NAVROJI PESTANJI VAKIL said :—Your Excellency, —I think that as Government happen to be co-sharers in the value of the land, the words "persons interested" might very well include the Crown. But I would rather that all persons interested in the value of the land may have free right of appeal to the High Court. If that can be done by this Bill I do not see why this amendment should not be carried.

The Honourable Mr. JENKINS said :—Your Excellency,—I find I have very little to say in reply to the criticisms on this Bill for the reason that it appears to me that they are wholly foreign to the substance and matter of the Bill. My honourable friend Sir ПИЕРОЗЕШАН МЕНТА has questioned, in fact, the propriety of the whole system of land acquisition as carried out on behalf of the Improvement Trust. That is a very large subject, with which we are certainly not prepared to deal at present, and which, in my opinion, it would be extremely unsuitable to attempt to introduce into a small Amending Bill of this kind. He disapproves of the constitution of the Tribunal; he doubts the Collector's impartiality and the impartiality of the Tribunal of Appeal. Now, Your Excellency, if the Collector is not to be trusted to assess the interest of Government in land in which Government has an interest, how is he to be trusted to assess the interests of other persons in land which Government desires to acquire. I have never heard any objections to his awards. I think that, so far as my experience goes, people whose land has been acquired, either in Bombay or elsewhere, have come off rather well.

The Honourable Sir ПИЕРОЗЕШАН МЕНТА :—I have not said anything to condemn the awards of the Collector. On the contrary, I pointed out that his position, in the

scheme of land acquisition, is as it were that of an agent of Government to make preliminary offers which might or might not be accepted by the parties concerned.

The Honourable Mr. JENKINS :—Now with regard to the complexity of the tenures in Bombay; I may say that this question is not touched in this Bill. If there is complexity of tenure as regards Government, what is to be said of the complexity of individual tenures? I consider the Collector is fully capable of deciding questions which may arise between Government and land-holders as between private individuals themselves. As I have said, the Honourable Sir PHEROZESHAH MEHTA's speech was largely devoted to the advocacy of entirely amending the provisions regulating the acquisition of land in Bombay. But the Land Acquisition Act is a Government of India Act. I think there is much that requires amendment in the Land Acquisition Act, but that has nothing to do with the Bill. This Bill destroys nothing: it takes away no man's rights and it creates no new interests. It simply provides that, where a court finds that Government has an interest in land, and that interest actually exists, compensation shall be awarded. The Honourable Mr. SETALVAD admits that this should be so, and also that, in the case which has given rise to these proceedings, it is an extraordinary thing that the Tribunal should have awarded compensation to the tenant without taking into account the interest of the Government in the land. As regards the Honourable Mr. SETALVAD's own proposal for dealing with the question, I wish I could think that the Honourable Mr. SETALVAD were empowered to give a pledge on behalf of the Tribunal and on behalf of the High Court that his interpretation of the law will be accepted. If he had that power, I need hardly say I would gladly accept his suggestion. But, as I have said, we cannot afford to wait, because a great deal of money is at stake, and, therefore, the simple course for us is to put the question beyond doubt, and I think, Your Excellency, that nothing has been said which should deter us from proceeding with this Bill and passing it into law as early as possible.

HIS EXCELLENCY :—The motion is that the Bill be read a first time.

Bill read a first time.

The motion was carried and the Bill was read a first time.

The Honourable Mr. JENKINS :—I now propose that, with Your Excellency's permission, the ordinary rules of business be suspended and the Bill be read a second and a third time and passed. It appears to me that it is entirely unnecessary to refer it to a Select Committee, in the first place, as I have explained this matter is one of great urgency, and in the second place no objection has been taken to the principle of the Bill, though much objection has been taken to the principle of other legislation. The wording is quite clear and it is not probable, and, in fact, it is hardly possible that any improvements in matters of detail could be effected by a Select Committee. I therefore propose that the Bill be read a second time.

HIS EXCELLENCY :—The motion is that the ordinary rules of business be suspended and the Bill read a second time.

The Honourable Sir PHEROZESHAH M. MEHTA said :—May it please Your Excellency. I am afraid my honourable friend, Mr. Jenkins, has absolutely misunderstood the real bearing of the remarks which I made with regard to the first reading of this Bill. He says that I entirely agreed with the principle of the Bill. I can only repeat that he

has not understood my remarks. The principle of the Bill is that Government claims and interests should be brought within the scope of the Land Acquisition Act and the Improvement Trust Act and be determined by the Tribunal of Appeal. I object to that and I tried to state the reasons for my objections. What I urged was that if you want to entrust the Tribunal with the power of deciding on Government claims you must then provide safe-guards to ensure its impartiality because as constituted at present, it consists of two nominees of Government out of three members, or that at least, you must give a right of appeal to the High Court. My honourable friend has not even attempted to answer my objections. In the first place, I have said that the Tribunal of Appeal is entrusted with the duty of determining the interests of Government. It may be said that "the Tribunal is entrusted with the work of dealing with the interests of private parties and therefore it may be supposed to be competent to adjudicate upon the interests of Government. The one thing follows upon the other." There is no such logical sequence. The Tribunal may be perfectly competent to adjudicate upon the interests of private parties with regard to their holdings, because it has no interest as between private parties. And yet it may not be competent to adjudicate necessarily upon the interests of Government in those holdings. It is perfectly intelligible that a Tribunal may be perfectly competent as regards one party, but not as regards another. I have said, and I say it again, that it is not equally competent, as constituted, to adjudicate upon the interests of Government constituted as it is. My honourable friend has misunderstood my remarks about the Collector. I did not say that fault could be found with the Collector, because he was an agent of Government. The Collector is really an agent of Government, just as any private person who wishes to acquire property might instruct a broker to go to the person who wishes to sell property and tell him that such and such is the offer he is instructed to make on behalf of the person who wishes to acquire the land. But when there is an appeal from the decision of the Collector, as there is both under the Land Acquisition Act and the Improvement Trust Act, I pointed out that this Tribunal was not well qualified to decide questions which may be raised in regard to the tenures and the interests of Government therein and that if a man is placed in a certain position he ought not to be entrusted with the duty of determining upon certain points on which it may be possible for him to have unconscious bias. I make no reflection upon the integrity and impartiality of the Tribunal of Appeal as such, but it is a principle of all equitable and just jurisprudence that no party ought to be put in such a position that he may have to adjudicate upon the interests of the parties appointing him. That is a perfectly intelligible principle. It is justified by all the teachings of jurisprudence and common sense and is a principle that every man of common sense surely understands. No person should be placed in such a position. This Tribunal is composed of a Judge appointed by Government, an Assessor appointed by Government and a second Assessor appointed by the Municipal Corporation. That is all I have to say against this Tribunal. Surely that is not a condition of things that cannot be bettered. The Honourable Mr. Jenkins has said that all these questions have nothing to do with this Bill. I do not say that this Bill is going to decide these questions of land tenure. What I do say is that, if you are going to allow Government, as an interested party, to come in for the purposes of determining the character of a holding and the interest which Government claims in it, these questions do directly come in. And if these questions are going to be determined they should not be determined by this Tribunal of Appeal. With reference

to the larger question of dealing with the Tribunal in the pending Bill for the amendment of the Improvement Trust Act, I did not say we should enter upon such a revision at this stage. I never advanced such a proposition: The only proposition I have advanced is that, so far as this Bill is concerned, if it is proposed to carry out that the interests of Government are to be decided by the Tribunal, then the character of that Tribunal ought to be changed, and the clause amended so that parties might appeal from the decision of the Collector not to the Tribunal of Appeal, but to the High Court, or that they should have at least a right of appeal from the decision of the Tribunal to the High Court. If you bring in the Government, and if questions of this complex nature are to be decided, you must not entrust that task to the Tribunal of Appeal, but to the High Court, as is normally the case regarding acquisition of land under the Land Acquisition Act.

That is the proposition which I have ventured to lay before the Council. I ask the Council to say that what is required to be done ought not to be done in the way in which my friend the honourable Mr. Jenkins proposes, but in another way, namely, by giving a right of appeal from the award of the Collector to the High Court, as in all other cases of land acquisition. To that my honourable friend in charge of the Bill has not been able even to attempt to give an answer. He does not say why these questions should not, like all other questions relating to land go on appeal straight to the High Court, or why these things, of a specially complex character, should be taken away from the purview of the High Court and entrusted to the Tribunal of Appeal. I still deplore that my honourable friend does not recognise this and does not see his way to have it thoroughly discussed in a Select Committee. There is really no need, no urgent reason for haste. The appointment of a Select Committee does not necessarily involve any considerable lapse of time. The different stages can be taken through without unnecessary delay. That would at least give the public an opportunity of saying their say before the Council. At present they are taken quite unawares, and they are deprived of all opportunity of putting forward their views. I deplore that the standing orders should be suspended and the Bill rushed through all its stages without notice at one sitting. There is really no justification for such a course.

The Honourable Mr. MUIR MACKENZIE said: Your Excellency, I beg to intervene for one moment. It appears to me that after all in his observations the Honourable Sir PHEROZESHAH MEHTA addressed himself principally to the competence and impartiality of the Tribunal. Now, the Tribunal is presided over by a Judge who is appointed to that post by Government, and I am unable to understand the honourable member to mean anything else but the proposition that the Judge, who is appointed by Government, is likely to be biassed in favour of Government. That proposition appears to me absolutely amazing especially in relation to matters of land acquisition. I can assure the honourable member that I have been engaged for some months past in endeavouring to combat the extraordinarily high awards which the District Judges, appointed by Government, are giving against Government when Government is acquiring land for its own purposes. I think if there is any one point in which Judges of all classes are sensitive, it is to see that Government interests are not allowed undue preference. As land in the Mofussil is generally being acquired for Government the questions which arise are not exactly the same as in Bombay where land is generally being acquired not for Government but for a Corporation like the Improvement Trust. In the Mofussil the interest of Government is far more direct, and if the Judge had the smallest bias in favour of

Government his tendency would be to confirm the Collector's award. On the contrary, however, the Judge's bias, if there be any, is most rightly in favour of the individual who is expropriated and his first desire is to see that the man from whom the land is acquired gets the full amount. I cannot believe that in the Tribunal in Bombay any other principle would be followed or that any man, from whom land is to be acquired, would be deprived of any portion of the compensation to which he is justly entitled by the Court's taking an exaggerated view regarding the stake which Government have in the land. The kind of question which arises in Bombay as regards the Government interest is whether the tenure is leasehold or freehold. I feel sure that the Tribunal even if not actually biassed in favour of the holder of the land would exhibit, at least, a determination to sift every atom of evidence before deciding that the land was leasehold and not freehold. The Tribunal's great desire would be to see that no injustice was done to the tenant. Some reflections have been made on the competence of the Tribunal. I am not going to endorse those reflections and I will say that in whatever respects it is incompetent, in regard to impartiality I am perfectly certain that it is beyond reproach.

The Honourable Mr. JENKINS in replying said : Your Excellency, I dare say, it is my fault. But I must say that the further speech from the Honourable Sir PHEROZESHAN MEHTA has still left me entirely unconvinced as to his objections on points of principle in this Bill. He objects to the Tribunal of Appeal, but there is nothing about the Tribunal in this Bill. The machinery for the acquisition of land has been settled under the Land Acquisition Act as modified by the Bombay Improvement Trust Act. The principle that Government interests may be recognised in the dealings under this Act is not a new principle by any means. It was always intended that Government should be considered as personally interested. At least it was so if we may judge of the proceedings of many years. It was only when the extreme legal acumen of the Tribunal of Appeal discovered that Government was not a "person interested" that any difficulty arose. All that we are doing is to remedy an obvious defect in the law and to replace the law in the condition in which it is supposed to stand and in the condition in which it has been interpreted to be up to the present time. As regards the tenderness of all Tribunals dealing with the acquisition of land for the rights of the tenants, I agree entirely with my honourable friend Mr. MUIR MACKENZIE, and I may say further that if any individual is dissatisfied with the award of the Tribunal of Appeal he now has the right to appeal to the High Court upon a certificate granted by the Tribunal of Appeal, which, I believe, hardly ever refuses a certificate in any important case. I do not think it is likely to refuse any certificate. I think I have sufficiently answered the remarks of the Honourable Sir PHEROZESHAN MEHTA, and, as I say, I remain entirely unconvinced that we should not proceed with the Bill.

His Excellency the President in closing the debate said :—Before I put this motion I should like to make one or two brief remarks. I think the discussion has rather exaggerated the amendment. It is a very small measure that we are proposing. It is only to regularise what was thought to be the law a very short time ago. Now, in fact, no amendment has been brought forward to this Bill. I may say indeed that the Honourable Sir PHEROZESHAN MEHTA has not offered any objection to the Bill in its principles and he would accept it if it were coupled with another clause which gave fuller, or perhaps, complete powers of appeal.

The Honourable Sir PHEROZESHAN MEHTA :—I would accept the Bill with that addition. I think it is necessary that that should be put in. No amendment is brought forward, because the time for it is at the second reading.

His Excellency the PRESIDENT :—We may almost say therefore that there is no opposition to this small Bill in principle. But certain members, and Sir PHEROZESHAN MEHTA in particular, would like to give extended powers of appeal. This Bill confers no further powers on the Tribunal. But I must point out that no evidence has been brought forward that there is any dissatisfaction with the decisions of the Tribunal, and it is not suggested that the Tribunal does not grant certificates for appeal in any case in which a legal point is raised.

The Honourable Sir PHEROZESHAN MEHTA :—The time for evidence on these points would be when the Bill were referred to a Select Committee.

His Excellency the PRESIDENT :—I see. But I might, perhaps, have expected that some little evidence would have been brought before us. I think we may say therefore that there is no reason to believe that a certificate would not be granted by the Tribunal for an appeal to the High Court and that upon that point we may feel satisfied. With regard to competence, I quite agree with what the Honourable Mr. MURR MACKENZIE has said, but I may say this that when a Judge is appointed for a specific task he would not allow himself to be biassed on any consideration, and I do not think that in India any more than in any European country it should be supposed for a moment that a Judge to whom a specific and honourable task is given would dream of permitting his judgment to be biassed in favour of the Government by which he is appointed.

The Honourable Sir PHEROZESHAN MEHTA :—That is not my argument. What I say is that no man ought to be placed in such a position.

His Excellency the PRESIDENT :—But, as I have said some body has to be appointed a Judge and somebody has to appoint a Judge. He must be appointed by Government. But I do not think, for a moment, that he would show bias in favour of Government. Now in pressing this measure I only agree to that because I think it is urgent. Large sums of money are at stake and I need not tell honourable members many of whom are anxious for certain things to be done, that, if the Government, that is, the people, get this money, that is fairly due, we might be able to carry out some of the urgent works which now we cannot. The motion is that the ordinary rules of business be suspended and that the Bill be read a second time.

The Honourable Sir PHEROZESHAN MEHTA :—I ask for a division.

While the voting list was being circulated the Honourable Sir PHEROZESHAN MEHTA said :—Your Excellency, may I point out that the procedure which is now followed is a little irregular. The usual procedure is that the honourable member in charge of the Bill should first ask Your Excellency to suspend the Standing Orders and after Your Excellency has done so the honourable member has to move the second reading of the Bill. At present the proposition put before the Council is that the Standing Orders be suspended and the Bill be read a second time. I may point out that it is entirely in the competence of Your Excellency to suspend the Standing Orders. I think the honourable member in charge of the Bill should have first asked Your Excellency to suspend the Standing Orders and then moved the second reading of the Bill.

The Honourable Mr. JENKINS:—That is just what I have done.

Suspension of Standing Orders His Excellency the PRESIDENT:—By the authority vested in me I rule that the Standing Orders be suspended.

The result of the division was as follows:—

Yes.	Noes.
The Honourable Mr. Muir Mackenzie.	The Honourable Mr. Setalvad.
The Honourable Mr. Jenkins.	The Honourable Mr. Parekh,
The Honourable Mr. Logan.	The Honourable Sir Pherozesbah
The Honourable Mr. Dunn.	Mehta.
The Honourable Mr. Selby.	
The Honourable Mr. Cameron.	
The Honourable Sir Vithaldas Thackersey.	
The Honourable Mr. Lamb.	
The Honourable Khán Bahádur Vakil.	
The Honourable Sir Walter Hughes.	
The Honourable Mr. Procter.	
The Honourable Sirdar Lakhamgauda Basávrabhu.	
The Honourable Syed Zain El Edrus.	
The Honourable the Advocate General.	

His Excellency the PRESIDENT:—The division taken shows that 14 members are in favour of and 3 against the passing of the second reading.

Bill read a second time. The motion was therefore carried.

The Honourable Mr. JENKINS:—Your Excellency, I now propose that the Bill be read a third time.

Bill read a third time and passed. The motion for the third reading of the Bill was then put to the vote and carried, and the Bill was read a third time and passed. ✓

**BILL No. III OF 1908 (A BILL FURTHER TO AMEND THE
KARÁCHI PORT TRUST ACT, 1886).**

The Honourable Mr. JENKINS said:—Your Excellency, this Bill has been introduced at the instance of the Karáchi Port Trust, with the object of placing their borrowing powers on a more satisfactory footing. Those of us who knew Karáchi seven and twenty years ago, and there is at least one at this Table, besides myself, who does, remember how at that time, there was no wharf, alongside which a ship could lie; how all goods were discharged and shipped by lighters; and how the Bandar Road was choked with bullock carts conveying goods to the Port. The Port was then under the management of a Harbour Board. Then came the Port Trust created by the Act of 1886, with which we are now concerned. Under the administra-

tion of the Trust the Port has thriven amazingly, lines of wharves have been erected, yards have been provided for the accommodation of imports and exports, and railway wagons run alongside of the ships. Yet all that has been done has proved fairly sufficient to meet the requirements of a constantly growing traffic.

The extension of irrigation in the Punjáb and Sind will result in immense quantities of wheat and oilseeds being poured into Karáchi, which already boasts that it is the largest wheat port in India, and one of the largest in the world. The Trust are about to undertake new works for the accommodation of this traffic, and will have to borrow on a somewhat extensive scale. Hither to the Trust have borrowed under the provisions of the Local Authorities Loan Act; and though they have been under some misapprehension as to the extent and nature of their borrowing powers under that Act, yet it must be admitted that they will be able to borrow more easily and on better terms if the conditions are stated in their own Act.

We consider, therefore, that the Karáchi Port Trust should be granted the same advantages as are enjoyed by other Port Trusts in India. It will be seen that most of the provisions have been borrowed from the Rangoon Act, which have been found satisfactory.

I may say a few words with regard to section 4 of the Bill which provides for the omission of the words "in the opinion of the Board intentionally" from section 47 of the Act. It is not usual to make intention an ingredient of offences under fiscal enactments, for the reason that it is impossible to enter into a man's mind and ascertain what his intention is, and the circumstances are generally such as to raise no presumption either way. If a man makes a false declaration, when he is bound by law to make a true one, he must be presumed to have acted intentionally and take the consequences.

I may say that the Bombay Act contains no reference to intention, and the Karáchi Trust may quite reasonably claim equality of treatment. I much regret that the Honourable Mr. Webb, who has been most active in the promotion of this Bill, has not been able to be present to-day. I have, however, received a letter from him in which he says:—

"I now write therefore to say that I have carefully studied the proposed amendments to the Karáchi Port Trust Act, as published in the *Bombay Government Gazette* of the 17th instant. They appear to me exactly to meet the requirements of the case, and I have no point or objection to raise in connection therewith. The application of the Karáchi Port Trustees to be given extended powers for raising loans was made in July 1906,—over two years ago. I would suggest therefore that the Amending Bill be passed into law with the utmost expedition possible."

It is satisfactory to find that the Bill meets so completely the wishes of the body whose interests and purposes it is intended to serve. Whether we can meet the Honourable Mr. Webb's wishes as to the speedy passing of the Bill we shall consider presently. I now move that the Bill be read a first time.

The motion to read the Bill a first time was put to the
Bill read a first time. vote and carried, and the Bill was read a first time.

The Honourable Mr. JENKINS said:—Your Excellency, in the ordinary course of business we should now proceed to decide whether this Bill is to be sent to a Select Committee or not for consideration. I may say that for my own part I think it would be

perfectly safe to pass the Bill as it is because, although the provisions may appear to be somewhat complicated, they have in fact been borrowed from the existing Acts, and, as I said before, in practice they have been found quite satisfactory. There is no objection to the principle of the Bill and I do not think that any amendments of detail, which would improve the Bill, are likely to be made in the Select Committee. At the same time as it has been my duty once already to request Your Excellency to suspend the standing rules of business, I should not like to take that course again unless I feel that I have the whole feeling of the Council with me. With your permission I should like to invite an expression of opinion of the members of the Council as to whether the Bill should be referred to the Select Committee or not.

The Honourable Sir PHEROZESHAH MEHTA said :—May it please Your Excellency, I hope my honourable friend will not misunderstand me, but I protest as a matter of principle. It is a mistake to imagine that it is always necessary to appoint a Select Committee if different divisions are not taken at one and the same meeting. But the second and third readings may be afterwards taken after an interval of time without a reference to the Select Committee if it is thought that there are no questions which need further inquiry or discussion. Legislature and rules of different Councils—the Viceroy's Council and other Councils—have laid it down that as a matter of principle the business brought before the Council is best dealt with in certain compartments and that no departure from that procedure ought to be allowed until it is shown that it is a case of urgency. I do not see any urgency in this Bill. I think until some special reasons are shown the ordinary course should be followed.

The Honourable Mr. JENKINS —In view of the Honourable Sir Pherozeshah's strong opposition I propose that the Bill be referred to a Select Committee consisting of the Honourable Sir Walter Hughes, the Honourable Mr. Logan, the Honourable Sir Vithaldas, the Honourable Mr. Setalvad and the mover, with instructions to report by the 31st December 1908.

The motion was put to the vote and carried.

His Excellency the PRESIDENT then adjourned the Council *sine die*.

By order of His Excellency the Honourable the Governor,

A. C. WILD,

Secretary to the Council of the Governor of Bombay
for making Laws and Regulations.

Poona, 3rd October 1908

APPENDICES

TO THE

PROCEEDINGS OF THE COUNCIL OF HIS EXCELLENCY THE GOVERNOR OF BOMBAY, ASSEMBLED FOR THE PURPOSE OF MAKING LAW AND REGULATIONS ON THE 3RD OCTOBER 1908.

APPENDIX A.

RULES.

In exercise of powers referred to in Rule 10 of Schedule B of Act XI of 1852, and of the second sub-clause to clause 3 of section 2 of Bombay Act VII of 1863, His Excellency the Governor in Council is pleased to issue the following rules for the purpose of determining the terms to which the continuance of Jâghirs and Saranjâms, and other alienations of a political nature shall be subject :—

1. Saranjâms shall be ordinarily continued in accordance with the decision already passed or which may hereafter be passed by Government in each case

2. A Saranjâm which has been decided to be hereditarily continuable shall ordinarily descend to the eldest lineal male representative, in the order of primogeniture, of the senior branch of the family descended from the first British grantee or any of his brothers who were undivided in interest. But Government reserve to themselves their right for sufficient reason to direct the continuance of the Saranjâm to any other member of the said family, or, as an act of grace to a person adopted into the said family with the sanction of Government. When a Saranjâm is thus continued to an adopted son, he shall be liable to pay to Government a Nazarâna not exceeding one year's value of the Saranjâm, and it shall be levied from him in such instalments as Government may in each case direct.

3. In the case of Saranjâms which have been decided to be continuable for two generations with a pension, to the third, the eldest surviving son shall be considered to represent a generation, and the entire Saranjâm shall descend to him when he represents the second generation from the first British grantee, and a pension when he represents the third. But if the elder son or sons of the first British grantee have died before their father, but leave sons, the grandson who ranks first in the order of primogeniture shall, on his grandfather's death, be regarded as the second generation, and the entire Saranjâm shall be continued to him, no pension being granted to the next generation.

4. Proposed orders regarding succession to Saranjâms in accordance with the above rules, must as they constitute a technical regrant of the Saranjâm be submitted, in all cases, for the sanction of Government.

5. Every Saranjâm shall be held as a life-estate. It shall be formally resumed on the death of the holder, and in cases in which it is capable of further continuance it shall be made over to the next holder as a fresh grant from Government, unencumbered by any debts or charges save such as may be specially imposed by Government itself.

5A. In cases in which there is no suitable person to whom a regrant can immediately be made, or in which an immediate regrant would be injurious to the interests of the estate, the Saranjâm may be attached and placed under Government management for such period as Government may consider necessary; and the revenues of the Saranjâm, after deduction of the expenses of management, may be assigned for the maintenance of the

representatives of the deceased Saranjám in such manner and in such proportion as Government may from time to time direct.

6. No Saranjám shall be capable of sub-division

7. Every Saranjámdár shall be responsible for making a suitable provision for the maintenance of the widow or widows of the preceding Saranjámdár, his own brothers, or any other member of his family who, having a valid claim arising from infancy, mental or physical infirmity, rendering such member incapable of earning a livelihood, may be deemed deserving of support at his hands. When this obligation is not fulfilled by any Saranjámdár, Government may direct him to make suitable provision for such persons and may fix the amount, which he shall pay, in each instance: provided that no one who is independent means of his own, or is in the opinion of Government otherwise sufficiently provided for, shall be entitled to maintenance from the Saranjámdár.

8. Every order passed by Government under the above rule for the grant of maintenance by a Saranjámdár shall hold good during his life only.

9. If an order passed by Government under Rule 7 is not carried out, Government may, whatever the reason may be, direct the Saranjám, or a portion of it, to be resumed, as the circumstances of the case may require. Provision for the members of the Saranjámdár's family entitled to maintenance shall then be made by Government out of the revenues of the Saranjám so resumed.

10. Whenever it appears that a Saranjám or its revenues have passed by attachment or any other process of the Civil Court into the hands of a person other than the Saranjámdár, Government will ordinarily direct the Saranjám to be resumed and pass such order as to its regrant or other disposal as may seem to be fitting.

11. The above rules shall be applicable not only to Saranjáms proper, but also to *Chouth* Saranjáms.

12. Any Inám granted on political considerations shall be continued in the terms of the Sanad or under creating the grant. In the event of any such Inám passing out of the possession of the family for whose support it was granted, it shall be liable to resumption, unless there be an express provision permitting such transfer in the terms of the grant.

APPENDIX B.

Extract from the Assistant Collectors' Manual.

"When the camp is not near the Bazar, the Banias are by old custom obliged to send to it one of their number. It is wise not to encamp unnecessarily at places where this service will be burdensome, and it should not be insisted on when the distance is not great, but in any case if the shop has to be carted or carried to any distance, however small, either an advance on market rates, or a lump sum per day must be allowed to cover extra expense and trouble. Nor should the Bama be compelled to hang about all day but only at hours to be fixed with reference to his convenience and that of the camp followers."

APPENDIX C.

Copy of recent orders of Government.

"Officers who go on tour are reminded that they should invariably, before leaving a camp, make personal inquiries whether all supplies provided for their official as well as private establishments have been duly paid for and that the shop-keepers are satisfied. The Mámlatdárs should be careful in fixing prices to give full bazar rates and a margin in addition if the shop-keepers come to camp."

APPENDIX D

QUESTION No. 6 PUT BY THE HONOURABLE MEHERBAXN NARAYANRAO GOVIND *alias* BABA SAHEB GHORPADE, JA'GHIRDA'R OF ICHALKARANJI, AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908.*

ANSWER GIVEN BY GOVERNMENT.

- (a) Would Government be pleased to inquire whether Narayan Ganesh Shrotri, Inámdár of Mouje Varne, táluká and district Sátára, applied to the District Officer on the 17th of February 1908 for a license for a gun and whether he was refused a license ?
- (a) Yes.
- (b) Is it a fact that this gun has been in the family of the Inámdár for many generations until on the death of the applicant's father it was attached for want of a license ?
- (b) As far as is known, it is not true that the gun had been in the Inámdár's family for many generations. A license in respect of this gun was granted in 1886 to the applicant's father, who died recently. The applicant is a minor.
- (c) Is it also a fact that there is no license to possess an arm granted in the whole of the village either to another member of the Inámdár's family or to any other person ?
- (c) Yes.
- (d) Is it the case that the deprivation of such arms is looked upon by respectable families as a great slur upon them ? Would Government be pleased to institute inquiry in the matter ?
- (d) Government are aware that many respectable families value the possession of gun licenses highly. When the applicant, in this case, attains his majority, the District Magistrate will doubtless consider afresh any application for a gun license which he may submit.

APPENDIX E.

QUESTION No. 5 PUT BY THE HONOURABLE MR CHIMANLAL HARILAL SP'ALVAD AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908.†

ANSWER GIVEN BY GOVERNMENT.

Whether Government will be pleased to state what orders they have passed on the said proposals (of the Director of Public Instruction on the various points regarding affiliated Government Institutions noted in the reports of the Colleges Inspection Committee appointed by the Syndicate of the Bombay University) ?

The required information is laid on the *Vide* Appendix F. Council Table.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908 —

" A report has been called for."

† The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908 —

" Grant Medical College

In connection with the scheme of buildings for the Grant Medical College a statement showing what has already been done and what remains to be done has been called for and will be laid on the Council Table"

APPENDIX F.

A.

List of buildings in connection with the Grant Medical College that are in progress and their estimated cost.

Buildings.	Estimated cost.
1. Lecture Theatre	86,390
2. New Pathological Laboratory (with Coroner's Court and <i>post mortem</i> Room, etc.) ...	{ 72,476 } = 79,525 { 7,049 }
3. Refrigerating plant, etc., for the Morgue and Mortuaries	{ 19,448 Original } { 28,679 Revised. }
4. Students' Hostel with subsidiary buildings ...	2,40,752

B.

List of buildings in connection with the Grant Medical College that have not yet been commenced and plans and estimates for which have not been prepared.

Buildings.	Remarks.
1. Hall for Students	The old Chrome Ward building which was to be utilised for this purpose is now temporarily converted into Biological and Bacteriological Laboratories at a cost of Rs. 7,794 and also a proposal is made for an animal shed which is to go over the porch terrace of this building, at a cost of Rs. 833, and unless the adoption of the present Petit Laboratory building and Parsi Ward and the erection of a shed for animals for the Bacteriological Laboratory is made this building will not be available for the purpose of a Students' Hall.
2. Physiological Laboratory.	
3. College Laboratory.	
4. Bacteriological Laboratory	See remarks on Item 1.
5. Sheds for Animals	Do. do.
6. Enlargement of the Anatomy Theatre.	
7. The Principal's quarters.	

APPENDIX G.

QUESTIONS Nos 7 AND 10 PUT BY THE HONOURABLE MR. DAJI ABAJI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908 *

ANSWERS GIVEN BY GOVERNMENT.

7. Is it a fact that on account of want of funds the Deputy Educational Inspector of East Khándesh has abolished some village schools in the district?

7. When the Local Fund Education Budget for East Khándesh was received in the Director of Public Instruction's Office he noticed that the expenditure was

* The following *ad interim* replies were given by Government at the Council meeting of the 20th June 1908—

- " 7. Inquiries are being made."
" 10. Inquiries are being made."

10. Is it a fact that Messrs. Macmillan and Company are not able to supply the vernacular readers in sufficient numbers?
- Is it a fact that the Gopal Company at Dhulia, although it sent money in advance to Messrs. Macmillan and Company, could not get those books for a long time?
- Is it a fact that Maráthi Reader No. 7 is not yet available to students?
10. There were complaints to this effect at one time but during the last 8 months no complaints have been received.
- This relates to a complaint made so long ago as May 1907. Possibly books in some cases were sent to the Gopal Company by instalments but Government are not aware that there was any long interval between the instalments. The Company was not asked by Messrs. Macmillan and Company to send money in advance.
- The issue of Maráthi Reader No. 7 was sanctioned by Government on 15th June 1907. It has never been represented to them or the Director of Public Instruction that students cannot obtain it.

APPENDIX H.

QUESTIONS Nos. 9 AND 10 (b) PUT BY THE HONOURABLE MR. GOKULDAS K. PAREKH AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908*

ANSWERS GIVEN BY GOVERNMENT.

9. (a) Has the attention of Government been drawn to the complaints about the nuisance caused by the night-soil depôt of the Surat Municipality?
- (b) Do Government propose to issue any orders for the abatement of this nuisance?
10. (b) Do Government intend to ascertain what is the effect of this (*i. e.*, the new imposition by the Surat Municipality of octroi duty on cloth and the considerable increase in the octroi duty on grain) on the local trade of cloth and grain?
9. (a) The nuisance referred to has been caused by the contractor's method of turning night-soil into poudrette.
- (b) Measures are being taken by the Municipality for the removal of the depôt from its present site.
10. (b) There are yet no sufficient data to ascertain the effect of the duties referred to on the local trade in cloth and grain.

* The following *ad interim* replies to questions Nos. 9 and 10 (b) were given by Government at the Council meeting of the 20th June 1908:—

"9. Government have no information on the subject but a report has been called for."

"10. (b) A report on the subject has been called for."

APPENDIX I.

QUESTION No. 23 PUT BY THE HONOUR-
ABLE MR. HARI SITARAM DIKSHIT
AT THE MEETING OF THE LEGIS-
LATIVE COUNCIL HELD ON THE 20TH
JUNE 1908 *

ANSWER GIVEN BY GOVERNMENT.

- (a) Is it true that the remuneration of the Kulkarnis in the Nagar taluka has been reduced this year and that they have in consequence refused to receive the same ?
- (b) Will Government be pleased to state their reasons for reducing the remuneration ?

- (a) It is true that the remuneration of most of the Kulkarnis in the Nagar taluka was reduced during the current year and that they refused to accept the reduced remuneration
- (b) The reduction was due to a miscalculation of the gross revenue on the basis of which the remuneration is fixed. This mistake has been corrected and the remuneration will be restored to its previous amount or something slightly in excess. The matter had engaged the Collector's attention prior to his receipt of the call for information on the subject.

APPENDIX J.

QUESTION No. 24 PUT BY THE HONOUR-
ABLE MR. HARI SITARAM DIKSHIT AT
THE MEETING OF THE LEGISLATIVE
COUNCIL HELD ON THE 20TH JUNE
1908 †

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state whether it is proposed to take action with a view to compel the Southern Mahratta Railway Company to provide a sufficient number of carriages for third class passengers, a good number of whom are being daily carried in goods waggons ?

In reply to the inquiries made, Government have ascertained that a sum of Rs. 31 lakhs for new rolling stock for the Southern Mahratta Railway was sanctioned in March 1908. It is hoped that this will result in substantial improvement of accommodation for third class passengers.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908 —

“ Government have received no information on the subject. Inquiry will be made.”

† The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908 —

“ Proposals for the provision of more third class carriages on the Southern Mahratta Railway have been submitted to the Railway Board. Inquiries will be made from that Board how the matter stands at present.”

APPENDIX K.

QUESTION No. 2 PUT BY THE HONOURABLE Mr. GOKULDAS K. PAREKH AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to say—

(a) Whether in the Panch Maháls and Western Khándesh districts the Collectors decline to grant unoccupied lands to applicants on ordinary tenure but grant them only on restricted tenure?

(b) Whether this is in consequence of any orders of Government?

(c) And, if so, will Government be pleased to say what orders have been issued on the subject?

Government find on inquiry that in the Panch Maháls it is not the rule to decline to grant unoccupied lands to applicants on the ordinary tenure, and that in two or three cases, the grant of land on this tenure was refused, owing to the fact that the same land was required by men of the cultivating class, who were willing to have it on the new tenure.

It has been ascertained that in West Khándesh a practice had arisen of making grants to non-agriculturists on the non-alienable tenure, at prices much below those which could have been obtained for a transferable right of occupancy. This practice being contrary to Government orders has now been discontinued, and unoccupied Government lands are generally granted for cultivation to the applicants, according to the class of people to which they belong, i. e., if the applicants belong to a backward class, such as Bhils, Mavchis and others, the lands are given on the restricted tenure, after taking from them occupancy price, varying generally from one to three times the assessment on the land applied for, according to the circumstances in each case; and if they belong to an advanced class, such as Bráhmíns, Maráthás, Kumbis, and others, the lands are generally put to auction on the old tenure, and the sales are not sanctioned till an adequate occupancy price is offered.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908 :—

“The orders of Government do not contemplate that unoccupied land should be granted only on the restricted tenure to all applicants without distinction of class, and Government have no information showing that the orders have not been observed in the districts of the Panch Maháls and West Khándesh. Inquiry will be made.”

APPENDIX L.

QUESTION No. 3 PUT BY THE HONOURABLE MR. GOKULDAS K. PAREKH AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to say—

(a) Whether in the Panch Maháls the ordinary tenure is allowed to be converted into restricted tenure merely on the application of the registered occupant, irrespective of the consideration whether there exist at the time mortgages or other encumbrances over the same?

(a) In the Panch Maháls district, the ordinary tenure is not allowed to be converted into the non-alienable tenure, on the application of the registered occupant, except after publication of the notice required by law. It is true that when the law as to the new tenure first came into force, the provisions of the Act were made known generally in the villages, and in some instances agreements were taken from those who accepted the tenure voluntarily, without inquiry into the existence of encumbrances on the lands. All cases, however, in which alienation had taken place prior to the dates of these agreements came to notice at the time of the compilation of the Record-of-rights, when the original tenure was at once restored. At present, no forfeitures are made without the service of the notice prescribed by section 153 of the Land-Revenue Code.

(b) Whether under the circumstances when a mortgagee applies to have his mortgage entered in the Record-of-rights it is usual for the Revenue-officers to make a note in the record that the occupant having accepted the restricted tenure of his own accord, the mortgage rights have become annulled?

(b) It is not usual for the Revenue-officers to make a note to the effect mentioned in the question. Some cases were so treated in the Dohad táluká by an acting Deputy Collector; but on their coming to the Collector's notice steps were taken to have the new tenure agreements cancelled and the encumbrances acknowledged in the Record-of-rights.

APPENDIX M.

QUESTION No. 9 PUT BY THE HONOURABLE MR. DAJI ABAJI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908.†

ANSWER GIVEN BY GOVERNMENT.

Is it a fact that hardship is caused to students of primary schools on account of the prices of the new Marathi first three books being higher than those of the books of the old series?

Government do not believe there is any genuine cause of complaint. The higher prices of the books in question are justified by their superior quality. The question of reducing the prices in the next edition is being considered.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908.—
“The law and the orders of Government require that ordinary tenure should not be converted into restricted tenure without publication of notice and investigation into the circumstances with a view to protecting creditors against fraud. Inquiry will be made whether the law and the orders of Government have been duly observed in all cases in the Panch Maháls, and what procedure is adopted in cases referred to in clause (b) of the question, if any, such have occurred.”

† The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908.—

“Inquiries are being made.”

APPENDIX N.

QUESTION No. 13 (b) AND (c) PUT BY THE
HONOURABLE MR. HARI SITARAM
DIKSHIT AT THE MEETING OF THE
LEGISLATIVE COUNCIL HELD ON THE
20TH JUNE 1908 *

ANSWER GIVEN BY GOVERNMENT.

* * * * *

(b) Is it true that in the pasture grounds appertaining to the villages of Savedi, Nalegaon, Bolhegaon, and Vadgaon in the Ahmednagar taluká, cattle were allowed to graze free until last year, and that last year the said grounds were put up to auction ?

(b) There are no pasture grounds in Savedi, Nalegaon and Bolhegaon. There is pasture in Vadgaon which was thrown open to free grazing for one year, namely, 1905-06, on account of the local famine and distress. Both before that year and in the two succeeding years grazing fees were levied.

(c) Is it true that the pasture grounds of Nagapur in the same taluká were put up to auction in 1905, 1906 and 1907 with the following results :—

(c) Nagapur pasture grounds were not put up to auction in 1905, 1906 or 1907. Fees for grazing in *Forest Proper* (not pasture) were levied as follows :—

Year.	Sum realized.	Number of cattle allowed to be grazed.
1905	Rs. 55	No limit.
1906	" 65	65
1907	" 105	22

Year	1905-06	...	...	...	Rs.	
"	1906-07	...	...	...	"	43
"	1907-08	...	...	...	"	50
					"	100

* The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908 :—

" (b) and (c) Government have no information. Inquiry will be made."

PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

OF THE

GOVERNOR OF BOMBAY,

1909.

VOLUME XLVII.

Published by the Authority of His Excellency the Governor.

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PROCEEDINGS
OF THE
COUNCIL OF THE GOVERNOR OF BOMBAY
FOR THE
PURPOSE OF MAKING LAWS AND
REGULATIONS.

Abstract of the Proceedings of the Council of the Governor of Bombay, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 and 25 Vict., c. 67, and 55 and 56 Vict., c. 14).

The Council met at the Council Hall, Secretariat, Bombay, on Friday the 5th February 1909, at 12 o'clock noon.

P R E S E N T :

The Honourable Sir JOHN W. P. MUIR MACKENZIE, M.R.A.C., K.C.S.I., I. C. S.,
J.P., presiding.

The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I. C. S.

The Honourable Mr. W. L. S. L. CAMERON, A.M.I.C.E., C.S.I., J.P.

The Honourable SHEIKH SADIK ALI *walad* SHEIKH SHER ALI.

The Honourable Mr. CHIMANLAL HARILAL SETALVAD, B.A., LL.B., J.P.

The Honourable Mr. GOKULDAS KAHANDAS PAREKH, B.A., LL.B., J.P.

The Honourable Mr. DAJI ABAJI KHARE, B.A., LL.B., J.P.

The Honourable Sir VITHALDAS DAMODHEE THACKERSEY, Kt., J.P.

The Honourable Meherbán-NARAYANRAO GOVIND *alias* BABA SA'HEB GHORPADE,
Jághirdár of Ichalkaranji.

The Honourable Mr. HARI SITARAM DIKSHIT, B.A., LL.B., J.P.

The Honourable Mr. IBRAHIM RAHIMTOOLA, C.I.E., J.P.

The Honourable Mr. RICHARD AMPHLETT LAMB, C.I.E., I. C. S.

The Honourable Sir PHEROZESHAH M. MEHTA, K.C.I.E., M.A., J.P.

The Honourable Khán Bahádúr NAVROJI PESTANJI VAKIL, C.I.E.

The Honourable Sir WALTER C. HUGHES, Kt., C.I.E.

The Honourable Mr. MONTAGUE DE POMEROY WEBB, C.I.E.

The Honourable Sirdar Meherbán LAKHAMGAUDA BASAVPRABHU, Sar Desai of Vantmuri.

The Honourable Mr. THOMAS JOSEPH STRANGMAN, Advocate General.

The Honourable Mr. WILLIAM THOMSON MORISON, C.S.I., I. C. S.

The Honourable Mr. GEORGE OWEN WILLIAM DUNN, M.Inst.C.E., J.P.

The Honourable Mr. WILLIAM HASTINGS SHARP, M.A.

NEW MEMBERS.

The Honourable Mr. HARI SITARAM DIKSHIT, The Honourable Mr. IBRAHIM RAHIMTOOLA, The Honourable Mr. THOMAS JOSEPH STRANGMAN, The Honourable Mr. WILLIAM THOMSON MORISON, The Honourable Mr. GEORGE OWEN WILLIAM DUNN and the Honourable Mr. WILLIAM HASTINGS SHARP took their seats as Additional Members of Council.

QUESTIONS AND ANSWERS.

The following is a list of the questions put by the Honourable Mr IBRAHIM RAHIMTOOLA with the answers thereto given by Government :—

Question No. 1.—*Are Government aware that the Mahomedan Community feels very strongly on being practically debarred under the existing system of elections from securing adequate representation by election on the local Bodies in the Presidency ?*

Answer.—Government are aware of the feeling in question.

Question No. 2.—*Will Government be pleased to state whether the number of Mahomedan Municipal Councillors shown in column 3 (c) of the statements attached to the reply of His Excellency the Governor to the address presented by the Central Committee of the Deccan Provincial Muslim League, represents seats held by election or by election and nomination combined ?*

Answer.—The number includes both the elected and nominated members.

Question No. 3.—*If the abovementioned statements indicate Mahomedan representation both by election and nomination, will Government be pleased to republish the same showing in separate columns the number of Councillors returned by election and that nominated by Government ?*

Answer.—Statements Nos. 3* and 4† have been reprinted showing separately the number of Mahomedans elected and nominated on Municipal Boards.

* *Vide* Appendix A.

† *Vide* Appendix B.

Question No. 4.—*If the statements are republished as desired in the preceding interpellation, will Government be pleased to publish in decimals instead of in fractions the proportionate representation in columns 4 and 5 ?*

Answer.—The proportionate representation in columns 4 and 5 is shown in decimals.

Question No. 5.—*In view of the grievance made by the Mahomedan Community of inadequate representation on local Bodies, will Government be pleased to publish a state-*

ment showing separately the number of seats held by Mahomedans, on the District and Taluká Local Boards in the Presidency, by election and by nomination, and the proportion of Mahomedan representation in relation to their population?

* *Vide* Appendices C and D. *Answer.*—Statements* giving the information required are placed on the Table.

The following is a list of the questions put by the Honourable Mr. CHIMANLAL HARILAL SETALVAD with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to state whether it is correct that a certificate allowing an appeal to the High Court in one of the Toka cases in which the whole amount of compensation including the value of Government interest was awarded to the holder of Toka land, was applied for on their behalf and that the Tribunal of Appeal refused the same (vide the statement of Honourable Mr. Jenkins at page 183 of the Bombay Government Gazette for 1908, Part VII) ?*

Answer.—The application was not made directly by Government but by the Improvement Trust at the instance of, and with the concurrence of, Government. This arrangement was made under legal advice as it was uncertain whether Government or the Improvement Trust were the more directly interested in the matter.

Question No. 2.—*Whether it is true that no certificate allowing an appeal in the case referred to in the last question was ever applied for on behalf of Government and that the Tribunal of Appeal was informed that Government did not intend to appeal against the award of the Tribunal ?*

Answer.—The facts are as stated in the answer to the last question.

Question No. 3.—*Whether Government have come to any, and if so what, decision on the report of the Committee that was appointed to consider the question of the location of the Elphinstone College ?*

Answer.—The subject is still under consideration, pending a decision regarding the future of Science Teaching in this Presidency.

Question No. 4.—*Whether Government will be pleased to state what means they propose to take to improve the present "unhealthy and unwholesome" hostel attached to the Elphinstone College ?*

Answer.—The attention of the Honourable Member is invited to the reply given to a similar question put by him at the Council meeting held on 3rd October last which has been placed on the Council Table.

Question No. 5.—*Whether Government will be pleased to state when the hostel for the students of the Grant Medical College is likely to be ready for occupation ?*

Answer.—The hostel will be ready for occupation by the end of March 1910.

Question No. 6.—*Whether Government have come to any, and if so what, decision regarding the question of providing proper residential accommodation for the large number of students attending the Government Law School at Bombay ?*

Answer.—The subject is still under consideration, pending a decision regarding the future of Science Teaching in this Presidency.

Question No. 7.—*Whether Government will be pleased to state the circumstances under which the Board of Management of the Gujarát College have decided to abolish the chair of Chemistry and Physics and to drop the Science Department at the said College, after having utilised a substantial part of the Imperial Grant in defraying the expenses of sending a science graduate to England for special training in Chemistry with a view to his appointment on his return as Professor of Chemistry at the said College, and in improving the Laboratory?*

Answer.—The reasons for the decision arrived at by the College Board are given in the following extract from the report of their Sub-Committee:—

“The equipment of the Laboratory for Science Teaching is seriously inadequate. The Board has decided to defer the question of erecting and equipping a new Laboratory pending further information regarding Mr. Chinubhai's scheme. We therefore advise after careful consideration that Optional Science Teaching should be suspended, arrangements being made for the teaching of the compulsory Art Subject—Physics.”

Out of Rs. 50,000 received by the College in five years from the Imperial grant, about Rs. 10,000 have been spent, and the College authorities have been allowed to keep the balance pending further orders

Question No. 8.—*Whether Government will be pleased to state—*

(a) *why the day for the coming into effect of Bombay Act III of 1907 except sections 9, 16, 18, 24 and so much of section 10 as relates to sections 62 and 62D of the City of Bombay Municipal Act, has not yet been notified as contemplated by section 1 (2) of the said Act III of 1907, and*

(b) *when they propose to notify such day?*

Answer.—(a) Before the Act can be brought fully into effect it is necessary that possession of the Municipal buildings in Bombay City in the occupation of the Police should be handed over to Government. The Municipal Commissioner and the Commissioner of Police, Bombay, were asked to prepare statements showing the locality of these buildings, their cost, etc. The statements, which were submitted were found to be incomplete and were returned for correction. Government have just received revised statements.

(b) The date on which the whole Act will come into effect will be notified as soon as the preliminaries are completed.

Question No. 9.—*Whether Government will be pleased to state what progress has been made regarding the proposal to establish a Training College in the City of Bombay for training teachers for the primary schools in the City?*

Answer.—Government are considering a report on the subject recently received from the Director of Public Instruction.

Question No. 10.—*Whether Government will be pleased to state what orders they have passed on the application for a Grant-in-aid to the Fund raised by public subscription for providing Trained Nurses in connection with the Byramjee Jeejeebhoy Hospital at Mátherán?*

Answer.—The application is under consideration and will be disposed of shortly.

Question No. 11.—*Whether Government will be pleased to state what progress has been made regarding the proposal to establish a Model High School for Indian girls planned to meet their educational requirements (see paragraph 6 of Government Resolution No. 236 of 5th February 1908 on the last Quinquennial Report of the Director of Public Instruction) ?*

Answer.—No such proposal has been received by Government. The demands on their resources in connection with the claims of primary education render it unlikely that such an institution should be established for some little time.

Question No. 12.—*Whether Government will be pleased to lay on the Table the report of the Committee appointed in 1905 to consider the needs of the Grant Medical College ?*

Answer.—The Honourable Member's attention is invited to the reply laid on the Council Table to question No. 6 put by him in March 1905. The report cannot yet be placed on the Table.

Question No. 13.—*Whether Government will be pleased to lay on the Table the report of the Committee appointed by them to consider and report on the question of the qualifications to be required for a license to be conferred by some authority outside the University in place of the L.M. & S. degree ?*

Answer.—The report* of the Committee referred to and Government letter No. 3022, † dated 15th December 1908, to the Registrar of the Bombay University, are laid on the Council Table.

* *Vide* Appendix E.

† *Vide* Appendix F.

The following is a list of the questions put by the Honourable Meherbán Narayanrao Govind *alias* Baba Sáheb Ghorpade, Jághirdár of Ichalkaranji, with the answers thereto given by Government :—

Question No. 1.—(a) *Will Government be pleased to state whether it is a fact that on the Kolhápur-Belgaum Road there are three toll-bars within a distance of 31 miles from Kolhápur ?*

(b) *If so, is not this number much larger in comparison with the number of toll-bars on the other roads ?*

(c) *In pursuance of the remarks made by His Excellency regarding toll-bars in the meeting of the Legislative Council held on the 20th June 1908, will Government be pleased to reduce the number of the toll-bars ?*

Answer.—(a) and (b) Government are still awaiting information which has been asked for regarding these toll-bars.

(c) This year Government ordered the reduction of 25 toll-bars yielding a revenue of about Rs. 50,000. Government intend to continue this policy in the coming year and to abolish tolls yielding another half-lakh of rupees. The number of toll-bars to be removed are in the Northern Division 14 and in the Central Division 19 ; and, in addition, all tolls on the Pandharpur-Poona and Sholápur-Akalkot Roads, the number of which is not yet known, in the Sholápur district. The number that will be abolished in the Southern Division is not yet decided.

Question No. 2.—(a) *Will Government be pleased to state whether sanction has been given to the Bārsi Light Railway Company for the extension of the line from Pandharpur to Miraj ?*

(b) *If the reply to the above question is in the negative, will Government be pleased to state whether any other Railway Company has applied for permission to construct the line from Pandharpur to Miraj ?*

Answer.—(a) Sanction has not yet been accorded to the construction by the Bārsi Light Railway Company of the Pandharpur-Miraj Extension. The conditions under which the Government of India are prepared to sanction the extension have been communicated to the Company and apparently are still under consideration.

(b) No other Railway Company has applied for a concession for the construction of this extension.

Question No. 3.—*Will Government be pleased to state whether it is a fact that at the time of the succession of the late Anandrao Khanderao Raste to the saranjām it was not resumed and regranted? If so, is it on account of the new rules framed in 1898 that on the said Anandrao's death the saranjām was resumed and regranted to his son ?*

Answer.—Resumption and regrant are necessary conditions of a succession to a saranjām.

There was no formal resumption and regrant on the occasion of the succession of the late Anandrao Khanderao Raste, but they were implied in the permission accorded for his adoption with a view to the succession. The rules merely secure greater regularity of procedure.

Question No. 4.—*Will Government be pleased to state how many Inámdárs applied for powers under section 88 of the Land-Revenue Code during the year 1908 and on how many of them were they conferred ?*

Answer.—During the calendar year 1908, 22 applications were made by Inámdárs, or by district officers in their behalf, for the grant of commissions under section 88 of the Land-Revenue Code. Out of these, commissions were granted to 13 Inámdárs and refused to one, as the consent of the Inámdár's sub-sharer had not been obtained. The question of granting commissions in the remaining 8 cases is under consideration.

Question No. 5.—*Is it not a fact that the revenue of inám villages remains uncollected through the slackness of the village-officers ?*

Answer.—The slackness of village-officers is in the opinion of Government one, but only one, of the difficulties in the collection of the dues of the Inámdárs. The measures for counteracting this slackness, on which the Honourable Member's opinion was asked for in October last and was received in November, are still under the consideration of Government.

Question No. 6.—*Does not Government think it desirable to give the Inámdár greater authority over their village-officers by making their remuneration dependent on the efficiency of their work? If so, will Government be pleased to issue the necessary orders at an early date ?*

Answer.—The question is under consideration, and orders will be issued in due course.

Question No. 7.—*Is it a fact that the moveable property of the Inámdár of Aravade, a village in the Tágáon táluka of the Sátára district, was attached by the Mámíatdár for the payment of Judi due to Government in contravention of the orders of Government contained in Government Resolution No. 9920, dated 21st December 1904?*

Answer.—Government have no information but will inquire if the Inámdár concerned addresses them and shows that the local authorities have erred in the treatment of his case, or acted in violation of the Resolution cited in the question.

Question No. 8.—*Is Government aware that the Inámdárs are unwilling to introduce Survey Settlement into their villages because by the rates proposed by the Survey Department they get smaller amount of revenue than the Mámul?*

Answer.—Government are aware that one of the reasons for unwillingness which are put forward by the Inámdárs is as stated in the question.

Question No. 9.—*Will Government be pleased to devise some measure by which the Inámdárs will not have to undergo a loss of revenue by the introduction of the Survey Settlement into their villages?*

Answer.—Orders have been given to the effect that, if the calculations show that a moderate loss would result to an Inámdár from the application of the proposed maximum rates on the introduction of a Survey Settlement into his village, then, as has been done in several instances, the propriety of slightly raising those rates, in order to prevent the loss, should be considered. The whole question is still under examination by Government.

The following is a list of the questions put by the Honourable SYED ZAIN EL EDRUS with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to state whether they have considered or propose to consider the propriety of lowering the prices of the Vernacular Text-Books?*

Answer.—The subject is under consideration. It is probable that it will shortly be possible to reduce the price of these Text-Books.

Question No. 2.—*Will Government be pleased to state whether they propose to open Urdu classes at the Rájkot Training College?*

Answer.—A report has been called for on the subject from the Agent to the Governor, Kathiawar.

Question No. 3.—*Will Government be pleased to state whether they have considered or propose to consider the propriety of the same books being used in all the High Schools of a province for one year, for the sake of uniformity instead of the diversified series taught in the different High Schools?*

Answer.—The present practice of allowing freedom to the Head Masters of High Schools in the selection of books, provided such books are approved by Government, has the sanction of the Government of India, and this Government do not see any reason to depart from it.

Question No. 4.—*Will Government be pleased to state whether they have considered or propose to consider the propriety of formulating the courses in Persian and Urdu at the various Vernacular Training Colleges so as to bring out better and more competent Munshis?*

Answer.—Inquiries are being made.

Question No. 5.—*Will Government be pleased to state whether they propose to open Urdu Schools in some of the villages having a majority of Mahomedan population ?*

Answer.—Inquiries are being made.

The following is a list of the questions put by the Honourable Mr. HARI SITARAM DIXSHIT with the answers thereto given by Government :—

Question No. 1.—*Will Government be pleased to state whether the Great Indian Peninsula Railway Company have provided any and, if so, what facilities at the Dhulia Station for the supply of drinking water to passengers ?*

Answer.—The Agent of the Great Indian Peninsula Railway has informed Government that there is a well in the station compound at Dhulia from which passengers obtain water, but watermen to supply water to passengers in the Railway carriages are not considered necessary as the station is a terminal station.

Question No. 2.—*With reference to the system recently introduced by Government for remitting land-revenue by Postal Money Orders, have Government considered the desirability of exempting such Money Orders from the payment of the usual commission charged by the Postal Department ?*

Answer.—Government do not consider the exemption desirable. The system has been introduced for the convenience of revenue payers, and resort to it has been left optional to them according to the dictates of their convenience. There appears no reason why the Post Office should not charge to persons who find the system convenient for paying their dues to Government the same commission as is charged to those who use the Postal Money Order system for making payments due from them to other persons or bodies.

Question No. 3.—*Is it true that the road passing through the Pardhadi Ghát in the Nándgaon táluká of the Násik district has not been repaired since the toll-bar on the said road was abolished and that it is now in a very bad state of repair ? What action do Government propose to take in the matter ?*

Answer.—The matter is being inquired into.

Question No. 4.—*Will Government be pleased to state—*

(a) *Whether no suitable local candidate could be found to fill the newly created chair of Physics at the Grant Medical College which is not an appointment reserved for officers of the Indian Medical Service ?*

(b) *What Captain Dickinson's special qualifications for the post are ?*

Answer.—Government have already decided not to combine permanently the chair of Physics with the chair of Chemistry and Medical Jurisprudence in the Grant Medical College. The present arrangement under which Captain Dickinson holds the chair of Physics in addition to his own duties is only temporary, and is the best that could be made until a permanent arrangement is sanctioned. The question of making a permanent arrangement is under consideration.

Question No. 5.—*Is it true that a bridge across the Krishna on the Sádra-Pandharpur Road is urgently needed ? Will Government be pleased to state whether the same is intended to be constructed and when will the work be commenced ?*

Answer.—Plans and estimates for the work are being prepared and it is hoped it will be commenced next year.

Question No. 6.—*Will Government be pleased to state the educational qualifications of persons newly employed in the Revenue Department in the two Khândesh districts during the last five years and whether the work of such new employées has been found to be satisfactory?*

Answer.—During the period stated, in West Khândesh 20, and in East Khândesh 12, candidates were appointed to the Subordinate Revenue Service, who had not passed any of the educational tests prescribed in No. III of the Rules for admission to that service. The work of these men is reported in West Khândesh to be fair and in East Khândesh to be satisfactory.

Question No. 7.—(a) *Are Government aware that in a note prepared by Mr. F. Anderson as President of the Lonavla Municipality and forwarded to the Vice-President "with compliments," Mr. Anderson speaking about the cattle slaughter-house built by that Municipality said, among other things, the following:—*

"Speaking seriously and without jest, I think Yerrowda Jail ought to be the proper residence of the person or persons who designed this state of things"?

(b) *Will Government be pleased to state whether they approve of such language being used by one of their superior officers to his colleagues on the Municipal Board?*

(c) *Will Government be pleased to state the length of the period during which Mr. Anderson was President of the Lonavla Municipality and how many meetings of that Municipality he attended during that period?*

Answer.—The attention of Government has not been drawn to the note in question, which appears to relate to purely local matters under Municipal control. Government do not propose to inquire into the incident.

Question No. 8.—(a) *With reference to the Government Resolution in the General Department No. 7529, dated 21st December 1908, will Government be pleased to state the date when the Hill Station Municipality proposed to be constituted for Lonavla is to come into existence?*

(b) *Are Government aware that the term of the office of the present members of the Lonavla Municipality does not expire till the 31st March 1911? Is it intended to curtail that term? If so, will Government be pleased to state under what provision of the law will such curtailment be made?*

(c) *Will Government be pleased to state why the elective franchise granted to Lonavla is to be cut down instead of being extended under the principles recently enunciated with regard to Municipal administration? Have Government considered the desirability of applying those principles to the Lonavla Municipality (with the extended territorial limits) provided the Municipality agree to appoint an Executive Officer? If so, will Government be pleased to state the decision they came to and the reasons for the same? If Government have not considered the desirability or otherwise, will they be pleased to do so?*

Answer.—(a) and (b) The Lonavla Municipality is being reconstituted so as to include Khandala and the neighbouring villages. As the new constitution is expected

to secure greater efficiency, it is intended to introduce it at the earliest opportunity available. Government are aware that the term of the present Board will expire on the 31st March 1911.

(c) The principles referred to are at present applicable only to towns with a population of 15,000 or over. The new Municipality of Lonavla will contain a population of less than 15,000.

Question No. 9.—*Will Government be pleased to state whether owing to the water of the Ekruk Tank in the Sholapur district being allowed to the cotton mills in Sholapur, enough is not left for irrigation purposes? If so, whether Government propose to take any and what action in the matter?*

Answer—The quantity of water allowed for the mills is a mere fraction of the total storage of the Ekruk Tank which is 3,162 million cubic feet. In order, however, to provide for the mills and for the water-supply of the Sholapur City which is a far larger item, and which is now about to be considerably increased, it has been necessary to fix a depth below which the tank level shall not fall by the 1st June, and in order to allow of this, the amount of irrigation may in case of bad years have to be restricted. Owing to a series of bad years, the Ekruk Tank has not had sufficient replenishment, but the Executive Engineer has lately reported that the quantity of water received this year is sufficient to meet all demands up to the rains of 1909.

Question No. 10.—*Will Government be pleased to state whether any and, if so, what progress has been made with reference to the construction of a Magisterial lock-up in Poona City?*

Answer.—Government have returned the plans and estimates for the lock-up for certain modifications, which are being carried out. The foundations and plinth have already been taken in hand.

Question No. 11.—*Have Government issued any Resolution with reference to the printed representation submitted to them by the Poona Temperance Association and in connection with which His Excellency was pleased to receive a deputation? If so, will Government be pleased to place the Resolution on the Council Table?*

* *Vide* Appendix G.

Answer.—The Resolution* is laid on the Table.

Question No. 12.—*Will Government be pleased to state whether the minimum quantity which the two experimental liquor-shops started by Government in Poona are allowed to sell to customers is half a dram while in the case of other shops it is one dram? Will they be pleased to state why the minimum has been reduced in the case of the afore-said experimental shops?*

Answer.—Inquiry will be made.

Question No. 13.—*Will Government be pleased to state whether it is the practice in the Mofussil to notify to the public proposed changes in the location of liquor-shops as is done in Bombay City? If so, will they be pleased to state in what manner such proposed changes are notified? If not, will they be pleased to bring the practice in the Mofussil into conformity with that in Bombay City?*

Answer.—The procedure followed in the Mofussil is described in the reply given to the Honourable Sir Bhalchandra Krishna at the Council meeting held on 20th March 1903. In paragraphs 242 to 244 of their Report the Indian Excise Committee made

recommendations on the subject which received the general approval of the Government of India, and the matter is under the consideration of this Government.

Question No. 14.—*Will Government be pleased to direct that the report of the local A'bkári committees appointed in the different towns of the Presidency be open for inspection to the public? Do Government propose to publish such reports or a summary of the same?*

Answer.—The committees are advisory bodies and it is not intended to publish their proceedings. Decisions taken on their recommendations will be duly notified.

Question No. 15.—*Will Government be pleased to state whether the liquor-shop at Khed in the Poona district has more than one door in front and also a back door and whether the interior of the shop is invisible from the door-way and whether such state of things is contrary to the rules? If so, what action do Government propose to take in the matter?*

Answer.—Government have no information regarding the facts alleged, or regarding any representation having been made concerning them to the local and controlling authorities.

Question No. 16.—*Will Government be pleased to state whether the liquor-shops at Mansar and Wada in the Khed táluká are located near Dharamshalas and by the side of busy thoroughfares? Will Government be pleased to state whether they approve of such location? Will Government be also pleased to state whether the shop at Wada is not housed in a shed the front of which is quite open?*

Answer.—Government have no information either regarding the facts alleged or regarding any representation as to these facts having been made to the local and controlling authorities.

Question No. 17.—*Will Government be pleased to state whether the inhabitants of Aundh (in Haveli táluká) and of Chákan, Mansar and Wada (in the Khed táluká) and of Junnar have sent petitions praying for the abolition of the liquor-shops in their towns and what action has been or is going to be taken on those petitions?*

Answer.—Government have not received the petitions mentioned in the question. If such petitions have been made to the local and controlling authorities they will doubtless be dealt with by those authorities in accordance with the prescribed procedure.

The following is a list of the questions put by the Honourable Mr. GOKULDAS K. PAREKH with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to say—*

(a) *What is the distance between Vejalpore and the Railway Station at Kálol in the Panch Maháls?*

(b) *How many toll stations are there between Vejalpore and the Kálol Railway Station?*

(c) *What is the distance between the old toll station and the one that has been recently established?*

Answer.—(a) Ten miles.

(b) Two toll stations and one check bar.

(c) Not known.

Government understand that the District Local Board have resolved to abolish all toll-bars on Local Board roads with effect from 1st April 1909. In that case the main bars and the check bar will disappear.

Question No. 2.—*With reference to answer of Government to my question No. 12 asked at the last meeting of the Legislative Council, will Government be pleased to give the dates and numbers of the Government orders superseding the standing orders of 24th February 1860 about the time for closing liquor-shops?*

Answer.—The standing order of 1860 was superseded in June 1878 when Government in sanctioning certain proposals for the A'bkári farms of the Poona, Sátára, Sholápur and Ahmednagar districts made by the Commissioner of Customs, Salt, Opium and A'bkári accepted the change in the closing hour of liquor-shops to 9 p. m. (Bombay Time).

Question No. 3.—*With reference to the answer to my question No. 14 (2) asked at the last meeting of the Legislative Council, will Government be pleased to say what steps have been taken by them to remedy the defect of licensees carrying on business of liquor selling at loss during more than one term of license?*

Answer.—The following instructions have been issued with the approval of Government regarding the disposal of shops by auction :—

- (1) No person known or suspected to be a mere speculator or to belong to a Company or syndicate formed to buy liquor-shops should be permitted to bid, whether in his own or any other district, and every person from another district should be so suspected until he has proved the contrary. The Collector should aim as far as possible at restricting the bidding to local people connected with the trade who will manage the business themselves and not sub-let.
- (2) All previous licensees detected in serious breaches of their licenses or in arrears with their instalments should be rejected.
- (3) All persons suspected to be blackmailers should be rejected.
- (4) The probable honest profit of every shop should be previously calculated on the last year's sales, and as soon as the bid which will allow this has been reached, the Collector should prepare to stop the auction. If in the next few bids hesitation begins to appear, he should seize the opportunity to knock down the shops; if the bidding is too brisk to allow this, the auction must be stopped and the matter referred to the office of the Commissioner of Customs, Salt, Opium and A'bkári for orders. In no case should a Collector finally accept a bid which is more than 25 per cent. in excess of what has been calculated as a reasonable one.

With the previous sanction of the Government of India the shops for the sale of country spirit in the districts of Ahmedabad, Násik and Dhárwár for the year 1909-1910 will be disposed of by selection, on fixed fees, instead of by auction.

Question No. 4.—*Will Government be pleased to say if they will propose to appoint the nominees of Temperance Associations as Honorary A'bkári Officers to visit liquor-shops and to help their officers in seeing that the law and the rules of Government relating to the working of liquor-shops are not infringed?*

Answer.—The reply is in the negative.

Question No. 5.—*Will Government be pleased to say—*

(a) *Whether the bhāgdārs of Uber in the Jambusār tālukā of Broach have applied to them to have the bhāgdāri system restored in that village?*

(b) *How has that application been dealt with?*

Answer.—(a) The reply is in the affirmative.

(b) Government have directed that the bhāgs in Uber and 28 other villages should be reconstituted except in the particular instances in which the difficulties may be shown to be insuperable or very nearly insuperable.

Question No. 6.—*Will Government be pleased to say—*

(a) *Whether under the orders of the Collector of Surat the Māmlatdār of Olpād has issued circular orders to the village-officers of each village of that tālukā to require the villagers to keep a certain number of bullocks ready for being draughted into military service when wanted, that the names of the villagers from whom the bullocks should be taken are to be reported and that the bullocks should be delivered to Government on payment of the price and 15 per cent. thereof for compulsory acquisition?*

(b) *Whether these orders have been issued in pursuance of the instructions of Government?*

(c) *Whether the determination of the particular villagers upon whom the responsibility is to be thrown rests on the discretion of the village-officers?*

Answer.—Instructions on the subject referred to in the question have been issued by this Government in accordance with the directions of the Government of India. Inquiry will be made whether the orders issued by the Collector of Surat are of the nature stated in the question, and are consonant with the instructions issued by this Government.

Question No. 7.—*Will Government be pleased to say—*

(a) *Whether they have issued instructions to the Income-tax Collector of Bombay that in assessing the income derived from rents of houses for the tax they should allow deduction from the gross rents only of the general tax of the Municipality but not of out-goings on account of water and haldikhori cesses, even though they have to be paid by the landlord out of the rents?*

(b) *If the answer of Government to the above question be in the affirmative, will they be pleased to say whether they will propose to modify the instructions by allowing the landlords deductions for all out-goings on account of Municipal taxes and assessing the tax on the net income?*

Answer.—(a) The reply is in the affirmative.

(b) The question has been considered by the Government of India as well as by this Government. It is held that the rates are under the law payable by the occupant and are in the nature of payments for services done, or for water supplied; and that therefore no deduction is admissible in respect of them. It is not proposed to modify the orders.

Question No. 8.—*Will Government be pleased to say—*

(a) *Whether they propose to make a grant of Rs. 30,000 to the Free Church of Scotland for establishing a Mission Hospital in some thickly peopled part of the City of Poona?*

(b) *Is the grant subject to any condition against carrying on proselytizing work with reference to the non-Christian public who go for treatment at the Hospital?*

(c) *Are Government aware that there are serious differences in the Western India Mission Council about the advisability of having a Mission Hospital in Poona?*

Answer.—(a) and (b) Government have sanctioned a building grant of Rs. 30,000 to the United Free Church of Scotland Mission towards the construction of a Hospital building in the City of Poona on the conditions that—

(i) the Hospital is open to inspection by the Surgeon-General;

(ii) the returns called for by him regarding numbers admitted and treated shall be furnished;

(iii) the Hospital shall be open to all classes irrespective of religious distinctions.

(c) Government are not aware of the alleged differences.

Question No. 9.—(a) *Has the attention of Government been drawn to the article in the "Sánj Vartaman" newspaper of the 16th instant under the heading of "the orders of the Collector of Kaira" in which is complained that the Collector of Kaira in contravention of the orders of Government in the matter of suspension and remission of land-revenue makes a distinction between land-holders of the agriculturist class and those of the non-agriculturist class?*

(b) *Do Government propose to make an inquiry into this allegation?*

Answer.—Inquiry will be made.

Question No. 10.—*Will Government be pleased to say—*

(a) *Whether in the Dohad taluká and the Jhalod mahál of the Panch Maháls the condition of the kharif crop of the last season was from poor to fair and that of the rabi crop in Dohad poor and in Jhalod fair?*

(b) *Whether this locality suffered from famine during the year 1907-1908?*

(c) *Whether orders have been issued to collect $1\frac{1}{2}$ times the annual assessment in these maháls?*

Answer.—(a) Yes.

(b) Yes.

(c) Inquiry will be made.

Question No. 11.—*Do Government propose to consider whether looking to the condition of the Dohad taluká and the Jhalod mahál the application of the Revision Survey Assessment should be put off this year?*

Answer.—The introduction of the Revised Rates into the Dohad taluká was postponed last year until this year, for levy in the year 1909-1910. Government will consider whether a further postponement is advisable. For the Jhalod mahál the introduction has been deferred until 1911-1912.

Question No. 12.—*Will Government be pleased to say whether any departmental orders have been issued forbidding the Head Masters of Government and recognised Secondary Schools not to admit boys even into 3rd, 4th and 5th standard classes from private schools, unless the same were recognised by the Educational Department?*

Answer.—Such an order has been issued to Head Masters of Government Schools only.

Question No. 13.—*Will Government be pleased to say when will the work of constructing a bridge over the Kalyán Creek be proceeded with?*

Answer.—In the year 1909-1910.

Question No. 14.—*Will Government be pleased to say—*

(a) *If they are aware that a new practice has been adopted in some districts of giving receipts in respect of money paid on account of land-revenue on printed slips of papers in the place of the receipt book?*

(b) *Are they aware that in the new form of receipts the village-officers have not to state the name of the khátedár nor give the number of the field in respect of which payment is made, and that there is no record left in the khátedár's hand of the particular field in respect of which the payment is to be credited?*

(c) *Are Government aware that the new form of receipt has created much dissatisfaction among the land-holders and delay in the recovery of revenue has occurred in some tálukás in consequence of the change in this matter?*

(d) *Will Government be pleased to say why this change has been made?*

Answer.—(a) The system has been sanctioned experimentally in all districts.

(b) The name of the khátedár is to be given. The details of survey numbers were not mentioned in the old form, on each occasion of a payment being made and are not entered in the new form; they are given on separate slips.

(c) The reply is in the negative. A single complaint has been received, into which inquiry will be made.

(d) A copy of a memorandum* from the Settlement Commissioner and Director of Land Records, No. 3410, dated 10th October 1907, is laid on the Table.

The following is a list of the questions put by the Honourable Mr. DAJI ABAJI KHARE with the answers thereto given by Government:—

Question No. 1.—(a) *Is it a fact that in Agwa, Tika and some other villages in Ratnágiri táluká, the Mámlatdár has recently ordered the Police Pátíls to ask all villagers to appear before him and get their rents settled in cash even if they had not made an application in that behalf according to law?*

(b) *If so, is the action of Mámlatdár in accordance with any others of Government?*

Answer.—A number of applications have been made by tenants in the Ratnágiri táluká for the fixing of cash rents in commutation of crop shares paid to the khots. Government have no specific information regarding the particular villages mentioned by the Honourable Member, but it is understood that the Mámlatdár has called on the tenants, other than the applicants in villages from which applications have been received to submit, if they so desire, similar applications within a prescribed time. It is not the intention of Government to instigate or encourage specially tenants to apply for cash commutation, and the object of the action taken appears to be to prevent the multiplication of the work of the Recording Officer and to facilitate inquiry by securing that the applications of all tenants in the same village who desire commutation shall be received, inquired into and disposed of at the same time.

The matter, however, will be inquired into.

Question No. 2.—*Will Government be pleased to state the steps that are being taken or are in contemplation for utilising the island of Sálsette for residential purposes in the interests of the inhabitants of Bombay?*

Answer.—Government have appointed a special officer to inquire into and report upon the question of the development of Sálsette as a residential area. The term of his appointment is for six months. The special officer took over the duties of his appointment on 27th November last.

Question No. 3.—*Will Government be pleased to state when the erection of a proper pier at Rewás will be taken in hand?*

Answer.—Arrangements have been sanctioned for the construction of a pier at Nowkhar Point near Rewás in the year 1909-10.

Question No. 4.—*Will Government be pleased to state if the Rewás scheme and the Mankowlu scheme are parts of one and the same plan or are they separate?*

Answer.—The schemes are separate.

Question No. 5.—*Now that the offices of the Southern Mahrátha Railway Company are about to be transferred to Madras, will Government be pleased to return back to the owners the lands acquired under the Land Acquisition Act in the villages of Nardyanpur and Saptápur in the táluká of Dhárwár in 1906 and 1907?*

Answer.—The matter will be considered in due course.

Question No. 6.—*Will Government be pleased to supply salt gratis for curing fish to Daldees who are a very poor and backward community?*

Answer.—Salt is issued to fish curers at a price sufficient only to cover the cost price of the salt and the cost to Government of maintaining the fish curing yard. The price charged during 1907-08 was 8 annas a maund. Government are unable to agree to supplying salt to one particular class of fish curers without payment of even the cost of supplying it.

Question No. 7.—*Will Government be pleased in view of the abnormal rise in prices to grant special monetary allowances to all public servants in the lower grades?*

Answer.—The limit of grade of whole time servants of Government to whom compensation for dearness of food is admissible under Article 72 of the Civil Account Code has been raised from Rs. 16 per mensem to Rs. 30 per mensem; and compensation has been granted generally in accordance with the revised limit.

Special allowances have been granted to clerical establishments in the Presidency town, according to a scale based on salary :—

20 per cent. on salaries up to Rs. 50.

15 per cent. on salaries above Rs. 50, and up to Rs. 100.

10 per cent. on salaries above Rs. 100 and up to Rs. 200.

Any salary above Rs. 200 to be brought up to not less than Rs. 220 by an allowance.

The question of granting similar allowances to establishments other than clerical in the Presidency town, and to establishments, clerical and other, in Karáchi, is under consideration.

Question No. 8.—*Will Government be pleased to put in hand the construction of the Light Railway from Kalyán viá Panvel and Chowk to Karaját as it will open the unapproachable areas of Koldáa and Ratnágiri Collectorates by land?*

Answer.—The Agent of the G. I. P. Railway has informed Government that the plans and estimates of the Light Railway have been received, and he hopes to submit them as soon as the estimates have been checked, that is to say very shortly.

Question No. 9.—*Will Government take steps for constructing a deviation to the Bombay-Poona Road near the town of Panvel so as to prevent accidents caused by Motor cars passing through that town?*

Answer.—No proposals have been submitted for any diversion of the road at Panvel and Government are not aware of any accidents having been caused by Motor cars passing through the town.

Question No. 10.—*Is it a fact that Government have undertaken surveys in Koldáa Collectorate for utilizing surplus water for irrigation purposes which will be available from the proposed scheme for securing Electric power by means of water turbine for working mills in Bombay?*

Answer.—Government ordered a reconnaissance only to be made to see whether the water passing through the turbines could be used for purposes of irrigation. No detailed surveys have been prepared or proposed.

The following is a list of the questions put by the Honourable Khán Bahádur NAVROJI PESTANJI VAKIL with the answers thereto given by Government :—

Question No. 1.—*In view of Government Resolution No. 4377, dated 1st July 1908, will Government consider the advisability of appointing an expert to inquire into the possibility of developing as an industry the canning of provisions on the lines of similar European industries?*

Answer.—The proposal to appoint an expert for the purpose referred to will receive the consideration of Government.

Question No. 2.—*Will Government consider the advisability of removing the slaughter-house at Ahmedabad outside the City walls on sanitary grounds?*

Answer.—It is not contrary to the provisions of the District Municipal Act to construct slaughter-houses within Municipal limits. Government can interfere in the matter only when a Municipality has made default in the performance of any duty imposed on it by or under the Act (section 178 of the Bombay District Municipal Act, 1901).

Question No. 3.—*Will Government be pleased to state whether any Asylums exist at present in the Presidency, for incurable paupers, maintained by Municipalities and Local Fund Boards, with or without aid from Government, and if so, which, and where they are, and at what cost per annum, they are maintained?*

Answer.—The only institutions in the Bombay Presidency of the nature referred to is the Sir Dinsháh Mapekji Petit Leper Asylum, Ratnágiri. The cost of the Asylum in 1907, the latest year for which figures are available, was Rs. 5,220. The annual Government grant-in-aid is Rs. 2,000.

PAPERS TO BE PRESENTED TO THE COUNCIL.

1. Reply to question No. 7 put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 3rd October 1908.
Vide Appendix I.
2. Reply to question No. 14 (c) put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix J.
3. Letter from the Secretary to the Government of India, Legislative Department, No. 2626, dated the 28th November 1908—Returning with the assent of His Excellency the Viceroy and Governor General signified thereon the authentic copy of the City of Bombay Improvement (Amendment) Law, 1908.
4. Reply to question No. 3 put by the Honourable Mr. Chimanlal Harilal Setalvad at the meeting of the Legislative Council held on the 3rd October 1908.
Vide Appendix L.
5. Reply to question No. 8 (c) put by the Honourable Mr. Daji Abaji Khare at the meeting of the Legislative Council held on the 3rd October 1908.
Vide Appendix M.
6. Report of the Select Committee appointed to consider Bill No. III of 1903 (a Bill further to amend the Karachi Port Trust Act, 1886).
7. Reply to question No. 17 (3) put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 3rd October 1908.
Vide Appendix N.
8. Reply to questions Nos. 3, 4 and 5 put by the Honourable Maherban Narayanrao Govind *alias* Baba Saheb Ghorpade, Jāghirdār of Ichalkaranji, at the meeting of the Legislative Council held on the 3rd October 1908.
Vide Appendix O.

**BILL No. III OF 1903 (A BILL FURTHER TO AMEND THE
KARACHI PORT TRUST ACT, 1886).**

The Honourable Mr. JENKINS, in moving the second reading, said :—Mr. President,—

The Honourable Mr. J. L. JENKINS moves the second reading of a Bill further to amend the Karachi Port Trust Act, 1886

In presenting the report of the Select Committee appointed to consider Bill No. III of 1903, I have a few remarks to offer. Of the three alterations recommended in the report, the first, which affects clause 2, new section 59C (5), would give payment of interest to debenture-holders priority over payment of interest to the Secretary of State. The Government of India have, however, disallowed this proposal, as they have a perfect right to do; and as their decision is conclusive we cannot proceed further with this amendment. This ruling of the Government of India will also dispose of the alternative draft suggested in the Honourable Mr. SETALVAD'S minute which might otherwise have been considered preferable to that adopted in Select Committee. The proposed amendment of new section 59F (2) in clause 3, which provides that sinking fund investments may be made in those securities already prescribed in the Act for the investment of the Board's balances, will, I think, find general acceptance; and there will, probably, be no difference of opinion as to the

propriety of giving preference to the claims of the trustees, and of officers and servants of the Board over all other claims mentioned in clause 3, new section 61.

The only other matter to which it is necessary to refer is the Honourable Sir WALTER HUGHES's suggested amendment of clause 2, new section 59F (1). As the section stands the period of a loan may not ordinarily exceed thirty years, but may, with the previous sanction of the Government of India, be extended to sixty years. The effect of the Honourable Sir WALTER HUGHES's amendment would be that the period of each loan would be settled by negotiation with the Government of India. I doubt whether the amendment would have any practical result. The provision in the Bill is really a declaration of the policy of the Government of India with regard to such loans; and if we strike it out we shall not alter that policy. All that it will be necessary for the Government of India to do will be to place on record a standing order, in similar terms, which will be quite as effective as a legal provision, and may be more stringent in operation.

I now propose that the Bill as amended by the Select Committee, but with the omission of the amendment to clause 2, new section 59C (5), be read a second time.

The Honourable Mr. SETALVAD said:—Mr. President,—I want to draw attention to a matter of procedure. What is before the Council, for consideration, at this stage, is the Bill as amended by the Select Committee. Under Rule 29, what can be moved is the second reading of the Bill, as amended by the Select Committee, but what my honourable friend, Mr. JENKINS, moves is not the second reading of the Bill as amended by the Select Committee but with a further amendment thereto, namely, the restoration of section 59C (5) to its original form in pursuance of the decision of the Government of India refusing to accept the amendment of this section made by the Select Committee. I submit it is plain that the proper procedure for the honourable mover is to move, in the first instance, the second reading of the Bill as amended by the Select Committee, and then later move an amendment to restore the said section to its original form. In order to enable him to do so, he ought to have given a formal notice of such an amendment. I may mention that I had informed the honourable member of this view of the matter. Let me make it clear that I am not fighting against the amendment of the section as drafted by the Select Committee so as to meet the wishes of the Government of India. I quite recognise that this Government cannot go against the orders of the Government of India and, therefore, the suggestion of the Government of India must be accepted. But what I want to point out is that we must follow the correct technical procedure, and that we should put ourselves right according to the Regulations, under which alone we can conduct our proceedings. As I have already pointed out, what can be moved is the second reading of the Bill as amended by the Select Committee and if you want to alter it in any manner, you must give the notice required by the Regulations, and Rules 38 and 39 deal with amendments—the first with amendments affecting the principle and the second with amendments not affecting the principle of the Bill. The present amendment, namely, the restoration of section 59C (5) to what was in the original Bill, either falls in the category of amendments affecting the principle or it does not. If it is of the first character, then under Rule 38 notice should be given. If it is not an amendment affecting the principle, then the honourable mover must ask the President to exercise his discretion under Rule 39 to allow it to be moved without notice. I am only pointing out, as I have said, the technical method of procedure. I venture to think that the amendment involves a matter of principle, as the section,

as altered by the Select Committee, gave priority to the interest due to debenture-holders over the interest due to the Secretary of State which priority the Government of India has refused to allow. If so, a notice under Rule 38 is necessary.

The Honourable Sir PHEROZESHAH M. MEHTA :—What is before the Council ?

The Honourable Mr. SETALVAD, continuing, said :—The Bill as amended by the Select Committee is before the Council. The second reading of the Bill as sent up by the Select Committee is the only thing that can be moved under Rule 29. But then we have this further amendment to the Bill of the Select Committee and we must follow the procedure under Rules 38 and 39 before the said amendment can be put before the Council. If you consider it as affecting a matter of principle, then a formal notice is necessary under Rule 38. If, on the other hand, you take it as merely an amendment of a subsidiary character, even then the President must say that he will, by virtue of the discretion vested in him under Rule 39, allow the amendment to be moved without notice. But the honourable mover must first move the second reading of the Bill as presented by the Select Committee and then follow the procedure I have just indicated about so amending the section as to bring it in conformity with the orders of the Government of India. I may mention that on a former occasion when the Honourable Mr. FULTON was a member of this Council, a particular Bill, after it had come from the Select Committee, had to be subsequently altered for similar reasons, and Mr. FULTON had given a formal notice of amendment.

The Honourable Sir PHEROZESHAH M. MEHTA :—I should like to see a copy of the Rules of the Council. What is really before the Council now ?

The Honourable the PRESIDENT :—The point is whether the motion of the Honourable Mr. JENKINS is in perfect order or whether it will be necessary for him to give notice of the amendment rendered necessary by the decision of the Government of India.

The Honourable Sir PHEROZESHAH M. MEHTA :—So far as the procedure is concerned, notice of amendment by the member in charge of the Bill has been frequently given. The Government have control over such things to a certain extent, but as to whether the motion moved by the Honourable Mr. JENKINS is of a character which can be taken up without notice, my honourable friend Mr. SETALVAD had better cite the rule on the subject.

The Honourable Mr. JENKINS :—In the first place Sir PHEROZESHAH MEHTA was right that notices were frequently given in the past. A certain latitude is, however, allowed to the Government in charge of the Bill. The Government may withdraw a part of the Bill or the whole Bill. The Government has the fullest control over such matters. But the point on which I wish to lay stress is this. It is not an amendment. It is information that certain legislation has not been allowed by the Government of India. To move an amendment to the effect that the order of the Government of India should be complied with, would be, I think, impliedly an encroachment on the authority of the Government of India. I make no motion in regard to the omission directed in the order of the Government of India.

The Honourable Mr. SETALVAD :—May I be permitted to say one word in regard to what the honourable member says that this is not a matter of amendment and that he merely informs the Council of the decision of the Government of India. I venture to say, with due deference, that he is under a complete misapprehension in thinking that

moving an amendment to give effect to the wishes of the Government of India would be an encroachment on the authority of the Government of India. I am afraid my honourable friend has not appreciated the statutory position of this Council and the legal procedure to be followed under the circumstances of the case. The Council, as regards its legislative functions and its procedure, is subject to certain limitations and restrictions under the statute and the regulations thereunder, but is quite independent of the Government of India. True, that when the Government of India have intimated their inability to accept any particular legislation, the Council would recognise the futility of having such legislation and would not pass it; and in deference to the orders of the Government of India the members of Government, and the official members, would so vote as to prevent the passing of such legislation. But under the circumstances this Council would reject such legislation by its vote, acting under the statute and the regulations thereunder. As I have said, this Council would feel bound to give effect to the views of the Government of India, but that would be done not merely by an intimation of the wishes of the Government of India, or by the honourable member declining to move the Bill of the Select Committee; but this Council would after the Bill as sent up by the Select Committee is moved, so alter it by its vote as to give effect to the wishes of the Government of India when such wishes are placed before it in proper form, in the nature of an amendment. As I have said, this body can only act under the statute and the regulations thereunder. I venture to say that it is not a correct view to take, that because the Government of India decide upon a certain amendment of any proposed legislation, of which this Council has been apprised, it cannot deliberate upon the desirability or otherwise of such an amendment. As a Legislative body this Council is subject to the limitations and restrictions imposed by the statute and the regulations, and perfectly independent of Government, and although, it would, as I have stated, give effect in practice to the views of the Government of India, it can only do so by its vote taken on the question after following the proper procedure as I have ventured to indicate. I submit, therefore, that the honourable mover should under Rule 29 move the second reading of the Bill as presented by the Select Committee, and then move an amendment to bring it in conformity with the orders of the Government of India after following the procedure laid down in Rules 38 and 39.

The Honourable the PRESIDENT:—I must hold the Honourable Mr. JENKINS's motion in order.

The Honourable Sir WALTER HUGHES rose to speak to the minute which stood in his name.

The Honourable Mr. SETALVAD said:—I submit that you must first dispose of the motion for the second reading of the Bill, and then take the Bill section by section and then will be the time for moving amendments to individual sections.

The Honourable Sir WALTER HUGHES said:—Mr. President,—As regards the minute which stands in my name at the foot of the report of the Select Committee it seems to me that any restriction to be imposed, or referred to in the Act as regards the period for which loans should be granted, should, properly speaking, come as a proviso at the end of sub-section (2) of section 59B, which deals with the terms on which loans are to be raised and not to be inserted as a rider to the section 59F relating to the establishment of Sinking Funds. But what I would suggest is that if Government are not prepared to accept an amendment in the terms I proposed, they should agree to the clause being amended in

the terms of the Calcutta Port Trust Act. The section of that Act relating to the subject was amended so recently as October 1907 and reads "within such period not exceeding sixty years as the Governor General in Council may in such case direct." There can, I imagine, be no reason for treating Karáchi and Calcutta differently in such a matter.

The Honourable Mr. M. DE P. WEBB, in accordance with notice given, rose to propose three amendments. He said :—A word of explanation is due from me in that on the occasion when this Bill came before the Council last time I wrote to say that I had no objections to raise and that I hoped that the Bill would be pushed through with the utmost expedition. My reason for doing so was that the Bill had been on what might be called "the anvil of the Council" for two years or more, and that we felt that the sooner it became law the better. But His Excellency the Governor decided that the Bill should take the usual course and be referred to a Select Committee—a decision, which, as it turns out, was a wise one, because the Select Committee have improved the Bill and I have now the opportunity of bringing before the Council three further amendments to which I now propose to speak.

The Honourable the PRESIDENT :—Will you proceed to speak to them separately ?

The Honourable Sir PHEROZESHAN MEHTA :—He can do it both ways—both on the second reading and when the Bill is considered in detail.

The Honourable the PRESIDENT :—Very well then, Mr. WEBB.

The Honourable Mr. WEBB :—I have nothing further to say on the motion that the Bill be read a second time. I will speak when the Bill is considered in detail. I think that is in accordance with the rules of the Council in these matters.

The Honourable the PRESIDENT :—Will you kindly speak to the amendments now, Mr. Webb ? I think there is no objection.

The Honourable Mr. WEBB :—Very well, Sir, I will deal with the amendments. The first amendment I propose is in clause 2, section 59F, sub-section (1), in lines 105—108 to substitute for the words "within a period which shall not exceed thirty years or, with the previous sanction of the Governor General in Council, sixty years," the following words, namely :—"within such period not exceeding sixty years from the date of the contracting of the same as the Governor General in Council may in each case direct."

My reason for proposing this amendment is that the works upon which the Port Trust will shortly be engaged are such that I think that it will certainly be necessary in the near future that the loans should be raised for a longer period than 30 years and it appears to me not desirable in the case of Karáchi that the term 30 years should be specifically stated. It appears to me to be more desirable to substitute the wording which I have suggested. It is exactly the same as in the Calcutta Port Trust Act, which was amended only a short time ago. I beg to move that these words be substituted for the concluding words of section 59F, sub-section (1).

Shall I proceed to the other amendments now, Mr. President ?

The Honourable Sir PHEROZESHAN MEHTA :—Mr. President,—The motion for second reading has not yet been passed. May I point out that the vote on the motion for second reading must be taken first and then the Bill can be considered in detail ?

The Honourable the PRESIDENT :—I regret that I am not sufficiently well posted in the rules of procedure, but I think the Honourable Sir PHEROZESHAH MEHTA is right, and we must now discuss the second reading.

The Honourable Sir PHEROZESHAH MEHTA :—Mr. President,—I am very thankful to the Honourable Mr. WEBB for vindicating what might have appeared to him to be my obstinate opposition to the carrying of the Bill through its various stages at one sitting. It looked as if I was coming in the way of the Bill, but I am very glad that now Mr. WEBB has been good enough to acknowledge that the wiser course was the one which I suggested.

The Honourable the PRESIDENT :—The motion before the Council is that this Bill be read a second time as amended by the Select Committee, but with the omission of the amendment to clause 2, sub-section 59C (5).

Bill read a second time.

The motion was agreed to.

The Honourable Mr. JENKINS :—We have now to proceed to the consideration of the Bill in detail preliminary to the third reading, but as the rule stands it appears that if any amendment not of a merely clerical nature be made to a Bill as amended by a Select Committee the motion for the third reading cannot be made at the same meeting. I am afraid that the consequence is that if any of these amendments affect the principle of the Bill—which it will be for the Council to decide—and they are carried—we shall have to adjourn the Council for the third reading.

The clauses of the Bill were considered *seriatim* and passed down to 59F, to which the Honourable Mr. WEBB's first amendment referred.

The Honourable the PRESIDENT then called on the Honourable Mr. WEBB.

The Honourable Mr. WEBB :—I have nothing further to say with regard to the first amendment. But from the remarks which have just fallen from the Honourable Mr. JENKINS it will be for the Council to decide whether the amendment is other than a clerical amendment.

The Honourable the PRESIDENT :—That is for me to decide. I will be prepared with my decision when the time comes.

The Honourable Mr. WEBB :—I will ask you, Mr. President, if you can exercise your authority under Rule 41 and suspend the Standing Orders.

The Honourable the PRESIDENT :—That will remain for consideration if the honourable member desires.

The Honourable Mr. WEBB, continuing :—I have nothing further to add to what I have already said. The wording I suggest is exactly the same as in the Calcutta Port Trust Act. I beg to move the first amendment standing in my name.

The Honourable Mr. IBRAHIM RAHIMTOOLA said :—Mr. President,—I rise to support the amendment moved by the Honourable Mr. WEBB. The distinction between the section as it stands and the proposed amendment is that in the one case every long-dated loan will become practically fixed at a currency of 30 years, while in the other such currency will remain a matter of negotiation. In the former case a period of 30 years will be taken as fixed for each and every loan and the Karachi Port Trust will have great difficulty in inducing Government to open the question and consider the desirability of treating each loan on its merits. An exceptionally strong case will have to be brought forward

to make Government take into consideration whether the period of 30 years should or should not be extended. Under such an arrangement the Karáchi Port Trust will always remain under a desired disadvantage. The amendment moved by the Honourable Mr. WEBB fully meets with this difficulty. The question of the currency of each loan proposed to be raised by that body will remain open and will have to be considered on its own merits. I do not see what objection Government could have against the proposal. The power to determine the currency of each loan will under the amendment remain with Government and they ought to be satisfied with it. The demand of the Karáchi Port Trust to leave the question of the currency of each loan to be determined on its own merits is a perfectly reasonable one and I hope Mr. WEBB's amendment will be accepted by this Council.

The Honourable Sir PHEROZESHAN MEHTA:—Mr. President,—I do not think I can follow my honourable friend Mr. IBRAHIM RAHIMTOOLA. So far as the Bill was concerned 30 years was put down, as a fixed term, but as one which could be extended with the consent of the Governor General in Council. What the Honourable Mr. WEBB wishes to obtain is that the fixed period should be 60 years and that it should be left to the discretion of the Government of India to insist upon any shorter period. I am not quite sure that it would be quite right to do this. In works of this kind there must be some limitation of the period and I do not think we should allow the Government of India possibly to make it 10 or 15 years. It seems to me that 30 years is a very reasonable period, and that what the Government of India demand is by no means unreasonable. I am only speaking as a layman. The Honourable Sir WALTER HUGHES is an authority on the subject and I should not like to put my opinion against his, but 30 years seems to me to be a very fair period. But may I ask my friend Mr. WEBB whether it is any use his striking his head against a stone wall. We have in the past sufficiently gone through that experience. We know that the Government of India has come to the decision that 30 years must be the period and we cannot depart from it.

The Honourable Sir WALTER HUGHES:—Mr. President,—I think we have had numerous decisions which show that the method of the Government of India in dealing with the period of loans vary from time to time. Not so very long ago they laid it down that the sole determining factor was the probable duration or life of the work on which the money was to be spent. More recently they have been inclined to limit the period to 30 years. I think it is undesirable that anything should be done to stereotype the idea that loans should ordinarily be for 30 years only. I think that each case should be dealt with on its merits. In this way the Government of India would still have full discretion and at the same time Karáchi would be treated in the same way as Calcutta.

The Honourable Mr. JENKINS:—I have already intimated my opinion that this proposal will not make the slightest difference in dealing with the loans to the action of the Government of India. It will be entirely in their discretion to fix the period. Even if the period were extended to 60 years it would still be within their discretion to fix any period they liked. Personally I do not think it is worth the time and trouble to pursue the matter further. At the same time as the amendment is supported by the representatives of both the Bombay and Karáchi Port Trusts and also as the Government of India are not likely to make any objection, since they would be in a position to maintain their policy, I may at once say that we are disposed to accept the amendment.

The Honourable the PRESIDENT:—The proposal before the Council is the amendment to clause 2, section 59F, sub-section (1), proposed by the Honourable Mr. WEBB.

The amendment was carried, and the clause as amended was also approved.

The clauses of the Bill down to section 59G were also passed.

The Honourable Mr. WEBB then moved his second amendment which was to the effect that the word "current" should be omitted from section 59G which read:—"The sinking fund established for the liquidation of any loan shall be subject to annual examination by the Accountant General, Bombay, who shall ascertain whether the cash and the current value of the securities at the credit of the fund are actually equal to the amount which would have been accumulated, had investments been regularly made and had the rate of interest as originally estimated been obtained thereon." The honourable member said:—Mr. President,—This clause provides for the check on the part of Government on the duty of the Port Trustees to provide adequate provision for its sinking funds. The amendment I propose is with this object. The wording of the clause as it stands says that the Accountant General, in examining the investments of the Trust, shall see if their current value is sufficient to meet the requirements of the Sinking Fund. But, Sir, the current value of the securities may not be the same as what their value may be when they become repayable, and it is possible that the Trust may have invested in securities which become payable before the loan for which the Sinking Fund is provided is repayable. In that case their *current* value on the day of audit may not be par but when they are repayable they will be at par. Therefore I think that the word "current" should come out. I beg to move the omission of the word "current" from line 137.

The Honourable Sir WALTER HUGHES:—Mr. President,—I wish to support the amendment for the reasons stated by my honourable friend. It seems to me to have been an oversight, and therefore I think that the word should be omitted.

The Honourable Mr. JENKINS:—Mr. President,—This is an actuarial question which, if gone into, in detail would present considerable difficulty. I admit that there is a great deal of truth in what the Honourable Mr. WEBB and the Honourable Sir WALTER HUGHES have stated in regard to the incorrectness of taking at their present value the securities which are repayable at par before the maturity of the sinking fund which they are intended to cover. On the other hand, they have not taken into consideration the other side of the case. There must be certain securities—probably a considerable number—which must fall in during the currency of the sinking fund. At the same time I consider that it is essential that this matter should be left to the Audit Officer who examines the funds, and if the word current is omitted, it would be left to his discretion in each case to say what the actual value of the security is for the purposes of the sinking fund. And upon these grounds I think we may accept the amendment.

The Honourable the PRESIDENT:—The proposal before the Council is that the word "current" be omitted in line 137.

The amendment was carried, the section as amended was passed and the remaining sections down to clause 3, section 61, were approved.

The Honourable Mr. WEBB:—Mr. President,—With regard to clause 3, section 61, I beg to move that the words "and, in the case of a deficiency of assets, such charges shall rank as against the funds of the Board in the following order, namely:—" be

omitted. The object of this Bill, Sir, briefly is this: Karáchi is expanding very rapidly and it has to raise large sums of money with which to construct additional wharves and other works for dealing with the shipping and trade of the port. It is necessary, therefore, for Karáchi Port Trust to have additional borrowing powers, and the whole object of the Bill now before us is to give to the Trust those additional powers—to give them powers to borrow, not only under the Local Authorities Loan Act as at present, but on the security of their credit. And in order that the Board may have every facility it will also permit the Trust to raise loans in England. The object of the Bill is to give additional credit to the Karáchi Port Trust. In view of that I ask why should we provide that in the event of the Trust going into liquidation this, that or the other shall be done. I venture to say that the idea of the Trust going into liquidation is unthinkable. We know very well that under the present provisions of the Act, should current revenues be insufficient to meet current expenses, Government can step in and force the Trustees to levy higher rates and charges to enable them to pay their way. But it is unthinkable that the Trust should become insolvent, and I argue that these words are more likely to do damage to our credit than otherwise. On the one hand it is proposed to give the Trust power to borrow more money and on the other you say that in the event of liquidation this, that or the other shall be done. I have turned up other Trust Acts and in the Calcutta Act I find that there is nothing about liquidation. In the Bombay Act I find no words which say if the Bombay Port Trust comes to grief, how it shall pay its debts. In these circumstances I do not see why the Karáchi Port Trust Act should have words of this doubtful value inserted.

The Honourable Sir WALTER HUGHES:—Mr. President,—I must support this amendment. I have very little to add to what the Honourable Mr. WEBB has said in the way of argument. But I may mention that in the Port of London Bill, which has recently been passed by Parliament, there is no mention of such a contingency as bankruptcy. It merely lays down the several headings under which the monies of the Trust shall be applied. That is the case with the Bombay Port Trust Act and the Calcutta Port Trust Act, and I think that Karáchi should be dealt with in that way also.

The Honourable Mr. JENKINS:—Mr. President,—I think it is very natural that Mr. WEBB should have a very high opinion of the Karáchi Port Trust's solvency and its future, and regard the contingency of its inability to meet its liabilities as very remote, and personally I do not contemplate it. But when the honourable gentleman goes on to say that such a state of things is unthinkable, I think I can hardly go with him so far. All human institutions are liable to revolution and to calamity, and I think that a contingency of failure to meet liabilities in the case of any public body is one which might be very well provided for. I do not think that in the case of the Trust it is absolutely essential that it should be provided because in case it did happen I have no doubt that the Government will step in and take over the control. If there were any question of priority of liability, the Government would follow very strictly the order laid down here in regard to the monies of the Trust. I think, therefore, that the omission of those words, as throwing some discredit on the body, of which Mr. WEBB is so justly proud, are really of no importance. And, therefore, I think that we may accept this amendment also.

The Honourable the PRESIDENT:—The question is that in clause 3, section 61, the words “and, in the case of a deficiency of assets, such charges shall rank as against the funds of the Board in the following order, namely:—” shall be omitted.

The amendment was carried and the clause as amended and the remaining clauses of the Bill and preamble were also passed.

The Honourable the PRESIDENT:—I have considered whether these amendments can be considered as merely clerical; I do not think that they can, and I think that the Council will agree with me. At the same time I do not think that they affect the principle of the Bill in any way and accordingly I am ready, unless I find pronounced opposition in the Council, to suspend the Standing Orders in order that we may carry the third reading of the Bill as amended today. If the Council is adjourned it will cause inconvenience to members. I understand that there is no feeling against the suspension of the Standing Order, and therefore the third reading may be proceeded with.

The Honourable Mr. JENKINS:—Mr. President,—I now move that the Bill be read a third time. It has taken more time than I expected, and my honourable friend Sir PHEROZESHAH MEHTA is fully entitled to feel satisfied that the Bill was not passed at one sitting and to take credit for what alterations have been made in it. But whether the alterations made have been such as to justify the expenditure of the time and trouble taken upon the Bill, I confess I feel some doubt. But I am glad we have now come to the end of our labours.

Bill read a third time and passed.

The Bill was then read a third time and passed.

BILL NO. IV OF 1908 (A BILL TO PROVIDE FOR THE ERECTION AND MANAGEMENT OF THE PRINCE OF WALES MUSEUM OF WESTERN INDIA). ✓

The Honourable Mr. JENKINS:—Mr. President,—This Bill has been framed to provide for the management of the Prince of Wales Museum. It is the common wish of Government and the citizens of Bombay that this institution, which will commemorate the visit of H. R. H. the Prince of Wales to this city, should be so founded and equipped as to be worthy of the name which it bears. A fine site has been provided, upon which a commodious and stately building will be erected, but that will not make a museum. A good museum is an excellent thing. It is a source of profit, institution and amusement to very many people of all ages and all classes, while a bad one is worse than useless.

If this institution is to be successful, it is necessary that it should, from the first, be started on right lines. Good management is all important, and after much careful consideration we have come to the conclusion that good management is most likely to be secured by entrusting the care of the museum to a legally constituted body of trustees. The alternative would be the appointment of an executive committee, but such a committee would be less independent than the statutory trustees whom we propose to create, and as some separate arrangement would be necessary for the custody and administration of the property and funds there would be a division of authority and responsibility. A committee would, in fact, be little more than a sub-department of

Government, and in these days Government have quite enough to do without supervising the management of a museum. The Trustees in whom will vest the land, buildings and endowments, will also control the working of the institution. They alone will be responsible, and I believe the best results are invariably obtained when men feel that success or failure in any undertaking depends solely upon themselves. The provisions of the Bill, which follows closely the Victoria Memorial Act, 1903, are very simple, and I imagine, the only point on which there may be any difference of opinion is the composition of the body of trustees. I trust, however, that if any change is made in this respect there will be no increase in the number. The trustees will be an administrative, not a deliberative, body, and for administrative purposes, the number provided is fully sufficient. I now move that the Bill be read a first time.

The Honourable Sir PHEROZESHAH M. MEHTA said :—Mr. President,—I have no doubt that the views expressed by the Honourable Mr. JENKINS in regard to the formation of the Committee will meet with general approval. He is quite right in saying that the Bill follows the provisions of the Victoria Memorial Act. But there is one small point to which I should like to refer. That point is in connection with section 5 of the Bill which gives powers to the Governor of Bombay for framing rules to carry out the purposes of the Act and for making provisions “for the manner in which the members of the Board other than ex-officio members shall be appointed, and for the periods of time for which such members shall hold office”. Now I admit that it is copied from the “Victoria Memorial Act” but you will find that there it is applicable only to one class of members, viz., those elected by the subscribers, all others being members nominated by Government.

I submit that the election of the two members given to the Corporation should be left to be made by that body according to the regulations made by them. I quite see that this section is taken bodily from the Victoria Memorial Act, but that was inserted there because there was a necessity in that Act for it as you will see from the clause relating to people who are qualified to be members. There, most of the Trustees are ex-officio and “such and so many persons as shall, from time to time, be nominated by the Trustees with the approval of the Governor General to represent the general body of subscribers.” The subscribers have no regulations of their own and are a fluctuating body. It was, therefore, necessary to empower the Governor General in Council to say how they should proceed. Now the case of the Bombay Municipal Corporation is different. It is an organized body with rules and regulations. I will give only one instance of the election of the Trustees representing the Bombay Corporation on the City Improvement Trust. The rule in the Improvement Trust Act as regards the election of Trustees provides that the election by the Bombay Corporation, Port Trustees and the Mill-owners' Association shall be in accordance with regulations which those bodies may respectively frame, provided that the election by the Corporation shall be by open votes. I submit that in this case also the same provision may be allowed with reference to the Corporation's representatives in the Museum Committee. Of course it would have to be in accordance with the Municipal Corporation's Act, and if desired, I should have no objection to this being added, provided that decision of the Corporation be arrived at by open vote. This point, I submit, should be looked into when the consideration of the Bill in detail is begun.

The Honourable Mr. JENKINS:—The point is one which deserves consideration and I have very little doubt that when the Bill comes up again before the Council, we shall see that the suggestion is attended to. The honourable member will have an opportunity of pressing his views on the Select Committee, to which I now propose to refer the question. I propose that the Bill be read a first time and be referred to a Select Committee consisting of the Honourable Sir PHEROZESHAH MEHTA, the Honourable Mr. CAMERON, the Honourable Sir VITHALDAS D. THACKERSEY, the Honourable Mr. SHARP and myself with instructions to report by March 31st.

Bill read a first time.

Bill referred to a Select Committee.

The motion was adopted.

BILL No. V OF 1908 (A BILL TO VALIDATE CERTAIN ACTION TAKEN UNDER THE CRIMINAL TRIBES ACT, 1871, AND TO AMEND SECTION 14 OF THAT ACT).

The Honourable Mr. JENKINS:—Mr President,—The introduction of this Bill has

The Honourable Mr. J. L. JENKINS moves the first reading of a Bill to validate certain action taken under the Criminal Tribes Act, 1871, and to amend section 14 of that Act.

been rendered necessary by a judgment of the Court of the Judicial Commissioner of Sind, which has condemned the action of the Commissioner in removing certain Hurs, who have been registered as members of a criminal tribe from one settlement to another under section 14 of the Criminal Tribes Act, 1871, without the express concurrence of the Government of India under section 15 of the Act. The Hurs are not, strictly, a tribe; they are members of a sect, acknowledging the headship of a certain Pir, and many of them are highly respectable, law-abiding people. Some of them, however, fall into extreme fanaticism; and, considering themselves to be above all human law, become the most desperate of criminals. On several occasions gangs of them have overawed large tracts of country, robbing, murdering and inflicting atrocious cruelties upon innocent people. Not so long ago it was necessary to use troops against them. After the last great outbreak the sect was declared to be a criminal tribe, and the dangerous members of it were registered and interned in settlements, where they live under supervision. It is evident that when persons of such desperate character are collected together, it is most necessary to prevent any combination among them, and it is sometimes expedient to move some of them from one settlement to another. This the Commissioner has done in several cases, but it has now been held that he had no authority to do so. I will not trouble the Council with the legal argument, which is somewhat intricate. The decision of the Court is final and what we have now to do is to avert the consequences. We, therefore, propose by clause 2 of the Bill to validate the action of the Commissioner in Sind, and by clause 3 to make it clear that removals may be made under section 14 as often as may be necessary. There are obvious reasons why the Bill should be passed without delay; and, in the absence of any valid objection, I intend presently to ask you, Mr. President, to suspend the ordinary rules of business in order that it may be passed at this sitting.

I now move that the Bill be read a first time.

The Honourable SHEIKH SADIK ALI *walad* SHEIKH SHEB ALI:—Mr. President,—I think that what the honourable member who is in charge of the Bill has said

is quite true. The members of this tribe are very dangerous. They are guided neither by religion nor law. They have only their own tenets to follow and they always break the law. I think that the action of the Commissioner in Sind was justified and I support it.

Bill read a first time.

The first reading was carried.

The Honourable the PRESIDENT :—I gather, gentlemen, that there is no opposition in the Council in the case of this very urgent Bill to suspending the Standing Orders. I may mention that His Excellency the Governor has been consulted, and he concurs in the view that this procedure is desirable. I propose, therefore, to suspend the Standing Orders in order that we may get through the remaining stages of the Bill.

Suspension of Standing Orders.

Bill read a second and a third time and passed.

The Standing Orders being suspended, the Bill was carried through all its stages.

BILL No. I OF 1909 (A BILL TO AMEND CERTAIN ENACTMENTS AND TO REPEAL CERTAIN OTHER ENACTMENTS).

The Honourable the PRESIDENT :—Gentlemen,—I propose to say very little to the Council about this Bill on the present occasion. It will be necessary in order that the Bill may be read a first time again to suspend the Standing Orders, but I have been in communication with several of my friends interested in this Bill, and I understand that they do not object to this course being taken. The only alternative would be to adjourn the Council, which would give a good deal of unnecessary trouble and I think the position will be met, after the first reading has, as I hope, been carried, by the Bill being considered in Select Committee, which will not assemble for another fortnight, so that there will be plenty of time to consider objections before then. But it is important that we should get into Committee as early as possible because the Bill is a large and complex one, and it will be more convenient to meet in Committee in Bombay than anywhere else. On the understanding that I have the sense of the Council with me, and having obtained the sanction of His Excellency, I beg to suspend the Standing Orders and move the first reading.

This motion having been agreed to, the Honourable Sir JOHN W. P. MUIR

Suspension of Standing Orders.

The Honourable Sir JOHN W. P. MUIR MACKENZIE moves the first reading of a Bill to amend certain enactments and to repeal certain other enactments.

MACKENZIE continued :—With reference to the Bill itself I do not think it is necessary to say much. I will merely touch on one or two of the more important sections embodied in it, leaving those which are mostly clerical or for very obvious purposes without comment. The first provision I will mention is in Schedule I, Part I, No. 1. I think it is pretty obvious why this is required. At

present the ridiculous form is gone through in the Registrar's office of the executant and other parties sitting by while the clerk or the sub-registrar copies out the printed form verbatim; and there is absolutely no additional security obtained by this process. Before the Deccan Agriculturists' Relief Act was passed, printed forms were few in number and the framers of the Act considered a provision that the registering officer should write out the deed necessary for the protection of the debtor. Now that forms of deed have become stereotyped as to be printed the debtor knows very well what is in them.

Passing on to Nos. 2 to 4, we propose that the Co-operative Credit Societies should be exempted from the strict observance of chapters 6, 7 and 8A of the Deccan Agriculturists' Relief Act. I think I may say that there is a decided feeling in informed Indian opinion as well as among our best authorities including the Registrar of Co-operative Credit Societies himself, that the Societies in the recovery of their debts should be given the speediest methods which it is possible to lay open to them. There is nothing more frequently urged upon the Government than that they should be allowed to recover their debts as though they were arrears of land-revenue. We have not gone so far yet, but it is in the same category as our proposal. We propose that they should be exempted from some of the precautionary, and I cannot at the moment find a better word than dilatory, provisions of the Deccan Agriculturists' Relief Act. It is needless to say that the Co-operative Credit Societies are on different terms with their debtors than those which exist between the Deccan agriculturist and the ordinary money-lender, and therefore the same provisions are not required for protection of the debtor in the one case as in the other.

I pass over Nos. 1 and 2 of Schedule I, Part II, and I come to No. 3 in which I think special interest will be taken by the Jāghirdār of Ichalkaranji and the Sir Desai of Vantmuri. At present there is a provision that the ināmdār has to give a receipt to the tenant, although the tenant has to make payment to the village-officer. The ināmdār is very often not there when the payment is made and in consequence of this provision there is delay and trouble for all concerned—trouble for the ināmdār and trouble for the tenant—and our object is to do away with the ināmdār's receipt, and allow the village-officer's receipt to be sufficient for all purposes. As you know, this procedure is adopted by the Government. The village-officer's receipt is enough for Government, and we think it should be the same for ināmdār. We think, also, that as regards his revenue payment the tenant need not have any further protection in dealing with the ināmdār than he has in dealing with Government. The same argument applies to Nos. 4 and 5.

No. 6 refers to a totally different subject. It seeks to give additional representation of railway interests upon the Bombay Port Trust. It will be observed that this proposal is supported by the Chamber of Commerce and the Railway Board. I very much regret to say that it has not the full support of the Port Trust. I will not enter into the *pros* and *cons* of this subject, because, after consultation with Sir WALTER HUGHES I understand that he is prepared to discuss the matter in Select Committee, and I hope that there we shall come to a decision which will both secure the object of the Government and meet the views of the Port Trust. The same remark applies to No. 6A.

The only other point with which I propose to detain the Council is that of Nos. 21 to 24. I have sanguine hopes that this will pass without any difficulty, and further explanation will be given in Select Committee. It is proposed to remove a technicality which has stood in the way of the very valuable work of the Court of Wards in one or two cases, and which is likely to recur not infrequently. That difficulty is that when interests are divided in say the revenues of a village, but no partition has been effected by metes and bounds, the law requires the estate to be treated for the purpose of being brought under the jurisdiction of the Court of Wards, as if it were undivided, that is to say before it can be brought under the Court the concurrence of all shareholders is required. This results in delay and inconvenience. I do not think any apprehension

need be entertained that damage will be done by the proposed legislation to co-sharers. That is all I have to say with regard to the Bill so far as it affects my particular department.

The Honourable Mr. JENKINS :—Mr. President,—I am in the fortunate position of having little in the nature of contentious matter in the amendments of the Act that concern my department. In fact there is not one amendment which is likely to give rise to any disagreement. A number of amendments which concern the Bombay City Municipal Act have, I believe, been inserted at the instance of the Municipality, and could have no more satisfactory situation. There is one item which will be viewed with approbation by many people. It is that proposed by the Municipality to enable it to provide music for the people. I understand that this object, which has for such a long time been advocated, seems likely to be attained in the near future. I think there is nothing else which calls for any comments.

The Honourable Mr. IBAHIM RAHIMTOOLA said :—Mr. President,—I do not know whether the meaning I attach to the proposed amendment of section 312 is correct. If it is correct I do not think that the opinion expressed by the Honourable Mr. JENKINS that there would be no opposition to it will go unchallenged. Section 312 provides that except with the permission of the Municipal Commissioner under section 310 or 317, no person shall erect or set up any wall, fence, rail, post, step, booth or other structure or fixture in or upon any street or upon or over any open channel, drain, well or tank in any street so as to form an obstruction to or an encroachment upon or a projection over or to occupy any portion of such street, channel, drain, well or tank. The proposed amendment introduces new words which I understand to mean that in future some lawful authority other than the Commissioner will also exercise the same power of sanctioning permanent obstructions to, encroachments upon or projections over, any of the streets in the city of Bombay and also upon drains, wells, &c. This is in my opinion highly objectionable as I regard it in the light of an encroachment upon local self-Government. I do not know what other authority is contemplated by the proposed amendment, but even if it is Government, I think we are entitled to protest against the action proposed to be taken. In the Statement of "Objects and Reasons" it is stated that this amendment is proposed with a view to remove a possible doubt as to the legality of the erection in the streets by the Tramway Company of posts to support the trolley wires. It will be within the recollection of members that when I raised in this Council the question of lighting central poles I was told that as that question was one of contract between the Corporation and the Tramway Company, this Council did not wish to interfere. The Bombay Corporation has now taken up the matter in earnest and a strong Committee of that body is considering it in the best interests of the public. I am surprised to find that after deliberately informing this Council that Government did not intend to interfere between two contracting parties, they have now thought fit to introduce an amendment which will undoubtedly have that effect, to the prejudice of public convenience and safety, which the Corporation is endeavouring to safeguard and protect. The proposed amendment is objectionable firstly because it is an encroachment upon the rights of local self-Government and secondly because it is an interference between two contracting parties both able to take care of themselves. I am strongly against the passing of this amendment.

The second amendment in regard to which I wish to say a few words deals with the amendment of the Port Trust Act. I had a mind to send in notice of amendment but as

the Bill reached me on the 1st instant and the rules of this Council require 5 days' notice, I was not able to do so. I am glad that the Bill is going to be referred to a Select Committee and in order to enable that Committee to take into consideration the points I wish to raise that I lay them before this Council. Section 5 of the Port Trust Act which is proposed to be amended deals with the constitution of the Board. It provides that the Board shall consist of thirteen members, five by election and eight by nomination inclusive of the Chairman. It also provides that not less than three nominal trustees shall be Natives of India. All the five elective trustees are returned by the Chamber of Commerce. The present Port Trust Act was passed about 30 years ago and it may have been perfectly right then to provide that the Indian mercantile community should be represented by not less than three members and that such representation should be by nomination only. Though the Act lays down that there shall be not less than three Natives on the Board, one cannot help regretting to observe that not once during all these 30 years, there have been more than three Indian trustees. One would have thought that when the Act fixed a minimum of three and authorized Government to nominate more, they should have throughout such a long period adhered to the minimum representation provided by law and should not have exercised their discretion in nominating one or two more trustees from the Indian mercantile community. I think the claims of the Indian merchants for a larger representation on the Port Trust cannot be disputed and now that the constitution of that body is proposed to be altered these claims must be taken into consideration and reasonably satisfied. What I would desire is that just as the European mercantile community secure their representation by election, the Indian merchants also should obtain their representation by election. If there happen to be any difficulties in the way of conceding the right of election to the Indian mercantile community, then let provision be made for a larger number of Indians to be nominated on the Board. I think the case for larger representation of the Indian community is a strong one and should now be satisfied preferably by election, and if that was not possible, then by nomination.

The Honourable Sir WALTER HUGHES:—Mr. President,—With reference to the remarks of the Honourable Mr. IBRAHIM RAHIMTOOLA I personally would be very glad indeed to see an increased representation of the interests of the Indian Mercantile Community on the Board of Trustees, but at the same time a very important consideration is the restriction of the members on the Board to a practicable limit. I think that the Port Trust, which has been complimented for its great success in many departments, owes much of that success to its being such a workable body. It is almost a Committee and the members devote themselves entirely to business matters. On the present occasion I do not wish to go into the question, but I understand from you, Sir, that full opportunity will be given to the Select Committee of discussing the subject with reference to the representation of railway interests on the Board, and I think that very possibly an arrangement may be made such as you have referred to which will meet the Honourable Mr. RAHIMTOOLA's views.

The Honourable Sir PHEROZESHAH MEHTA:—Mr. President,—I do not think that with any Bill of this character it would serve any useful purpose to discuss the amendments now. The proper place to do so is in Select Committee. But I should like, in view of the remarks of the Honourable Mr. IBRAHIM RAHIMTOOLA, to ask whether only those portions of the enactments put down in the schedule are to be dealt with, or whether

the modification of certain enactments opens up the whole Act for consideration. There is a certain amendment proposed to a portion of the City of Bombay Municipal Act. Does that lay open the whole of the Municipal Act for amendment?

The Honourable the PRESIDENT :—Certainly not.

The Honourable Sir PHEROZESHAH MEHTA :—Then it is no use discussing the matter now.

The Honourable the JA'GHIEDAR of ICHALKARANJI said :—Mr. President,—I wish, with your permission, to make a few remarks relating to the amendments of the Land-Revenue Code. These amendments involve a question of some importance to the inámdárs and it is a matter of regret that they have been brought before this Council in such a hurry. They have not been published and translated into the vernaculars for the information of the people concerned. The amendments relate to sections 58, 65 and 85 of the Land-Revenue Code. As I have observed on several previous occasions in the Council, section 85 deprived the inámdár, where there is a hereditary patel or village-account, of the right of recovering his revenue from his tenants. But then from section 58 it was quite clear that the village-officer collected the revenue for the inámdár. I have also on several occasions brought to the notice of Government the evil results which follow from the inability of the inámdár to collect his revenue and I do not wish to repeat what I have said before. I had also repeatedly requested Government to amend section 85 so as to remove this inability imposed by the Legislature. But instead of amending the section so as to remove the restriction, the present amendment does away altogether with the necessity of a receipt signed by him. Amendments 3 and 5 presuppose that there is a distinction between inámdárs who are entitled to receive the dues on account of rent or land-revenue direct from the inferior holders and those who are not so entitled. I submit that until the introduction of the Land-Revenue Code, there was no such distinction. The inámdárs used to collect their revenue direct from the inferior holders whether there was a hereditary patel or accountant or not. The collection of revenue is not a matter of right. The inámdár is to get the revenue, and it is only natural that he should have the power to collect it from his tenants with, of course, the assistance of the village-officer. The right of the village-officer to collect the revenue, supposing that any such right exists, is safeguarded by the provision contained in section 58 that the receipt should be countersigned by the village-officer. I submit what can at the most be insisted on is that the village-officer should get his remuneration. But it is unfair to the inámdár to lay down that he is not even to demand his revenue from his tenants and that he would be fined if he were found to do it. If the inámdár received more than his dues from his tenants it is just to punish him, but to disqualify him altogether from receiving or even demanding the revenue from his tenants is perfectly an unnatural situation. At present he has at least to give receipts for the revenue to his tenants so that he has at least the satisfaction of feeling that the village-officer was only collecting the revenue as his servant. But by the present amendment dispensing with the necessity of his receipt, the last vestige of his right disappears. I would, therefore, submit that instead of the amendment brought forward, section 85 should be so amended as to remove the disability of the inámdár to collect his dues direct from his tenants. On previous occasions whenever I urged upon Government the necessity of amending this section, I was assured

that the desirability of doing it, would be considered when the general revision of the Land-Revenue Code was taken in hand. Now when this section is under the consideration of the Legislative Council, I would urge that this is the proper time for this Council to go into the question thoroughly and redress a wrong that has been inflicted on a large body of land-holders in this Presidency.

If the receipt of the inámdár is dispensed with, he would have no safeguard whatever in cases when the village-officer did not account for the sums that he received from inferior holders. Some time back it was suggested that the village-officer should be required to give receipts from a book containing consecutive and numbered receipts and also counterfoils of the receipts given by him so that the inámdárs could see whether all sums were accounted for or not. It is not known whether that suggestion is going to be adopted. If this amendment is carried, I would urge that at least a receipt book should be kept in the form suggested. If this were not done the position of the inámdárs would be worse than it is at present.

Before concluding, I would observe, regarding the amendment of section 65 of Land-Revenue Code, that the failure on the part of the Collector to furnish an acknowledgment within seven days would prejudicially affect the inámdár as the rules proposed by Government some time back, require that the application for permission as regards land in inám villages should in the first instance be made to the Collector. I do not know whether the rules have been brought into force. If they are, I am of opinion that the section should remain as it is so far as the inám villages are concerned.

The Honourable the PRESIDENT :—I will not undertake to reply in detail now, but I can assure the honourable member that all such suggestions as he has made which have any bearing on the legislation now proposed will receive our full consideration in the Select Committee. I cannot hold out any immediate hopes of any alterations—extensive alterations—being made in the Land-Revenue Code in regard to the direct collection of inámdár's dues, on the contrary I think the policy of collection through the village-officers is likely to be maintained for some time to come.

The Bill was then read a first time and referred to a Select Committee consisting of the Honourable Mr. JENKINS, the Honourable Mr. LAMB, the Honourable Mr. DIKSHIT, the Honourable Mr. KHARE the Honourable the JA'GHIRDAR of ICHALKARANJI, the Honourable Sir WALTER HUGHES, the Honourable Mr. CAMERON and the Honourable Mr. IBRAHIM RAHIMTOOLA with instructions to report by April 7th, 1909. ✓

BILL No. II OF 1907 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY IMPROVEMENT ACT, 1898).

The Honourable Mr. JENKINS :—Mr. President,—I have, Sir, with much regret, to ask the Council to consent to a further postponement of the presentation of the report of the Select Committee on the Bombay Improvement Act Amendment Bill. We are still awaiting a very important report from the Improvement Trust with regard to its financial condition. When the report is received, it will, I hope, prove to be very satisfactory. Without the report, it would not be possible to make any definite proposal and I, therefore, ask that leave may be granted to postpone the presentation of the report till the 30th June next.

The Honourable Sir PHEROZESHAH MEHTA :—Mr. President,—I should like to point out that this is not put down on the list of business.

The Honourable Mr. JENKINS :—I do not know that it is necessary.

The Honourable Sir PHEROZESHAH MEHTA :—I have never known an instance where this has been done before without notice. The result is that we are rather taken by surprise. I would have had to say a great deal on the motion for the further extension of time if I had notice of it, but I do not think I can take it now. I understand that a report asking for extension of time was to be submitted by the Committee. Probably there are instances in which the member in charge of a Bill has moved a motion for postponement, but I do not think it has been done without notice.

The Honourable Mr. JENKINS :—I quite agree that it would be better that notice should be given and I thought that the report which is being prepared would be ready for the Council. But it is not and the question is what is to be done. The Select Committee cannot report in the time appointed and what will happen is that the time for the Committee's report will expire and the Select Committee will not have fulfilled its instructions.

The Honourable Sir PHEROZESHAH MEHTA :—They can bring the report in late and apologise at the next meeting.

The Honourable the PRESIDENT :—I think that the best way out of the difficulty would be to condone the irregularity and allow the extension of time. I do not see that anything else can be done.

The Honourable Sir PHEROZESHAH MEHTA :—I think it would be a very dangerous precedent to allow a matter of this kind to come before the Council absolutely without notice. I may, for the consolation of the honourable member in charge of the Bill, say that there have been instances in which a Select Committee has been unable to report in the time appointed.

The Honourable Mr. JENKINS :—I have no doubt there have, but I can assure the honourable member that I do not want that consolation.

The Honourable the PRESIDENT :—I think there is nothing more to do than to put the motion to the Council that the time for the report be extended.

The Honourable Mr. JENKINS :—I am informed that there are precedents for passing motions of this kind without notice. Of course the Honourable Sir PHEROZESHAH MEHTA has a greater knowledge of procedure than anybody else here, but I am told that there are precedents for this motion being taken.

The motion for the postponement of the presentation of the report was carried.

The Honourable the PRESIDENT then adjourned the Council *sine die*.

A. C. WILD,

Secretary to the Council of the Governor
of Bombay for making Laws and Regulations.

Bombay, 5th February 1909.

APPENDICES

TO THE

PROCEEDINGS OF THE COUNCIL OF HIS EXCELLENCY THE GOVERNOR OF
BOMBAY ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGU-
LATIONS ON THE 5TH FEBRUARY 1909.

APPENDIX A.

Statement III showing the proportion of Musalmán Electors to the total number of Electors and of Musalmán Councillors to the total number of Councillors in Municipalities with population of 15,000 and over.

1	2		3		4	5	6	
Name of Municipality.	Electors		Municipal Members.		Proportion of (a) to (b).	Proportion of (c) to (d).	Remarks.	
	(a)	(b)	(c)					(d)
	Musalmáns.	Total number.	Musalmáns.	Total number.				Total number.
			Elected.	Nominated.				
Bombay City	2,144	8,633	14	4	72	·25	·25	
<i>Northern Division.</i>								
Ahmedabad	1,497	11,486	1	5	36	·13	·17	
Dholka	54	320	1	2	16	·17	·19	
Virangám	356	1,783	2	1	16	·20	·19	
Kapadvanj	197	660	1	2	14	·80	·21	
Nadiád	91	1,490	...	1	18	·06	·06	
*Umroth ... ..	...	...	...	2	10	..	·2	
Godhra	802	1,481	5	1	16	·54	·37	
Broach	182	1,032	...	4	24	·18	·17	
Surat	930	5,100	...	4	30	·18	·13	
Thána	29	1,156	...	1	20	·02	·05	
Kurla	141	620	3	...	12	·23	·25	
Bándra	149	1,546	...	1	16	·1	·06	

* The Municipality has no elective franchise.

1 Name of Municipality.	2		3			4 Proportion of (a) to (b).	5 Proportion of (e) to (d).	6 Remarks.
	Electors.		Municipal Members.					
	(a) Musalmáns.	(b) Total number	(c) Musalmáns.		(d) Total number.			
		Elected.	Nominated.					
<i>Central Division.</i>								
Ahmednagar ...	307	1,628	...	2	24	·19	·08	
Chopda ...	193	1,148	...	1	14	·17	·07	
Bhúsával ...	199	1,244	1	1	18	·16	·11	
Jalgaon ...	98	680	...	2	20	·16	·1	
Dhulha ...	157	1,364	...	2	24	·11	·08	
Násik ...	219	2,117	3	2	24	·1	·21	
Yeola ...	85	593	1	3	13	·14	·22	
Málegaon ...	376	807	1	3	13	·47	·22	
Poona City ...	654	7,897	...	3	33	·08	·08	
Sátára City ...	60	835	2	1	24	·07	·12	
Sholápur ...	512	2,941	1	1	26	·17	·08	
Bársi ...	58	714	...	1	16	·08	·06	
Pandharpur ...	10	606	...	·1	18	·01	·06	
<i>Southern Division.</i>								
Belgaum ...	282	2,020	2	1	24	·14	·12	
Bijápur ...	78	604	...	2	12	·13	·17	
Bágalkot ...	51	460	1	1	12	·11	·17	
Guledgud ...	85	1,075	1	...	12	·08	·08	
Dhárwár ...	48	1,570	...	2	24	·03	·08	
Hubli ...	295	2,306	1	2	24	·13	·12	
Gadag-Bettigeri ...	81	1,133	...	1	16	·07	·06	
Ránebennur ...	51	535	1	1	12	·1	·17	
Kárwár ...	53	733	...	1	16	·07	·06	
Ratnágiri ...	80	750	...	2	16	·11	·12	
<i>Sind.</i>								
Karáchi ...	1,024	4,631	3	5	34	·22	·24	
Hyderabad ...	161	1,285	2	2	24	·12	·17	
Sukkur ...	102	906	5	2	30	·11	·23	
Shikárpur ...	70	564	3	7	30	·12	·33	

APPENDIX B.

Statement IV showing the proportion of Musalmán Electors to the total number of Electors and of Musalmán Councillors to the total number of Councillors in Municipalities with population of less than 15,000.

1 Name of Municipality.	2		3			4 Proportion of (a) to (b).	5 Proportion of (c) to (d).	6 Remarks.
	Electors.		Municipal Members.					
	(a)	(b)	(c)		(d)			
	Musalmáns.	Total number	Elected.	Nominated.	Total number			
<i>Northern Division.</i>								
Modása	8	81	2	1	12	.1	.25	
Gogha	123	407	...	2	12	.81	.17	
Kara	65	1,133	1	1	14	.06	.14	
Dohad	694	1,666	2	2	12	.42	.53	
Anklesvar	96	615	...	1	12	.16	.08	
Ránder	340	547	...	2	12	.62	.17	
Bulsár	124	947	1	1	16	.13	.12	
Kalyán	187	704	3	1	14	.27	.29	
Máhim	20	448	...	...	16	.05	...	
Bhiwndi	460	819	4	2	14	.57	.43	
<i>Central Division.</i>								
Bhingar	14	379	1	...	12	.04	.08	
Sangamner	23	337	...	1	12	.07	.08	
Vámbori	10	163	...	1	12	.06	.08	
Amalner	45	442	...	1	12	.1	.08	
Párola	35	343	...	1	14	.1	.07	
Erandol	77	905	...	2	14	.08	.14	
Bhadgaon	53	355	2	...	12	.15	.17	
Sávda	17	362	...	1	12	.05	.08	
Yával	34	577	1	1	12	.06	.17	
Faizpur	14	563	...	1	12	.02	.08	
Ráver	26	336	1	1	12	.08	.17	
Betávad	16	202	...	1	12	.08	.08	
Sindkheda	39	294	1	2	12	.13	.25	
Shirpur	21	385	...	...	12	.05	...	
Nandurbár	60	384	...	2	12	.15	.17	
Taloda	14	165	...	3	12	.08	.25	
Sháháda	35	263	1	1	12	.13	.17	

1	2		3		4	5	6	
Name of Municipality.	Electors.		Municipal Members.		Proportion of (a) to (b).	Proportion of (c) to (d).	Remarks.	
	(a)	(b)	(c)					(d)
	Muslims.	Total number	Elected.	Nominated.				Total number
<i>Central Division—continued.</i>								
Sinnar	1	124	...	...	12	·01	...
Igatpuri	107	822	...	...	12	·13	...
Sasvad	16	432	...	...	12	·04	...
Jejuri	5	145	...	...	12	·03	...
Baramati	6	229	...	1	12	·03	·08	
Indapur	10	186	...	1	12	·05	·08	
Sirar	88	257	2	2	12	·84	·83	
Talegaon-Dabhade ...	35	275	1	1	12	·13	·17	
Lonsvla	98	677	1	...	12	·14	·08	
Khed	32	250	...	1	12	·13	·08	
Alandi ... ..	...	179	...	...	12	...	...
Junnar	40	480	...	2	16	·08	·12	
Poona Suburban ...	22	228	1	1	18	·09	·11	
Karad	41	407	...	...	11	·1	...
Rahimatpur	64	1,089	...	...	12	·08	...
Wai	38	803	1	1	16	·05	·12	
Mhasvad	11	331	...	...	12	·03	...
Islampur	55	653	...	1	12	·08	·08	
Vita	5	199	...	...	12	·03	...
Tasgaon	47	670	...	1	12	·07	·08	
Aashta	17	379	...	1	12	·05	·08	
Karmala	6	72	...	2	12	·03	·17	
Sangola	6	110	...	...	12	·05	...
<i>Southern Division.</i>								
Nipani	6	260	...	1	12	·02	·08	
Athni	14	364	...	1	12	·04	·08	
Gokak	31	293	...	2	12	·11	·17	
Saundatti-Yellamma ...	9	332	...	...	14	·03	...
Yamkanmardi	13	140	...	...	12	·09	...
Ilkal	19	306	1	1	12	·06	·17	

1	2		3		4	5	6			
	Electors.		Municipal Members.							
	(a)	(b)	(c)					Proportion of (a) to (b).	Proportion of (c) to (d).	Remarks.
			Musalmins.	Total number.						
		Elected.	Nominated.							
<i>Southern Division</i>										
— continued.										
Navalgund ..	32	321	...	1	12	.1	.08			
Nargund ..	19	379	...	1	12	.05	.08			
Byadgi ...	11	249	...	1	12	.04	.08			
Háveri ...	14	251	...	...	12	.06	...	
Kumta ...	7	204	...	1	12	.03	.08			
Sirsi ...	46	333	...	1	12	.12	.08			
Haliyal ..	24	182	...	...	12	.13	...	
Honávar ...	18	303	...	...	12	.06	...	
Bhatkal ...	176	254	6	...	12	.69	.5			
Vengurla ...	6	243	...	...	12	.02	...	
Rájápur ...	57	213	...	1	12	.27	.08			
Chiplun ..	83	503	...	2	12	.16	.17			
Alibág ...	17	326	...	1	12	.05	.08			
Pen ...	27	364	...	...	12	.07	...	
Roha-Ashtami ...	75	361	2	1	12	.21	.25			
Mahád ...	38	238	...	1	12	.13	.03			
Panvel ...	102	452	2	...	12	.23	.17			
Uran ...	45	137	2	...	12	.33	.17			
<i>Sind.</i>										
Kotri ...	42	235	...	3	12	.18	.25			
Jacobabad ...	7	117	...	3	14	.06	.21			
<i>Northern Division.</i>										
*Sánand ...	...	...	...	2	10	...	.2
Dhandhuka ...	...	...	...	2	10	...	.2
Dholera ...	...	...	...	1	10	...	.1
Ránpur ..	...	...	...	2	10	...	.2
Mandal ...	...	...	...	2	10	...	.2
Parántij ...	...	...	...	3	12	...	.25
Mehmadabad ...	...	...	...	2	10	...	.2
A'nand ..	...	...	...	...	10	...	...	
Mahudha ...	...	...	...	1	10	...	.1

* This and the following Municipalities have no elective franchise.

1	2		3			4	5	6
	Electors.		Municipal Members.					
	(a)	(b)	(c)		(d)			
			Musalmáns.					
Musalmáns.	Total number.	Elected.	Nominated.	Total number.				
Name of Municipality.					Proportion of (a) to (b).	Proportion of (a) to (d).	Remarks.	
<i>Southern Division--</i>								
<i>continued.</i>								
Dákor	2	10	...	·2	
Borsad	1	10	...	·1	
Jambusar	1	9	...	·11	
Bassein	1	8	...	·12	
<i>Central Division.</i>								
Kharda	1	12	...	·08	
Trimbak	10	...	...
Malcolmpeth	2	9	...	·22	
Sátára Suburban	1	13	...	·08	
<i>Southern Division.</i>								
Mátherán	1	5	...	·2	
<i>Sind.</i>								
Manjhand	3	10	...	·8	
Tatta	4	12	...	·33	
Keta Bandar	3	12	...	·25	
Tándo Mahomed Khan.	4	10	...	·4	
Hála	3	10	...	·3	
Tándo Allahyár	3	10	...	·3	
Tándo Adam	2	10	...	·2	
Nasarpur	3	9	...	·33	
Matiari	3	9	...	·33	
Garhi Yasin	4	12	...	·33	
Bohri	4	12	...	·33	
Ghotki	5	12	...	·42	
Lárkána	3	12	...	·25	
Kambar	3	12	...	·25	
Rátodero	4	12	...	·33	
Sehwan	4	12	...	·33	
Bubak	2	10	...	·2	
Umarkot	3	12	...	·25	
Mirpurkhás	2	12	...	·17	

APPENDIX C.

Statement I showing the proportion of Musalmáns to the total population and of Musalmán members to the total number of members in Local Boards of the Presidency.

1 Name of Local Board.	2 Population.		3 Local Board Members.			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	(a) Musalmáns in round thousands.	(b) Total inhabitants in round thousands.	(c) Musalmáns.		(d) Total Number.			
			Elected.	Nominated.				
<i>Northern Division.</i>								
District Local Board, Ahmedabad.	87	796	...	2	23	·11	·09	
Táluka Local Board, Daskroi ...	43	315	1	...	17	·14	·06	
Do. Dholka ...	8	90	1	...	17	·09	·06	
Do. Dhandhuka...	10	99	4	2	21	·1	·29	
Do. Viramgám ...	10	113	1	1	19	·09	·11	
Do. Parántij ...	4	62	1	3	13	·06	·31	
Do. Modása ...	4	24	...	1	9	·17	·11	
Do. Sánand ...	4	63	1	...	17	·06	·06	
Do. Gogha ...	4	30	...	2	17	·13	·12	
District Local Board, Kaira ...	68	716	...	2	19	·09	·11	
Táluka Local Board, Mátar ...	6	61	...	2	15	·1	·13	
Do. Mehmabad.	7	76	...	3	19	·09	·16	
Do. Nádúd ...	17	148	1	2	19	·11	·16	
Do. Kapadvanj ...	9	75	1	1	17	·12	·12	
Do. Thásra ...	8	74	2	2	17	·11	·24	
Do. Anand ...	12	143	...	2	21	·08	·09	
Do. Borsad ...	8	138	...	2	17	·06	·12	
District Local Board, Panch Maháls.	21	261	...*	1	10	·08	·1	*Elective franchise not extended
Táluka Local Board, Dohad ...	5	91	...	1	7	·05	·14	
Do. Godhra ...	12	96	...	1	8	·12	·12	
Do. Kálol ...	2	74	...	...	7	·03	...	
District Local Board, Broach ...	63	291	2	2	15	·22	·27	
Táluka Local Board, Amod ...	8	32	2	1	15	·25	·2	
Do. Broach ...	31	110	3	3	17	·28	·35	
Do. Jambusar ...	11	62	1	2	17	·18	·18	
Do. Anklesvar ...	7	61	4	2	17	·11	·35	
Do. Vággra ...	4	27	1	3	15	·15	·27	

1 Name of Local Board.	2 Population.		3 Local Board Members.			4 Proportion of (a) to (b) in column 3.	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	(a) Musalmáns in round thousands.	(b) Total inhabitants in round thousands.	(c) Musalmáns.		(d) Total Number.			
			Elected.	Nominated.				
<i>Northern Division—continued.</i>								
District Local Board, Surat ...	54	637	1	1	21	·08	·09	
Táluka Local Board, Olpád ...	4	53	...	1	15	·08	·07	
Do. Chorási ...	29	174	...	2	19	·16	·11	
Do. Bárdoli ...	3	81	...	1	13	·04	·08	
Do. Jalálpur ...	4	81	...	1	15	·05	·07	
Do. Chikhlh ...	6	60	1	...	15	·1	·07	
Do. Bulsár ...	3	83	...	1	15	·04	·07	
Do. Párdi ...	2	62	...	...	15	·03	...	
Do. Mándvi ...	3	42	1	1	7	·07	·28	
District Local Board, Thána ...	36	811	1	2	23	·04	·13	
Táluka Local Board, Sálsette ...	10	147	...	...	21	·07	...	
Do. Dáhánu ...	2	130	...	...	13	·02	...	
Do. Máhum ...	2	82	...	1	17	·02	·06	
Do. Váda ...	2	71	...	...	17	·03	...	
Do. Sháhápur ...	2	84	...	...	13	·02	...	
Do. Murbád ...	2	62	...	1	15	·03	·07	
Do. Kalyán ...	5	77	2	1	17	·06	·18	
Do. Bhwndi ...	9	77	2	4	17	·12	·35	
Do. Bassen ...	2	80	1	2	15	·02	·2	
<i>Central Division.</i>								
District Local Board, Ahmednagar	44	833	...	1	27	·05	·04	
Táluka Local Board, Akola ...	2	70	...	1	15	·03	·07	
Do. Jámkhed ...	4	64	...	1	17	·06	·06	
Do. Karjat ...	1	36	1	...	15	·03	·07	
Do. Kopargaon ..	3	73	...	...	15	·04	...	
Do. Nagar ...	10	128	...	1	19	·08	·05	
Do. Nevása ...	3	65	1	1	15	·05	·13	
Do. Párner ...	2	73	...	...	15	·03	...	
Do. Ráhuri ...	4	83	1	1	17	·05	·12	
Do. Sangamner ...	5	90	...	...	17	·06	...	
Do. Shevgaon ...	6	92	1	2	15	·06	·2	
Do. Shrngonda ...	3	61	...	1	15	·05	·07	

1	2		3		4	5	6	
Name of Local Board.	Population.		Local Board Members.			Proportion of (a) to (b) in column 2.	Proportion of (c) to (d) in column 3.	Remarks.
	(a) Muslims in round thousands.	(b) Total inhabitants in round thousands.	(c) Muslims.		(d) Total Number.			
			Elected.	Nominated				
<i>Central Division—continued.</i>								
District Local Board, East Khándaesh.	92	956	1	3	25	·09	·16	
Táluka Local Board, Bhusával ...	8	109	1	1	17	·08	·12	
Do. Jalgaon ...	10	85	1	2	17	·12	·13	
Do. Ráver ...	10	80	...	...	19	·12	...	
Do. Yával ...	11	82	...	1	17	·12	·06	
Do. Amalner ...	8	111	1	...	17	·07	·06	
Do. Chopda ...	7	75	1	1	17	·09	·12	
Do. Erandol ...	11	106	1	...	19	·1	·05	
Do. Cháligáon ..	6	91	...	2	15	·06	·13	
Do. Páchora ...	13	125	1	2	17	·1	·18	
Do. Jámner ...	8	92	...	2	15	·09	·13	
District Local Board, West Khándaesh.	27	470	...	1	19	·06	·05	
Táluka Local Board, Dhulia ...	9	105	...	2	17	·09	·12	
Do. Sindkheda ...	4	77	...	4	15	·06	·27	
Do. Shirpur ...	3	50	...	...	15	·06	...	
Do. Sakri ...	2	57	...	1	13	·04	·08	
Do. Nandurbár ...	5	87	...	1	17	·06	·06	
Do. Sháháda ...	3	60	...	2	17	·05	·12	
Do. Taloda ...	1	34	...	1	13	·03	·08	
District Local Board, Násik ...	44	816	...	2	31	·05	·06	
Táluka Local Board, Násik ...	5	97	1	1	17	·05	·12	
Do. Sinnar ...	2	75	1	...	17	·03	·06	
Do. Igatpuri ...	2	66	...	...	17	·03	...	
Do. Dindori ...	1	66	...	1	15	·02	·07	
Do. Niphád ...	4	93	...	1	15	·04	·07	
Do. Chandor ...	3	56	...	1	15	·06	·07	
Do. Yeola ...	6	56	...	1	17	·11	·06	
Do. Málegaon ...	16	97	1	1	17	·17	·12	

1	2		3		4	5	6			
	Population.		Local Board Members.							
	(a) Musalmáns in round thousands.	(b) Total in- habitants in round thousands.	(c) Musalmáns.					(d) Total Number.	Proportion of (a) to (b) in column 2.	Proportion of (c) to (d) in column 3.
			Elected.	Nominated.						
Name of Local Board.							Remarks.			
<i>Central Division—continued.</i>										
Táluka Local Board, Nándgaon ...	2	38	...	1	15	·05	·07			
Do. Bágjan ...	1	65	...	...	15	·02	...	
Do. Kálvan ...	1	54	...	...	15	·02	...	
Do. Paint ...	1	53	...	*1	9	·02	·11	*Elective franchise not extended.		
District Local Board, Poona ...	46	995	...	1	21	·05	·05			
Táluka Local Board, Junnar ...	6	118	...	2	17	·05	·12			
Do. Indápur ...	3	67	...	...	17	·04	...	
Do. Khed ...	4	166	...	1	15	·02	·07			
Do. Sirur ...	3	66	1	1	17	·04	·12			
Do. Purandhar ...	2	73	...	...	17	·03	...	
Do. Bhimthadi ...	3	123	...	...	17	·02	...	
Do. Haveli ...	23	327	...	1	19	·07	·05			
Do. Mával ...	2	65	...	1	17	·03	·06			
District Local Board, Sátára ...	41	1,146	1	1	27	·03	·08			
Táluka Local Board, Karád ...	6	135	1	...	17	·04	·06			
Do. Válva ...	9	196	...	1	19	·05	·05			
Do. Sátára ...	5	128	...	2	17	·04	·12			
Do. Wái ...	3	94	...	1	17	·03	·06			
Do. Jávli ...	3	65	...	...	15	·05	...	
Do. Khánápur ...	3	86	...	1	17	·04	·06			
Do. Koregaon ...	2	83	1	...	17	·02	·06			
Do. Mán ...	1	65	...	...	15	·01	...	
Do. Pátan ...	1	104	...	1	15	·02	·07			
Do. Khatáv ...	3	96	...	...	15	·03	...	
Do. Tásgaon ...	5	92	...	...	17	·05	...	
District Local Board, Sholápur ...	54	721	...	1	23	·07	·04			
Táluka Local Board, Sholápur ...	30	204	2	1	17	·14	·18			
Do. Bársi ...	9	139	...	1	17	·07	·06			

1	2		3		4	5	6	
Name of Local Board.	Population.		Local Board Members.		Proportion of (a) to (b) in column 2.	Proportion of (c) to (d) in column 3.	Remarks.	
	(a) Muslims in round thousands.	(b) Total inhabitants in round thousands.	(c) Muslims.					(d) Total number.
			Elected.	Nominated.				
<i>Central Division—continued.</i>								
Táluka Local Board, Mádha ...	4	83	...	1	15	·05	·07	
Do. Karmála ...	3	67	1	1	17	·04	·12	
Do. Pandharpur...	3	92	...	...	17	·03	...
Do. SÁNGOLA ...	3	83	1	...	15	·04	·07	
Do. Málsiras ...	2	52	...	1	15	·04	·07	
<i>Southern Division.</i>								
District Local Board, Belgaum ...	78	994	...	1	19	·08	·05	
Táluka Local Board, Belgaum ...	12	137	...	2	17	·09	·12	
Do. Chikodi ..	22	304	...	1	17	·07	·06	
Do. Athni ...	11	113	...	1	17	·09	·06	
Do. Gokák ...	8	116	...	2	17	·07	·12	
Do. Parasgad ...	8	108	...	...	17	·07	...
Do. Sampgaon ...	11	132	...	1	15	·08	·07	
Do. Khánápur ...	6	82	1	...	15	·07	·07	
District Local Board, Bijápur ...	85	667	1	...	23	·13	·04	
Táluka Local Board, Indi ...	8	76	...	1	15	·1	·07	
Do. Sindgi ...	12	86	...	1	15	·14	·07	
Do. Bijápur ...	16	79	1	2	17	·2	·18	
Do. Bágévádi ...	11	84	1	...	15	·13	·07	
Do. Muddebihal...	9	70	1	1	15	·13	·13	
Do. Bágalkot ...	13	104	1	1	17	·12	·12	
Do. Bádámi ...	8	93	...	1	17	·09	·06	
Do. Hungund ...	8	74	1	...	17	·11	·06	
District Local Board, Dhárwár ...	141	1,113	...	...	31	·12	...
Táluka Local Board, Dhárwár ...	18	127	...	2	17	·14	·12	
Do. Hubli ...	24	124	...	1	17	·19	·06	
Do. Navalgund ...	9	95	1	...	19	·09	·05	
Do. Gadag ...	17	137	...	1	17	·12	·06	

1 Name of Local Board.	2 Population.		3 Local Board Members.			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	(a) Muslims in round thousands.	(b) Total inhabitants in round thousands.	(c) Muslims.		(d) Total Number.			
			Elected.	Nominated.				
<i>Southern Division—continued.</i>								
Táluka Local Board, Bankápur ..	15	90	...	2	15	.17	.13	
Do. Ráneennur ..	10	104	...	1	19	.1	.05	
Do. Hángal ...	12	78	...	1	15	.16	.07	
Do. Karajgi ...	12	104	...	1	17	.11	.06	
Do. Kalghatgi ...	5	54	1	1	15	.09	.13	
Do. Kod ...	10	96	...	1	15	.1	.07	
Do. Ron ...	9	103	...	1	15	.09	.07	
District Local Board, Kánara ...	29	397	...	1	17	.07	.06	
Táluka Local Board, Kárwár ...	4	42	...	...	15	.09	...	
Do. Ankola ...	1	40	...*	...	8	.02	...	*Elective system not extended.
Do. Kumta ...	3	50	...	1	15	.06	.07	
Do. Honávar ...	9	86	1*	2	14	.1	.21	
Do. Siddápur ...	1	41	...*	...	8	.02	...	
Do. Sursi ...	3	47	...*	1	9	.06	.11	
Do. Halhyál ...	4	51	...*	...	12	.08	...	
Do. Yellápur ...	4	39	...*	...	9	.1	...	
District Local Board, Kolába ...	29	605	1	2	17	.05	.18	
Táluka Local Board, Alibág ...	2	84	1	1	17	.02	.12	
Do. Pen ...	2	76	2	2	17	.03	.23	
Do. Panval ...	6	112	2	2	19	.05	.21	
Do. Karjat ...	4	87	1	2	15	.05	.2	
Do. Roha ...	2	48	1	2	17	.04	.18	
Do. Mángason ...	5	83	1	2	15	.06	.2	
Do. Mahád ...	8	114	2	2	17	.07	.23	
District Local Board, Ratnágiri ...	88	1,168	1	3	21	.07	.19	
Táluka Local Board, Vengurla ...	1	45	...	1	13	.02	.08	
Do. Málvan ...	2	108	...	1	15	.02	.07	
Do. Devgad ...	4	144	...	1	15	.03	.07	

1 Name of Local Board.	2 Population.		3 Local Board Members.			4 Proportion of (a) to (b) in column 2	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	(a) Musalmáns in round thousands.	(b) Total inhabitants in round thousands.	(c) Musalmáns.		(d) Total Number.			
			Elected.	Nominated.				
<i>Southern Division—continued.</i>								
Táluka Local Board, Rájápur ..	12	154	...	1	17	·08	·06	
Do. Ratnágiri ...	18	147	...	3	17	12	·18	
Do. Sa n g a m e- shvar.	7	129	...	2	15	·05	·13	
Do. Chipún ...	18	191	...	2	17	·07	·12	
Do. Khed ...	9	95	2	2	15	·09	·27	
Do. Dápoli ...	17	155	...	2	15	·11	·13	
<i>Sind.</i>								
District Local Board, Karáchi ...	274	306	8	4	23	·89	·52	
Taluka Local Board, Ghorábari ...	26	33	4	1	10	·79	·50	
Do. Jati ...	28	32	3	1	8	·88	·50	
Do. Karáchi ...	19	20	3	3	9	·95	·66	
Do. Kot r i-M á n- jhand.	57	60	1	3	15	·95	·27	
Do. M i r p u r-Ba- thoro.	31	37	4	3	9	·84	·78	
Do. Mirpur-Sákro	25	27	4	4	13	·92	·62	
Do. Sháhbandar...	30	33	3	1	7	·91	·57	
Do. Sujáwal ...	29	33	4	1	9	·88	·56	
Do. Tatta ...	29	31	3	2	9	·94	·56	
District Local Board, Hyderabad...	711	903	9	4	30	·79	·43	
Táluka Local Board, Hyderabad ...	55	70	4	3	17	·79	·41	
Do. Tando Alahyar	46	59	6	5	15	·78	·73	
Do. Shahdádpur ...	54	66	1	3	15	·82	·27	
Do. Hála ...	68	87	6	7	19	·78	·68	
Do. Guni ...	72	87	4	1	15	·83	·83	
Do. Badin ...	64	84	4	2	15	·76	·4	
Do. Tando Bágó ...	50	69	3	4	15	·72	·47	
Do. Dero Mohbat	35	53	5	3	15	·60	·53	
Do. Sákraud ...	46	53	7	5	15	·87	·8	

1	2		3		4	5	6	
Name of Local Board.	Population.		Local Board Members.		Proportion of (a) to (b) in column 2.	Proportion of (c) to (d) in column 3.	Remarks.	
	(a)/ Muslims in round thousands.	(b) Total inhabitants in round thousands.	(c) Muslims.					(d) Total Number.
			Elected.	Nominated.				
<i>Sind—continued.</i>								
Taluka Local Board, Nasrat ...	35	40	4	3	12	.87	.58	
Do. Moro ...	55	68	7	3	15	.81	.66	
Do. Naushahro ...	80	98	4	4	15	.82	.53	
Do. Kandiaro ...	51	64	3	3	15	.8	.4	
District Local Board, Shikarpur ...	301	423	9	5	23	.77	.61	
Taluka Local Board, Shikarpur ...	51	59	5	4	14	.86	.64	
Do. Sukkur ...	47	63	5	5	16	.74	.69	
Do. Naushahro ..	54	64	7	3	16	.84	.63	
Do. Rohri ...	47	71	5	4	16	.66	.56	
Do. Pano Akil ...			7	3	14			.72
Do. Ghotki ...	27	41	6	5	14	.66	.79	
Do. Mirpur Mathelo.	40	50	4	4	12	.8	.66	
Do. Ubauro ...	35	43	*3	2	12	.81	.42	
District Local Board, Larkana ...	539	624	10	3	23	.87	.57	
Taluka Local Board, Larkana ...	75	86	6	5	16	.87	.69	
Do. Kambar ...	73	83	7	5	16	.88	.75	
Do. Ratodero ...	57	63	3	3	12	.84	.50	
Do. Labdariya ...	58	69	10	2	14	.84	.86	
Do. Mehar ...	51	58	5	4	15	.88	.6	
Do. Kakar ...	42	49	4	5	15	.86	.6	
Do. Nasirabad ...	49	56	4	5	15	.88	.6	
Do. Dadu ...	49	55	3	1	7	.89	.57	
Do. Johi ...	45	51	3	2	9	.88	.55	
Do. Sehwan ...	40	46	3	3	12	.87	.50	
*District Local Board, Thar and Parkar.	211	373	...	8	14	.57	.57	
Taluka Local Board, Umarnot ...	15	44	...	5	9	.84	.56	
Do. Chachro ...	16	41	...	3	6	.89	.5	

* Elective Franchise has been extended only to Mirpur khas Taluka.

1	2		3			4	5	6
Name of Local Board.	Population.		Local Board Members.			Proportion of (a) to (b) in column 2.	Proportion of (a) to (d) in column 3.	Remarks.
	(a) Musalmáns in round thousands.	(b) Total in- habitants in round thousands.	(c) Musalmáns.		(d) Total Number.			
			Elected.	Nomnated				
<i>Sind—concluded.</i>								
Táluka Local Board, Khipro ...	34	55	...	4	8	·62	·5	
Do. Sáughar ...	29	39	...	4	7	·74	·57	
Do. Thar ...	25	43	...	2	7	·58	·29	
Do. Párkar ...	8	25	...	2	6	·32	·33	
Do. Mirpur Khas	20	31	1	5	13	·65	·46	
Do. Jamesabad ..	14	25	...	3	7	·56	·43	
Do. Sinjhero ..	28	34	...	4	7	·82	·57	
Do. Pithoro ...	22	36	...	5	7	·61	·71	
District Local Board, Upper Sind Frontier.	203	221	...	10	13	·92	·77	
Táluka Local Board, Jacobabad ...	51	54	...	3	6	·95	·5	
Do. Thul ..	44	48	...	2	6	·92	·33	E l e c t i v e F r a n c h i s e n o t e x t e n d - e d .
Do. Kashmor ...	35	39	...	2	6	·92	·33	
Do. Shabdádpur .	29	32	...	3	5	·91	·6	
Do. Kandkot ..	44	49	...	1	6	·90	·17	

APPENDIX D.

Statement II showing the proportion of Musalmán Electors to the total number of Electors and of Musalmán members to the total number of members in Local Boards of the Presidency.

1 Name of Local Board.	2 Electors.		3 Local Board members.			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks
	(a) Musalmán.	(b) Total number.	(c) Musalmáns.		(d) Total number.			
			Elected.	Nominated.				
<i>Northern Division</i>								
District Local Board, Ahmedabad .	*	*	...	2	23	...	·09	
Táluka Local Board, Daskroi ..	78	2,416	1	...	17	·03	·06	
Do. Dholka ..	98	1,469	1	...	17	·07	·06	
Do. Dhandhuka..	59	222	4	2	21	·27	·29	
Do. Viramgám ..	60	1,656	1	1	19	·04	·11	
Do. Parátúrij ..	26	483	1	3	13	·05	·81	
Do. Modása ..	1	98	...	1	9	·01	·11	
Do. Sánand ...	64	1,008	1	...	17	·06	·06	
Do Gogha ...	14	178	...	2	17	·08	·12	
District Local Board, Kaira ..	...	...	...	2	19	...	·11	
Táluka Local Board, Mátar ..	144	1,813	...	2	15	·07	·13	
Do. Mehmadaabad .	73	1,364	...	3	19	·05	·16	
Do. Nadiád ...	105	1,866	1	2	19	·06	·16	
Do. Kapadvanj ...	12	450	1	1	17	·03	·12	
Do. Thásra ..	121	661	2	2	17	·18	·24	
Do. Anand ...	97	2,643	...	2	21	·04	·09	
Do. Borsad ...	42	2,172	...	2	17	·02	·12	
District Local Board, Panch Maháls .	...	...	...	1	10	...	·1	Elective franchise not granted.
Táluka Local Board, Dohad ..	...	...	...	1	7	...	·14	
Do. Godhra ..	...	...	...	1	8	...	·12	
Do. Kálol ..	...	...	...	...	7	...	...
District Local Board, Broach .	...	...	2	2	15	...	·27	
Táluka Local Board, Amod ..	421	1,843	2	1	15	·23	·2	
Do. Broach ...	1,199	3,131	3	3	17	·38	·35	
Do. Jambusar ..	481	2,646	1	2	17	·13	·18	
Do. Anklesvar ...	691	2,854	4	2	17	·24	·35	
Do. Vágna ...	220	1,468	1	3	15	·15	·27	
District Local Board, Surat ...	...	...	1	1	21	...	·09	

* Section 7 of the District Local Boards Act, 1884, prescribes how and by whom Elective members of District Local Boards should be elected.

1	2		3		4	5	6	
Name of Local Board.	Electorate.		Local Board members.		Proportion of (a) to (b) in column 2.	Proportion of (c) to (d) in column 3.	Remarks.	
	(a) Musalmán.	(b) Total number.	(c) Musalmána.					(d) Total number.
			Elected.	Nominated.				
<i>Northern Division—continued.</i>								
Táluka Local Board, Olpád ..	153	2,725	...	1	15	·06	·07	
Do. Chorási ...	145	1,293	...	2	19	·11	·11	
Do. Bárdoli ...	102	2,617	...	1	13	·04	·08	
Do. Jalápor ...	55	1,861	...	1	15	·03	·07	
Do. Chikhli ...	143	1,029	1	...	15	·14	·07	
Do. Balsár ...	16	1,278	...	1	15	·01	·07	
Do. Párdi ...	14	711	...	...	15	·02	...
Do. Mándvi ...	30	189	1	1	7	·16	·28	
District Local Board, Thána ...	...	...	1	2	23	...	·13
Táluka Local Board, Sálsette ...	13	443	...	...	21	·04	...
Do. Dábánu ...	7	587	...	...	13	·01	...
Do. Máhim ...	19	407	...	1	17	·05	·06	
Do. Váda ...	34	454	...	...	17	·07	...
Do. Sháhápur ..	8	527	...	...	13	·01	...
Do. Murbád ..	9	490	...	1	15	·02	·07	
Do. Kalyán ..	47	640	2	1	17	·07	·18	
Do. Bhiwandi ...	124	364	2	4	17	·14	·35	
Do. Bassein ...	16	632	1	2	15	·03	·2	
<i>Central Division.</i>								
District Local Board, Ahmednagar ...	...	...	...	1	27	...	·04
Táluka Local Board, Akola ..	4	365	...	1	15	·01	·07	
Do. Jamkhed ...	10	406	...	1	17	·02	·06	
Do. Karjat ...	5	400	1	...	15	·01	·07	
Do. Kopargaon ...	6	1,023	...	...	15	·006	...
Do. Nagar ...	25	825	...	1	19	·03	·05	
Do. Newása ...	23	1,003	1	1	15	·02	·13	
Do. Párner ...	14	674	...	...	15	·02	...
Do. Ráhuri ...	2	1,121	1	1	17	0·02	·12	
Do. Sangamner ...	6	791	...	...	17	·01	...
Do. Shevgaon ...	40	1,307	1	2	15	·03	·2	

1 Name of Local Board.	2 Electors.		3 Local Board members.		4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks.	
	(a) Musalmán.	(b) Total number.	(c) Musalmán.					(d) Total number.
			Elected.	Nominated.				
<i>Central Division—continued.</i>								
Táluka Local Board, Shrigonda ...	5	507	...	1	15	01	07	
District Local Board, East Khán- desh ...	...	...	1	3	25	...	18
Táluka Local Board, Bhusáwal ...	23	2,131	1	1	17	02	12	
Do. Jalgaon ...	19	1,004	1	2	17	02	13	
Do. Ráver ...	11	942	...	...	19	01	...
Do. Yával ...	19	725	...	1	17	02	06	
Do. Amalner ...	18	1,875	1	...	17	01	06	
Do. Chopda ..	23	2,285	1	1	17	01	12	
Do. Erandol ...	27	1,746	1	...	19	02	05	
Do. Chálisgaon ...	25	1,349	...	2	15	02	13	
Do. Páchora ...	71	2,832	1	2	17	03	13	
Do. Jámner ..	40	1,577	...	2	15	03	13	
District Local Board, West Khán- desh ...	...	...	...	1	19	...	05
Táluka Local Board, Dhulia ...	24	1,327	...	2	17	02	12	
Do. Sindkheda ...	60	2,086	...	4	15	03	27	
Do. Shirpur ...	10	1,102	...	...	15	01	...
Do. Sakri ..	4	696	...	1	13	01	08	
Do. Nandurbár ..	33	1,456	...	1	17	02	06	
Do. Sháháda ..	46	1,914	...	2	17	02	12	
Do. Taloda ...	10	649	...	1	13	02	08	
District Local Board, Násik ..	...	...	...	2	31	...	06
Táluka Local Board, Násik ..	5	692	1	1	17	01	12	
Do. Sannar ...	7	1,001	1	...	17	01	06	
Do. Igatpurí ...	5	515	...	...	17	01	...
Do. Dindori ..	10	68	...	1	15	01	07	
Do. Niphád ..	15	1,733	...	1	15	01	07	
Do. Chándor ...	7	672	...	1	15	01	07	
Do. Yeola ...	20	747	...	1	17	03	06	
Do. Malegaon ...	3	921	1	1	17	003	12	

1 Name of Local Board.	2 Electors.		3 Local Board members			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	(a) Musalmán.	(b) Total number.	(c) Musalmán.		(d) Total number.			
			Elected.	Nomnated				
<i>Central Division—continued.</i>								
Táluka Local Board, Nándgaon ...	7	418	...	1	15	·02	·07	
Do. Báglan ...	4	931	...	...	15	·004	...	
Do. Kálvan ...	4	645	...	...	15	·01	...	
Do. Peint ...	... *	... *	... *	1	9	...	·11	* Elective franchise not extended.
District Local Board, Poona ...	...	...	...	1	21	...	·05	
Táluka Local Board, Junnar ...	25	859	...	2	17	·03	·12	
Do. Indápur ..	5	426	..	...	17	·01	...	
Do. Khed ...	14	1,049	...	1	15	·01	·07	
Do. Sirur ...	6	671	1	1	17	·01	·12	
Do. Purandhar...	1	545	...	...	17	·002	...	
Do. Bhimthadi ..	13	1,430	...	...	17	·01	...	
Do. Haveli ...	11	1,267	...	1	19	·01	·05	
Do. Mával ...	7	445	...	1	17	·02	·06	
District Local Board, Sátára ...	...	...	1	1	27	...	·08	
Táluka Local Board, Karsíd ...	24	1,398	1	...	17	·02	·06	
Do. Válva ...	10	1,773	...	1	19	·01	·05	
Do. Sátára ...	3	776	...	2	17	·004	·12	
Do. Wái ...	13	743	...	1	17	·02	·06	
Do. Jávi ...	10	583	...	...	15	·01	...	
Do. Khánápur ...	7	817	...	1	17	·01	·06	
Do. Koregaon ...	2	880	1	...	17	·002	·06	
Do. Mán ...	1	363	...	...	15	·003	...	
Do. Pátan ...	5	699	...	1	15	·01	·07	
Do. Khatáv ..	3	641	...	...	15	·005	...	
Do. Tásgaon ...	6	675	...	...	17	·01	...	
District Local Board, Sholápur ...	...	...	...	1	23	...	·04	
Táluka Local Board, Sholápur ...	48	1,098	2	1	17	·05	·18	
Táluka Local Board, Bársi ...	16	1,077	...	1	17	·02	·06	
Do. Mádha ...	7	825	...	1	15	·01	·07	

1 Name of Local Board.	2 Electors.		3 Local Board members.			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remark
	(a) Muslims.	(b) Total number.	(c) Muslims.		(d) Total number.			
			Elected.	Nominated.				
<i>Central Division—continued.</i>								
Táluka Local Board, Karmála ...	16	635	1	1	17	·03	·12	
Do. Pandharpur.	10	648	...	...	17	·02	...	
Do. Sângola ...	4	376	1	...	15	·01	·07	
Do. Mâlsiras ...	2	658	...	1	16	·003	·07	
<i>Southern Division.</i>								
District Local Board, Belgaum ...	...	...	0	1	19	...	·05	
Táluka Local Board, Belgaum ...	39	920	...	2	17	·04	·12	
Do. Chikodí ...	41	1,866	...	1	17	·02	·06	
Do. Athni ...	14	780	...	1	17	·02	·06	
Do. Gokák ...	16	638	...	2	17	·03	·12	
Do. Parasgad ...	11	800	...	...	17	·01	...	
Do. Sampgaon ...	35	1,435	...	1	16	·02	·07	
Do. Khánápur ...	14	845	1	...	15	·02	·07	
District Local Board, Bijápur ...	...	...	1	...	23	...	·04	
Táluka Local Board, Indi ...	33	709	0	1	15	·05	·07	
Do. Sindgi ...	31	880	...	1	16	·04	·07	
Do. Bijápur ...	26	527	1	2	17	·06	·18	
Do. Bâgewâdi ...	35	764	1	0	15	·05	·07	
Do. Muddebihál ...	21	764	1	1	15	·03	·13	
Do. Bâgalkot ...	12	442	1	1	17	·03	·12	
Do. Bâdâmi ...	3	366	0	1	17	·01	·06	
Do. Hungund ...	2	614	1	...	17	·003	·06	
District Local Board, Dhárwâr ...	...	...	...	...	31	...	...
Táluka Local Board, Dhárwâr ...	72	1,396	...	2	17	·05	·12	
Do. Hubli ...	48	1,517	...	1	17	·03	·06	
Do. Navalgund...	22	1,634	1	...	19	·01	·05	
Do. Gadag ...	15	1,048	...	1	17	·01	·06	
Do. Bankápur ...	48	1,036	...	2	15	·04	·13	
Do. Rânebennur ...	16	756	...	1	19	·02	·05	

1 Name of Local Board.	2		3			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	Electors.		Local Board members.					
	(a) Muslims.	(b) Total number.	(c) Muslims.		(d) Total number.			
			Elected.	Nominated.				
<i>Southern Division—continued.</i>								
Táluka Local Board, Hangal ..	42	750	...	1	15	.06	.07	
Do. Karajgi ..	33	989	...	1	17	.03	.06	
Do. Kalghatga ..	15	441	1	1	15	.03	.13	
Do. Kod ..	15	942	...	1	15	.02	.07	
Do. Ron ..	24	993	...	1	15	.02	.07	
District Local Board, Kánara ...	...	...	...	1	17	...	.06	
Táluka Local Board, Kárwar ...	10	318	...	...	15	.03	...	
Do. Ankola ..	...	...	...	...	8	...	...	Elective system is in force— in Kárwar and K u m t a Tálukas only.
Do. Kumtha ..	4	304	...	1	15	.01	.07	
Do. Honávar ..	...	...	1	2	14	...	.21	
Do. Siddápur ...	...	..	...	...	8	...	...
Do. Sirsi ..	...	...	...	1	9	...	.11	
Do. Haliyál ..	...	...	...	...	12	...	...
Do. Yellápur ..	...	...	...	...	9	...	...
District Local Board, Kolába ..	...	...	1	2	17	...	.18	
Táluka Local Board, Alibág ..	24	1,099	1	1	17	.02	.12	
Do. Pen ...	43	806	2	2	17	.05	.23	
Do. Panvel ..	79	936	2	2	19	.08	.21	
Do. Karjat ..	54	1,059	1	2	15	.05	.2	
Do. Roha ..	16	324	1	2	17	.05	.18	
Do. Mángaon ..	70	776	1	2	15	.09	.2	
Do. Mahád ..	76	485	2	2	17	.16	.23	
District Local Board, Ratnágiri ..	...	...	1	3	21	...	.19	
Táluka Local Board, Vengurla ..	1	360	...	1	13	.003	.08	
Do. Málwan ..	4	650	...	1	15	.01	.07	
Do. Devgad ...	18	641	...	1	15	.03	.07	
Do. Rájápur ..	24	795	...	1	17	.03	.06	
Do. Ratnágiri ...	10	615	...	3	17	.02	.18	
Do. Sangamesh- var ..	27	599	...	2	15	.05	.13	

1 Name of Local Board.	2		3			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	Electors.		Local Board members.					
	(a) Musalmán.	(b) Total number.	(c) Musalmána.		(d) Total number.			
			Elected.	Nominated.				
<i>Southern Division</i> —continued.								
Táluka Local Board, Chiplán ...	40	777	...	2	17	·05	·12	
Do. Khed ...	138	511	2	2	15	·27	·27	
Do. Dápoli ...	92	796	...	2	15	·12	·13	
<i>Sind.</i>								
District Local Board, Karáchi ...	...	...	8	4	23	...	·52	
Táluka Local Board, Ghorábari ...	108	196	4	1	10	·55	·50	
Do. Jati ...	191	250	3	1	8	·78	·50	
Do. Karáchi ...	282	1,452	3	3	9	·19	·66	
Do. Kotri Máujh- and ...	168	293	1	3	15	·57	·27	
Do. Mirpur-Ba- thoro ...	340	451	4	3	9	·75	·78	
Do. Mirpur Sákró.	164	244	4	4	13	·67	·62	
Do. Sháhbandar...	153	222	3	1	7	·68	·57	
Do. Sujáwal ..	258	336	4	1	9	·77	·56	
Do. Tatta ...	149	230	3	2	9	·65	·56	
District Local Board, Hyderabad...	...	...	9	4	30	...	·43	
Táluka Local Board, Hyderabad ...	538	686	4	3	17	·78	·41	
Do. Tando Ala- hyar ...	420	552	6	5	15	·76	·73	
Do. Sháhádápur..	66	305	1	3	15	·22	·27	
Do. Hála ..	324	519	6	7	19	·62	·68	
Do. Guni ..	287	446	4	1	15	·64	·33	
Do. Badín ...	148	202	4	2	15	·73	·4	
Do. Tando Bágo	304	598	3	4	15	·76	·47	
Do. Dero Mohbat.	113	143	5	3	15	·79	·53	
Do. Sákrand ...	248	335	7	5	15	·74	·8	
Do. Nasrat ..	575	640	4	3	12	·9	·58	
Do. Moro ...	364	536	7	3	15	·68	·66	
Do. Naushahro ..	473	710	4	4	15	·67	·53	
Do. Kandíáro ..	356	681	3	3	15	·64	·4	

1 Name of Local Board.	2 Electors.		3 Local Board Members.			4 Proportion of (a) to (b) in column 2.	5 Proportion of (c) to (d) in column 3.	6 Remarks.
	(a) Musalmán.	(b) Total number.	(c) Musalmána.		(d) Total number.			
			Elected.	Nominated.				
<i>Send—continued.</i>								
District Local Board, Shikárpur ..	...	...	9	5	23	...	·61	
Táluka Local Board, Shikárpur ...	126	163	5	4	14	·77	·64	
Do. Sukkur ...	197	272	6	5	18	·72	·69	
Do. Nausahro ...	505	749	7	3	16	·67	·63	
Do. Rohri ..	260	425	5	4	16	·61	·56	
Do. Pano Akil ...	272	666	7	3	14	·74	·72	
Do. Ghotki ...	642	802	6	5	14	·80	·79	
Do. Mírpur Mátshelo.	693	857	4	4	12	·81	·66	
Do. Ubauro ...	595	789	3	2	12	·75	·42	
District Local Board, Lárkána ...	...	...	10	3	23	...	·57	
Táluka Local Board, Lárkána ...	477	629	6	5	16	·76	·69	
Do. Kambar ..	309	395	7	5	16	·78	·75	
Do. Rátodero ..	750	992	3	3	12	·76	·50	
Do. Labdariya ...	805	1,037	10	2	14	·77	·86	
Do. Mehar ...	159	235	5	4	15	68	·6	
Do. Kakar ..	391	640	4	5	15	·61	·6	
Do. Nasirabad ..	781	1,000	4	5	15	·78	·6	
Do. Dádu ...	370	515	3	1	7	·72	·57	
Do. Johi ..	188	334	3	2	9	·55	·55	
Do. Sehwan ...	241	510	3	3	12	47	·50	
* District Local Board, Thar and Párkar.	...	...	...	8	14	...	·57	* Elective franchise has been extended only to the Mírpurkhás Táluka.
Táluka Local Board, Umarkot ...	...	...	...	5	9	...	·56	
Do. Chachro ...	...	...	...	3	6	...	·5	
Do. Khipro ...	...	...	...	4	8	...	·5	
Do. Sámghar ...	...	...	...	4	7	...	·57	
Do. Thar ...	...	...	...	2	7	...	·29	
Do. Párkar ...	...	...	...	2	6	...	·33	
Do. Mírpur Khás.	412	578	1	5	13	·71	·46	
Do. Jamesabad ...	...	...	...	3	7	...	·43	

1	2		3			4	5	6
Name of Local Board.	Elector.		Local Board Members.			Proportion of (a) to (b) in column 2.	Proportion of (a) to (d) in column 3.	Remarks.
	(a) Muslims.	(b) Total number.	(c) Muslims.		Total number.			
			Elected.	Nominated.				
<i>Sind—concluded.</i>								
Taluka Local Board, Sinjhora	4	7	...	·57	
Do. Pithoro	5	7	...	·71	
District Local Board, Upper Sind Frontier.	10	13	...	·77	
Taluka Local Board, Jacobabad	3	6	...	·5	Elective franchise not extended.
Do. Thul	2	6	...	·33	
Do. Kashmor	2	6	...	·33	
Do. Shakhádpur...	3	5	...	·6	
Do. Kandkot	1	6	...7	·17	

APPENDIX E.

Dated the 11th March 1907.

From { Surgeon-General J. P. Greany, M.D., I. M. S.,
 Surgeon-General with the Government of Bombay, Chairman
 The Honourable Mr. E. Giles, C.I.E., M.A.,
 Director of Public Instruction.
 Lieut.-Colonel H. P. Dimmock, M.D., I. M. S.,
 Principal, Grant Medical College.
 Lieut.-Colonel R. W. S. Lyons, I. M. S.,
 Acting Superintendent, B. J. Medical School, Poona.
 Temulji Bhicaji Nariman, Esq., L.M.,
 Sir Bhalchandra Krishna, Kt., L.M. (*vide* minute of dissent
 appended herewith).

To—The Secretary to Government, Educational Department.

We, the members of the Committee appointed under Government Resolution No. 109, Educational Department, dated 17th January 1907, to consider the question as to what should be the new qualification to be conferred by some authority outside of the University in place of the L.M. & S. degree, have the honour to report as follows on the points referred to in the above-quoted Government Resolution :—

- (a) Candidates should be trained at the Grant Medical College and by the Professorial staff of that Institution.
- (b) The duration of the course should be a period of five years.
- (c) The standard of medical knowledge should be that of the present L.M. & S. degree.
- (d) The constitution of the examining Body to be the Professors of the Grant Medical College associated with such other expert examiners as the Council hereafter recommended to be constituted under (e) may select.
- (e) That the diploma should be granted by a Body or Council composed of the Surgeon-General with the Government of Bombay, the Director of Public Instruction, the Principal, Grant Medical College (*ex-officio* members), and two non-official distinguished members of the medical profession in Bombay, nominated by Government, the Body or Council so constituted to be styled the Bombay Medical Council.
- (f) That the designation of the diploma should be Licentiate of the Grant Medical College, Bombay.
- (g) That the charges on account of the scheme be met by Government, to whom all College and examination fees should be paid, the rates of fees and remuneration to examiners being the same as those at present existing both in the College and University for the L.M. & S. degree.

It is impossible at present to estimate the expenditure which the scheme will entail, but unless the number of students largely increases (which is not anticipated), the expenditure on the Grant Medical College will not be materially increased by the introduction of the new diploma.

We are further of opinion that the Entrance Test Examination to the Grant Medical College now in force for candidates for the L.M. & S. degree should be maintained in the case of those entering for the proposed qualification.

Minute of dissent, dated the 27th February 1907, by Sir Bhalchandra Krishna, Kt., L.M.

I agree to sign the report, but I cannot do so without placing on record that with respect to clause (e) my view differs from that of the majority of the

Committee. With regard to the constitution of the body to be authorised to confer the new diploma in place of the present L.M.S., I suggested that the body should be composed of ten members, five of whom should be nominated by Government, and five should be elected by members of the medical profession in Bombay, consisting of graduates of ten years' standing. The majority of the Committee, however, did not agree to the principle of election, and proposed that the body should consist of five members, three of whom should be *ex-officio* and two nominated by Government. It was decided that the Surgeon-General with the Government of Bombay, the Director of Public Instruction and the Principal of the Grant Medical College should be the *ex-officio* members. As regards the non-official members, I suggested that the President of the Grant College Medical Society and the President of the Bombay Medical Union should be designated such members. The majority of the Committee, however, thought that it was enough to say that the nominees should be two non-official distinguished members of the medical profession in Bombay. I did not wish to press the Committee to a division on the point, but I still adhere to the opinion I expressed at the meeting of the Committee. I, therefore, desire to place on record my dissent on the three points:—

1. That the members of the body should be sufficiently numerous so as to allow a fair representation of the best medical talent in Bombay. I consider that five is much too small a number. Ten will not be too small nor too large. There are several worthy European members of the profession, official and non-official; there are again Indian medical gentlemen trained in European institutions; and thirdly there are Indian graduates of standing. Each of these groups deserves to be represented on such a body as the Bombay Medical Council which, in a considerable measure, will hereafter be entrusted with the duty of directing the course of medical instruction in Bombay. As far as I have been able to ascertain the views of both the European and Indian members of the profession, I think there is a majority distinctly in favour of the creation of such body, and there are many who would rejoice to see the Medical Council constituted on a broad and firm basis.

2. The manner of constituting the Council should, I think, be a mixture of nomination as well as election. The principle of election has been recognised in the constitution of most public institutions of Bombay. In constituting a new body like the Bombay Medical Council there is no justification to depart from such an acknowledged principle. Nomination, however safe, is apt to provide one-sided representation, and it would be well to correct its inequality by means of election. The Committee, I regret to say, would not listen to any proposal of recognising election as a means of constituting the Council. I earnestly hope that in spite of the Committee's rejection of the principle, Government may be pleased to consider the propriety of providing some form of election as a means of constituting the Bombay Medical Council.

3. That in the event of the first two proposals not being accepted, I propose that the Presidents of the two leading Medical Associations of Bombay should be specifically designated as the two non-official members. To leave the places to be filled up by nominating two distinguished members of the profession is in my judgment too vague. The appointment of the Presidents of the Grant College Medical Society and the Bombay Medical Union will ensure the selection of really eligible men. Both the Grant College Medical Society and the Bombay Medical Union are associations of considerable standing, and there is an assurance that the Presidents elected by them must be distinguished members of the medical profession. This will supply a qualified element of election, and will generally secure the best representatives of both the official and non-official medical men in Bombay.

APPENDIX F.

No. 3022 of 1908.

EDUCATIONAL DEPARTMENT.

Bombay Castle, 15th December 1908.

From

R. E. ENTHOVEN, Esq., I. C. S.,
Secretary to Government ;

To

THE REGISTRAR, BOMBAY UNIVERSITY.

Sir,

In continuation of my letter No. 110, dated 17th January 1907, I am directed to state that His Excellency the Governor in Council has carefully considered the report of the Committee appointed to consider and report on the question of the new qualification to be conferred by some authority outside the University in place of the L.M. & S. degree, and has arrived at the conclusion that the whole question of medical education in this Presidency calls for examination with a view to its being put on a satisfactory basis.

2. In many countries it is considered to be the duty of Government to take such measures as will assure the competence of men who take up the medical profession. In India, it is not at present possible to limit the practice of medicine to qualified practitioners, but Government can and do insist on certain qualifications for certain classes of medical employment. Government are therefore of opinion that the time has now arrived for them to control the *general* competence of the medical profession leaving it to the University to grant specialists' degrees.

3. I am accordingly to invite the views of the Senate of the University on the following sketch of a scheme of medical education.

4. It is proposed that all students wishing to qualify as medical practitioners should, after passing the Previous Examination, go through a five years' course, and obtain a diploma as a condition precedent to obtaining a degree with or without Honours. To obtain the diploma the student would be required to pass examinations according to the standard now exacted by the University for the degree of L.M. & S. to be held by a Board consisting of—

- The Surgeon General—*President*,
- 6 Government nominees,
- 4 University nominees,
- 1 Bombay Medical Union nominee,
- 1 Bombay Medical and Physical Society nominee.

There are at present two standards of general education which qualify students to enter upon their professional studies: the Matriculation Examination for those who do not seek to go beyond the L.M. & S. degree, and the Previous Examination for those who aspire to the degree of M.B.B.S. The former have also to pass a special entrance examination held by the College authorities before admission to the College. His Excellency the Governor in Council is of opinion that it is desirable that the standard of general education for candidates for the diploma should be the Previous Examination of the University. All candidates for the medical profession, whether studying for the diploma only or aspiring to the Special and Honours Degrees, would thus start equal, and all must obtain the Government diploma as a *sine qua non* to the attainment of higher distinctions at the hands of the University. The diploma might be styled "Licentiate of the Grant Medical College" (L.G.M.C.). It will be the lowest qualification

recognised and provided for by Government, if the entirely distinct classes of Military Assistant Surgeons and Hospital Assistants are excluded from consideration.

5. Having obtained the L.G.M.C. diploma the student could then be examined for the following degrees :—

- (1) M.B.—Special Examination in Medicine with Honours in—
 - (a) Bacteriology.
 - (b) Pathology.
 - (c) Tropical Medicine.
 - (d) State Medicine.
- (2) B.Ch.—Special Examination in Surgery with Honours in—
 - (a) Ophthalmic Surgery.
 - (b) Pathology.
 - (c) Gynæcology.
- (3) D.P.H. (Diploma of Public Health).—Special Examination in Public Health with Honours in—
 - (a) Bacteriology.
 - (b) Tropical Medicine.
 - (c) Hygiene.

These examinations would be conducted entirely by the University. The subjects for Honours Examinations mentioned above are merely suggestions and are probably capable of improvement.

6. His Excellency the Governor in Council believes that the proposed scheme is logical and based on sound principles. If it commends itself to the University, it can be worked out in detail hereafter. It gives to Government the control of the ground work of medical education, and it is possible that more thoroughness might be gradually secured. It leaves the University in control of all the special examinations as at present, and it adds a Public Health diploma, which might be much sought for as sanitation progresses in India. It gives the advanced student another examination to pass; but it provides him with more claims to distinction if he is successful, and it removes any possible stigma from the diploma qualification. I am to inquire whether the University will co-operate with Government in giving effect to this scheme.

I have the honour to be,

Sir,

Your most obedient servant,

R. E. ENTHOVEN,
Secretary to Government.

APPENDIX G.

Excise.

Temperance movement in Poona.

No. 7268.

REVENUE DEPARTMENT.

Bombay Castle, 17th July 1908.

Statement in reference to the recent temperance agitation in Poona and other parts of the Bombay Presidency laid before His Excellency the Governor by a Deputation of the Poona Temperance Association headed by the Honourable Dr. K. G. Bhondarkar.

1. The recent temperance agitation in Poona District and in other parts of the Bombay Presidency had its source in certain facts to which it is necessary that attention should be drawn. The first and chief of these is the steady and continuous increase in the drinking habits of the people of this part of India in recent years. The evidence for this is to be found in the A'bkari returns. In Poona city and cantonment the consumption of country liquor has increased from 60,850 gallons at 25° U. P. and 2,100 gallons at 50° U. P. in 1881-82 to 131,419 gallons at 25° U. P. in 1905-06. In 1878 the consumption in the Poona District amounted to 70,000 gallons. This total rose steadily year by year until in 1906-07 it amounted to 169,000 gallons. So also in the whole Presidency the amount of the A'bkari revenue from country liquor in the five years ending 1876-77 averaged Rs. 31,63,000, while in 1906-07 it amounted to Rs. 96,60,000. In a country where the use of intoxicants is viewed as it is in India the fact of this increase and of the breaking down of a salutary tradition which it implies has caused very serious disquietude in the minds of those who have the good of the people at heart. That the sentiment against the use of intoxicants is real and deep and that it was able to exercise a much greater influence before British rule was established in this part of India than it exercises to-day is indicated by the testimony of the Hon'ble Mountstuart Elphinstone. In his report on the territories conquered from the Peishwa submitted by him to the Supreme Government in 1820, he says (page 20), "A'bkari, which is so important with us, did not yield above Rs. 10,000. The use of spirituous liquors was forbidden at Poona and discouraged everywhere else." Again he says (page 30), "Drunkenness, the peculiar vice of the lower orders, is almost unknown in the Mahratta country, which has thence a decided superiority over the old provinces. It arises from the discouragement to the sale of spirituous liquors, and as the revenue from that source is insignificant, we should probably do well to prohibit it altogether." Similar testimony is borne by Mr. William Chaplin, Commissioner in the Deccan, in 1822. One statement of his may be quoted. He says, "Drunkenness is by no means a prevalent vice in Poona where very few stills are worked, and the Collector is of opinion that not half a dozen quarrels in the course of the year originate in intoxication." Now-a-days about twelve hundred cases of this kind are dealt with each year in the Poona Courts. From time to time protests have been made against a policy which seems to many to foster this vice. In 1881 the Poona Municipality passed a resolution deploring the increase in the consumption of liquor as due to the greatly increased number of liquor-shops, and asked that that number should be reduced. The Poona City Magistrate, who had special opportunities of observing the growing seriousness of the evil, was one of the movers in this matter. The request was however refused. The Sarvajamik Sabha from time to time made representations on this subject, and resolutions demanding reform in the A'bkari policy of the Government were regularly adopted at the various meetings of the Provincial Conference that have been held during the past 18 or 20 years.

2. These efforts produced no result whatever. In spite, however, of the natural disappointment that this failure produced, efforts in the cause of temperance were not abandoned. The Excise Committee's report and the Resolution of the Government of India relative to it were, no doubt, among the causes that led to the re-establishment of the Poona Temperance Society in August of last year. In spite of the fact that all representations made to the authorities in the past had seemed to produce no effect, it was hoped that, in accordance with this Resolution, the recommendations in regard to the number, location, and licensing of liquor-shops, and the conditions under which liquor should be sold, would now really be carried out, and one main object of the formation of this Society was to help in accomplishing this. How far the recommendations of the Government of India in this matter are being carried into effect and how far they are being entirely ignored will be indicated later. What has to be pointed out here is that petitions prepared by the Society and presented to the Collector and the Commissioner of A'bkari Revenue, drawing attention, in agreement with the policy laid down in the Government Resolution, to abuses in connection with the sale of liquor that are notorious in the case of many of the Poona shops, not only have had no effect, but in several cases have received neither acknowledgment nor reply.

3. The natural result of the failure of all these efforts, and of the absence of any indication of their having had any effect, or of any change whatever in the official policy in this matter having been produced, was to cause a deep sense of disappointment. In the Government of India Resolution referred to, it is expressly laid down that "the Government of India would be glad to see local opinion consulted more systematically and recorded more definitely than is the case at present," and yet it appears that expressions of local opinion have been ignored. These facts, and the feeling of the uselessness of the method of petition and representation that they produced, prepared the way for the effort to deal with the evil of drinking upon other lines which has caused so much criticism.

4. This movement was not deliberately planned, but arose spontaneously and was prompted by a genuine desire to carry on effective temperance work. It had its origin in a meeting in the city of Poona attended mainly by students from the various Poona Colleges, when an address on Temperance was given by a European gentleman. At the close of the address a considerable number of the young men expressed an earnest desire to do some practical temperance work. The need of such work was all the greater because it was the time of the Holi festival when the lower classes indulge greatly in drinking. Accordingly arrangements were made for addresses on Temperance to be delivered in a hall with magic lantern illustrations, the young men assisting by inviting the people in from the street. On a succeeding evening they went about in bands singing temperance songs and preaching in the vicinity of liquor shops. Then, growing more eager, they began to organise the systematic work to which the name of picketing has been given. It was at this point that the Temperance Society began to take the guidance of the movement into its control. A certain amount of friction had arisen between the young men and the police, and it seemed wise to draw up rules for their guidance. Those rules* (which are appended) strictly limited their action to peaceful persuasion and enjoined immediate obedience to the police, however unreasonable their orders might appear to them to be. At the same time a representative of the Temperance Society was deputed to wait upon the District Superintendent of Police and inform him of the lines of action intended to be followed. In the absence from Poona of the District Superintendent of Police himself, this representative had an interview with his Assistant and laid fully before him the aims of the movement and the methods that were being followed.

5. It will be seen from all this that every effort was being made to restrict the action taken within reasonable and lawful limits, and it may be said that those efforts were proving entirely successful when an unfortunate incident occurred. This was the appearance upon the scene of Mr. Anderson, an Assistant Collector, whose attempts to put a stop in person to the work that was going on in the neighbourhood of various liquor shops, aroused considerable popular excitement. The Collector next turned his attention to the matter, and he had two interviews with representatives of the Temperance Society in reference to it. The result of the first of these was that, on receiving assurances of the peaceful character of the work being done, he refrained from interfering with it. When, a week later, he decided on repression, he did so on the plea that the mere presence of the crowds constituted intimidation. At their second interview with him the representatives of the Temperance Society offered to make any concession, short of stopping the work entirely, so as to avoid the possibility of such intimidation. They offered to cease to carry on work in the neighbourhood of those shops that had been associated with disorder, to withdraw all the younger workers and station only one or two experienced and reliable men at each shop, to take any other measures that he might suggest. But the Collector would agree to nothing less than the complete cessation of the work on the lines on which it was being carried on. He even indicated that it would not be permissible to watch the customers of the liquor shops from within a neighbouring house for the purpose of reporting them to their caste people to be dealt with. In those circumstances there was no choice for the Temperance Society but to protest and submit, and the workers in the neighbourhood of the liquor-shops were accordingly withdrawn. To emphasize this protest a public meeting was held some days later in the Reay Market when an audience variously estimated at from five to eight thousand people assembled. The Honourable Dr. R. G. Bhándárkar presided, and the speakers were Hindus of various castes, Mahomedans and Europeans. The orderliness of the meeting and the moderation and self-restraint that were exhibited in spite of the strength of the popular feeling made a deep impression upon all who were present. Resolutions of protest were passed and a deputation consisting of the Chairman and Messrs. B. G. Tilak, L. R. Gokhale, N. C. Kelkar and N. Macnicol was appointed to wait upon His Excellency the Governor and make representations in the matter to him.

6. It is necessary now to refer to the action of officials in dealing with this movement in certain parts of the Poona District and in one or two places elsewhere in the Presidency. The facts adduced indicate, it is maintained, that the action taken in some cases was ill-judged and seems to give evidence of animus. Some of the facts also appear to show that instead of realising that this traffic should be discouraged as far as possible an opposite course is sometimes followed. For example, at Wáda in the Khed Táluká it was the earnest desire of the residents that the liquor shop in the village should be removed, and a petition signed by a very large majority of them was presented to that effect. Not only so, but the owner of the house, who

* Not printed.

was himself one of the singatories of the petition, gave notice to his tenant that he should vacate it. In these circumstances the Māmlatdār issued an order, under instructions, as alleged from the Collector to the effect that the liquor-shopkeeper was not to be required to move and this was served on the owner with the result that the shop still remains there.

7. At Lonāvhi, as elsewhere, an order was issued by the Collector forbidding the carrying on of temperance work in the neighbourhood of liquor shops. Subsequently to the issue of this order two lads were fined by the Māmlatdār for causing an obstruction. This case is not referred to with a view to questioning its justice, but because the manner in which it was conducted seems to indicate in this, as in other cases, undue haste and prejudice on the part of the authorities. This is shown by the fact that the young men were not tried in proper course in the Māmlatdār's Kutcherry but in the Municipal Office, that the evidence was not written in the proper summary register but on a loose sheet of paper, that the accused in one case was not called upon to defend at all, and in the other was denied that right, and that all this was carried out within a few minutes.

8. At Bārdmati a similar course was followed to that which was pursued elsewhere, culminating in orders issued by the Māmlatdār to the effect, as reported by Mr. Krishnāji Ganpat Bavale, District Pleader, "that no one connected with the movement was to move within thirty yards of the shop for the purposes of the movement."

9. At Junnar more severe measures were taken against those engaged in this work than in any other place, two young men, one a weaver by caste and the other a Gujarāthi merchant having been sentenced to ten days' imprisonment and bound over for one year. In this case it should be mentioned that written testimony to their innocence is borne by fifty-five of the leading men of Junnar of different castes, pleaders, municipal commissioners, rich sāvkārs, members of the Local Board. It seems a harsh course to pursue to send to prison men of excellent character, who, if they were indeed guilty of a breach of the law, were prompted by excess of zeal in a good cause. But the animus of the authorities is shown by the fact that seven of the leaders of the movement, men of established reputation, including Mr. Krishnāji Amrit Bāgātkar, Chairman of the Tālukā Local Board, and a nominated member of the Municipality, who is one of those who bear witness to the innocence of the two young men convicted, were summoned before Mr. Anderson, the Sub Divisional Magistrate, that they might be ordered to give security for good conduct, but were ultimately discharged.

10. In Belgaum a similar course was followed by the authorities to that which was followed elsewhere, and a number of Police prosecutions took place. An order was issued by the District Magistrate requiring all persons to abstain from shouting the words "Don't drink," or other words of the same purport in any public place in Belgaum City or Cantonment. In connection with this, what is specially to be noted is that similar "picketing" in connection with liquor shops was practised in Belgaum in 1905-06, but though complaints are said to have been made to Mr. Jackson, who was then Collector and District Magistrate of Belgaum, he did not interfere and no untoward consequences ensued. In connection with the present movement orders were issued by the same officer, who is now Collector and District Magistrate of Nāsik, with the result that active temperance work was carried on in the neighbourhood of the liquor shops at Mālegaon and elsewhere on the lines of some of the methods proposed by the Poona Temperance Committee to the Collector of Poona and rejected by him. The local authorities of Mālegaon according to the statement of Mr. Mule, Pleader, "have, after enquiry into our methods, declared that they see no objection to them." There were no police prosecutions there. The order of Mr. Jackson, to which this condition of things, so different from what prevailed elsewhere, may be attributed, is as follows:—

"In view of the spread of the temperance agitation in this district the following instructions are issued for the guidance of all Magistrates and Police Officers:—

- (1) So long as advocates of temperance confine themselves to peaceful persuasion or to the lawful enforcement of religious tenets or caste rules, they should not be interfered with.
- (2) Where the picketing of liquor shops is resorted to, a Constable should be posted at the place to see that no force or intimidation is used, and that traffic is not obstructed by the assembling of crowds in the roadway.
- (3) Obstruction of traffic or criminal intimidation or the use of force should be dealt with according to law."

11. This review of the history of the temperance agitation in Poona District and elsewhere gives evidence, it is maintained, that in their attitude towards it the authorities in several instances have shown distinct animus against a movement, the purpose of which is laudable, and have not always realized that this is a traffic which it is the policy of Government to discourage. While it is fully admitted that illegal acts such as imply the use of force or intimidation or the obstruction of traffic cannot be permitted, in forbidding the peaceful persuasion of those frequenting liquor shops and in even refusing to permit the observation of the customers from a house or elsewhere for caste purposes, the authorities have surely carried their protection of the traffic to an unjustifiable extreme. What is claimed by those who desire to prevent as far as possible the spread of this vice in India is that the attitude of Government

should be in harmony with the orders issued by the Collector of Násik and given above. Nothing more than that has ever been claimed, and nothing less than that should be granted by a Government which lays down as its policy and enjoins on its officers "the necessity of doing all they can to discourage the extension of drinking."

12. But while permission is claimed to carry on temperance work on the lines on which it has recently been carried on within the limits laid down in the orders issued by the Collector of Násik, it has to be made clear, as has already been indicated, that this method was resorted to mainly because attempts to obtain by means of memorials and otherwise a reduction in the number of liquor shops and the amendment of abuses in their management had proved ineffective. In the Government of India Resolution dealing with the matter, dated 15th August 1907, it is said that "the Government of India would be glad to see local opinion consulted more systematically and recorded more definitely than is the case at present." If this Resolution is acted upon there will be the less need to bring local opinion to bear upon the question by some of the methods that have been followed in connection with this agitation and have been considered so objectionable. The Excise Committee has proposed the formation of a small local committee for the licensing of shops in the Presidency and other large towns; and the Government of India "think that a similar body might suitably be utilized for drawing up the maximum and minimum scales both in the Presidency towns and other large Municipalities with a population exceeding, say, 20,000." A committee for the latter purpose has been formed in Bombay, but nowhere else in the Presidency, it is believed, have any such committees been constituted.

13. In other respects also a change in the attitude of the authorities on this question is greatly to be desired. Many instances could be adduced to show that the recommendations of the Government of India Resolution already referred to in regard to the number and location of liquor shops and the conditions under which liquor should be sold are contravened in Poona itself. And further it can be shown that several of the standing orders of the Government of Bombay in this matter are flagrantly broken. For example, one of those (Ábkári, page 14) expressly states that "the retail by Government officials of any sort of fermented liquor, spirit or drug is disapproved" and that "Government has nothing to do with the trade in fermented liquors," whereas shops under the management of officers of the Ábkári Department have just been opened in Kirkee and Bhaváni Peth, Poona. Similarly (Ábkári, page 36) there is this standing order:—"Government will not alter the general rule by which liquor shops are to be shut at sunset. But Collectors may, subject to the control of the Commissioner, allow at their discretion shops to be kept open till lamp-lighting time or even till 8 p.m., if local circumstances render such extension advisable." In Poona the hour of closing is 9-30 p.m. It is also a rule that a liquor shop should not be transferred to a new locality without 15 days' notice of the fact in order that residents in the neighbourhood may have an opportunity of stating whatever objections they may have. Recently at Khed a shop was so transferred without any notice being given. A startling fact is that the cost of country liquor per gallon to the liquor contractor in 1905-06, as stated in the report of the Excise Department for that year, was Rs. 5-5-11 while the maximum selling price fixed by the Department was Rs. 5-4-0. It is obvious that the liquor contractors could not carry on their business under those circumstances which have occurred in other years as well as the one mentioned, without resorting to fraudulent practices, and that the fact of such practices cannot have remained unknown to the officers of the Ábkári Department. From those instances it will at once be apparent that the existing orders of Government in regulation of the sale of liquor are being systematically and flagrantly violated by the authorities of the Poona District.

14. These are only a few examples out of many that could be adduced to demonstrate the need of increased vigilance in the control of the Ábkári Department, if the avowed object of Government to discourage drinking is to be attained, and the need also of a radical change in the attitude of the Department to the liquor traffic. They also, it is claimed, go far to justify the recent agitation in its main lines. Instead of discouraging the active exercise of public opinion on this question, this should be encouraged and, as the Government of India recommends, it should be "consulted more systematically and recorded more definitely than is the case at present." Further, if the wishes of the people of this country are to be considered, steps should be taken by Government to ensure that the number of liquor shops, the presence of which is a main cause of the growth of intemperance in spite of the strength of the tradition and the religious feeling opposing it, should be steadily decreased. Surely if that course is proposed for England much more should it be adopted in India, where it is supported by the ancient ideals of the country and by an overwhelming popular sentiment.

15. In conclusion the requests that it is earnestly desired should be granted are (1) a declaration such as is contained in the order of Mr. Jackson, Collector of Násik, affirming the lawfulness of the method of peaceful persuasion, when carried on in the cause of temperance without intimidation or the use of force; (2) the promulgation of a definite policy in accordance with which the number of liquor shops will be steadily reduced, and at the same time the rules already laid down for the regulation of the traffic will be strictly enforced; (3) the adoption of the suggestions contained in the Licensing Committee's Report and the Government of India Resolution in reference to it, advising that local committees be appointed to regulate the licensing of shops and to draw up the maximum and minimum scales in towns and Municipalities.

with a population exceeding 20,000, as well as that local opinion in other ways also be "consulted more systematically and recorded more definitely than is the case at present."

His Excellency the Governor's reply given to the Deputation on 6th July 1903.

Dr. Bhándárkar and Gentlemen,

I am very glad to meet you here to-day and I regret that you were not able to give me an earlier opportunity of trying to clear away some of the misconceptions which seem to have arisen in regard to the attitude of the Government on the most important question of temperance.

I wish to say at starting that I sympathise whole-heartedly in a movement designed to prevent one of the greatest evils that has oppressed and degraded mankind. I have seen the effect of these evils in many forms and in many places, and I regard the cause which you represent as worthy of the earnest endeavours of Government as well as of Associations such as yours.

I have read your "Statement" with great care. It covers much ground, and raises some debateable points. I do not propose to cover the whole ground, which would take up a long time and would require a profuse display of figures.

The single question of the comparative sobriety of India now and a century ago, which you have raised, would require a prolonged examination, and as accurate data do not exist no definite conclusions could be reached.

You have quoted a report of the Hon'ble Mountstuart Elphinstone stating that "the use of spirituous liquors was forbidden at Poona" and another by Mr. William Chaplin who recorded his opinion that "drunkenness is by no means a prevalent vice in Poona where very few stills are worked." There is other evidence of this period which somewhat conflicts with these statements, and it is certain that the manufacture of liquor was not "prohibited" in the Peshwas' times.

There is in fact a specific entry in the Peshwas' diaries in 1744-45 recording the farming of revenues which included "taxes on liquor manufactures," and elsewhere there are references which prove that the manufacture of liquor was permitted and was a source of revenue.

That the use of liquor was known in India, as in all other countries, in very ancient days is certain. Reference to it occurs in the writings of the early travellers, and in all parts of the country stills were being worked when these parts came under British Administration. It is impossible to say what the consumption then was, as there was no regulated system, but it is difficult to believe that it was not considerable.

As an illustration of what may occur where natural forces are free to work, I may instance Khándesh where the first attempt to bring the out stills under Government control was made in 1884-85. It was found that the consumption for 1895-86 amounted to 604,567 gallons 25° U. P., apart from a very large illicit consumption. After control had been established, the consumption was quickly reduced to less than one-half, and only reached 404,337 gallons in 1904-05.

I mention these points only in the hope that you will not believe that the use of intoxicants was unknown in India before the advent of British Administration. Such a belief is untenable by any one who studies history, or has any knowledge of human nature.

In India, however, the use of intoxicants seems to have been confined to certain classes, and the Deccan appears to have excelled in temperance. Even in 1904-05 the consumption per head in four typical Deccan districts is as follows:—

		Drams.
Ahmednagar	...	2
Poona	...	5.8
Sholápur	...	2.5
Sátára	...	1.0

A dram is only equal to the contents of a medium wine glass, and these figures are very remarkable because in the case of Poona and Ahmednagar the consumption of large cantonments is included, while Sholápur is a thriving manufacturing town.

The annual consumption in the districts alone is:—

Poona	...	1.4
Ahmednagar	...	0.43
Sholápur	...	1.03

These extremely low figures are of course compatible with an increase of drunkenness in the case of individuals, and they certainly do not prove that efforts to promote temperance are not required. They may fairly serve, however, to check any extravagance of statement. The Maráthas of the Deccan must still be one of the most sober peoples in the world.

I will now try to explain what has been the general policy of Government in regard to the vastly difficult question of liquor.

I deeply regret to say that I have seen statements deliberately made to the effect that Government wishes to encourage the vice of drinking in order to increase the revenue. Such statements are opposed to all the facts and are unworthy of the persons who make them.

You, gentlemen, very wisely do not urge that Government should prohibit the sale of liquor altogether, doubtless because you are well aware that worse evils would follow.

You also do not suggest that Government should not tax liquor, because you would naturally be opposed to cheapening intoxicants and therefore increasing consumption.

The policy of Government has been, and is, to make liquor dear, or in other words to obtain the maximum of revenue on the minimum of consumption. There is, however, a limit to the application of this principle. If the tax is too high, experience proves that illicit distillation and smuggling at once arise. All thoughtful advocates of temperance will admit the truth of this proposition, and will fully understand that cheap illicit liquor which may be distilled at a cost of three annas per gallon would cause wide-spread demoralization. Of this there have been examples.

The policy which the Government of Bombay has followed for many years has been to raise the still-head duty whenever a marked rise in consumption occurs.

The Poona District supplies a good illustration of this policy.

The consumption in 1884-85 was 1,19,853 gallons 20° U. P. The still-head duty was raised; but the consumption continued to rise to 153,170 gallons. In 1887-88, the duty was again increased with insufficient success. A third increase was made and the consumption at once fell to 130,730 gallons.

Many other examples could be given proving conclusively that an increase of revenue does not necessarily mean an increase of consumption as has been asserted.

Another function of Government is to regulate the number of liquor shops in order that the facilities for drinking may not be too great. There has, therefore, been a considerable reduction of shops. In the Poona District the number in 1875-76 was 79; in 1904-05 it was 68. In the whole of the Solapur District there are only 34 shops, in Ahmednagar District 23, and in Sátára 56. I shall allude to this subject again, and I am quite ready to admit that further reduction of shops in some cases may be desirable. The point which I wish to emphasize is that the Government policy has not tended to an increase of shops but has caused a reduction in most cases.

You have rightly drawn attention to the "startling fact" that the cost of liquor per gallon to the liquor contractor in 1905-06 was Rs. 5-5-11 while the maximum selling price for that year fixed by the Excise Department was Rs 5-4-0. You have quoted these figures from the official report and I hope I need not tell you that this significant statement has not escaped the consideration of Government.

We are well aware of the grave defects arising from the present system of disposing of shop-licenses by auction, and we are doing our utmost to remedy those defects.

You refer to the recent establishment of Government retail shops in Kirkes and Bhaváni Peth, and I am sorry that any misconception should have arisen in your minds in regard to this step.

The Government has not the slightest intention on entering into the retail trade; but it was most desirable to determine by actual experiment what margin or profit, if any can be made honestly by the retail dealer under the auction system. As soon as the necessary information has been obtained, the departmental management of these shops will cease. I trust that this explanation will be satisfactory to you and will have the effect of removing all existing misconceptions on this subject.

I now come to the three requests to Government with which your statement concludes. It would be a pleasure to me to meet all your wishes; but it is necessary that Government in dealing with all these important questions should regard them in their broadest aspects as affecting the Presidency as a whole.

You ask that we should sanction such orders to the police as were issued by the Collector of Násk in regard to picketing.

I will not meet you with a simple *non-possumus*; but I will tell you frankly why such a course would be undesirable and unstatesmanlike.

In the first place, I have read the rules which you drew up for the guidance of pickets and they seem admirable. Rule 8 states that no methods are to be used except "turning the minds of the drinkers and customers by entreaties; no resort is to be had to abuse or insulting words, or any kind of force." If we were all perfect, I can imagine that such instructions might be carried out to the letter; but from the evidence I have seen, it is quite clear that your instructions were not observed in some cases. I do not in the least blame the picketers for this; but I lay down the general proposition that, human nature being what it is, you cannot so regulate the action of picketers as to make certain that illegal molestation will not occur. As soon as an altercation arises a crowd can generally be counted upon to gather, and in all countries crowds are apt to do things which the individuals composing them would avoid.

Turning to the other side, I gather from the evidence that the people accosted and sometimes hustled by the pickets in Poona were amazingly quiescent. This may be a characteristic of the poorer classes who visit liquor shops in Poona; but it certainly does not apply elsewhere, and there are plenty of places in this Presidency where picketers who attempted to restrain the people from entering shops would meet with very rough treatment.

Put yourself in the position of the man who is walking along a public road for a perfectly lawful purpose, and is accosted or impeded by an unknown person whom he does not wish to speak to. Would you not feel strong resentment, and is it likely that you would feel inclined to follow the precepts, however excellent, of the person who interfered with you? I think that, even if you kept your temper to perfection, you would consider you had a distinct grievance against the aggressive person, and that an offence against the liberty which we all cherish had been committed. This again is human nature, and it accounts for the fact that methods of this kind have never attained more than a momentary success.

Your Association is able to employ all the methods for promoting temperance which have been successful elsewhere, and it has in addition the powerful leverage provided by the caste system, which does not exist in Western countries. Your position therefore, picketing apart, is a peculiarly strong one.

I need not tell you that if picketing were allowed here, it must be allowed elsewhere, and it might be applied to other than temperance objects. A temple or a mosque when either happened to belong to a small minority might be picketed. Experience shows that proceedings of this kind lead to unfortunate results.

Lastly, I wish to point out to you that there is a good deal of private drinking in Poona, perhaps more than you know. Private drinking may be more serious than occasional visits to a liquor shop, and not only will picketing not touch this evil, but it will almost certainly tend to increase it. The man who is prevented from getting a little glass of liquor at a shop will find the means of obtaining a bottle.

I am of course aware that "peaceful picketing" has recently been legalized in England for a special purpose. I will not discuss the merits and demerits of this change; but I think you will agree with me that, between the assemblage of a few workmen at the gates of a factory during a strike and the systematic picketing of liquor shops in the public streets of a large town, there is no real analogy.

Summing up what I have said I submit for your thoughtful consideration that picketing is an interference with liberty, which in Poona certainly would have the appearance of class legislation, that it would, in many places inevitably, and in all places probably, lead to breaches of the peace and to prosecutions which we all desire to avoid, that it cannot permanently promote the object you have in view, and that it may help to defeat that object.

I sincerely hope that you will not regard this as the arbitrary decision of an alien Government which does not sympathize with your valuable Association. There is not a capital in Europe where picketing would be allowed for a moment. In some European countries of course the people are not so free as they are in India; but what I have said applies equally to the towns in such democratic states as those of Australia.

I turn now to the pleasant part of my duty. As I have already said, it is quite possible that there may be too many shops, and I think this is certainly the case in Poona Cantonment. This point must be carefully considered by a local committee, which will shortly be appointed, and which will doubtless give full weight to your views. I also think that an earlier time of closing might be adopted and that special arrangements may be desirable during festivals when the tendency to drink is apparently greater than at other times.

Except in one single respect, therefore, you will have what you have asked for, and I am certain that the good work which your Association can do will not in the slightest degree be impeded by this exception. Appeals to religion, to the dignity of humanity, and to good sense, coupled with warnings as to the disastrous results of intemperance will bring forth fruit in India as in all other parts of the world where they have been tried by earnest people anxious to combat a great evil.

I am sure that you will accept what I have said in the spirit in which it is offered, and I appeal to your Association to work hand in hand with the Government which is in full sympathy with your objects.

For myself I should like to say that I shall take an interest in your work, and that if at some future time you should again wish to approach me, I shall always be glad to receive you.

RESOLUTION.—Copies of His Excellency the Governor's reply to the Deputation should be sent to the Commissioner of Customs, Salt, Opium and A'bkari, the Commissioners of Divisions and all Collectors in the Presidency proper for information.

2. The attention of the Commissioner of Customs, Salt, Opium and A'bkári is invited to the promise made by His Excellency the Governor to give full consideration to two requests of the deputation, namely, (1) reduction in the number of liquor shops, and (2) earlier closing hours and special arrangements on festival days. The Commissioner should be asked to expedite the submission of his report on the question of forming local committees in large towns, and to take note of the advisability of closely considering the question of the number of shops in the Poona Cantonment. He should be requested to consult Collectors and report fully on the propriety of altering the closing hour from 9-30 to 9 p.m. (Standard Time), and of revising the existing orders relating to the sale of liquor during festivals. Separate reports should be submitted on these points.

3. The remarks on picketing contained in His Excellency the Governor's reply should be brought to the special notice of the Collector of Násik, and he should be asked to revise the orders which he is said to have issued on the subject, so as to make it clear that the picketing of liquor shops is not permissible.

4. In his speeches on behalf of the Deputation the Hon'ble Dr. R. G. Bhándárkar referred to violation of the rules laid down for the guidance of liquor-shopkeepers, more especially with reference to liquor shops being properly closed at night, and mentioned iron bars and wire netting in this connection. The attention of the Commissioner of Customs, Salt, Opium and A'bkári is invited to these remarks and he should be asked to report on them.

J. E. C. JUKES,
Under Secretary to Government.

To

The Commissioner in Sind,
The Commissioner of Customs, Salt, Opium and A'bkári,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Collector of Salt Revenue, Bombay,
The Collector of Bombay,
The Collector of Násik,
All other Collectors in the Presidency proper,
The Judicial Department of the Secretariat.

No. _____ of 1908.

Copy forwarded for information and guidance to

APPENDIX H.

Memorandum from the Settlement Commissioner and Director of Land Records, No. 3410, dated 10th October 1907.

At present the receipt book is merely a copy of the ledger. On the debit side it shows once in five years all survey numbers in the possession of the khátédár with the area and assessment of each and the total number of survey numbers with total area and assessment. In the other four years it merely shows the totals. On the credit side it shows, or is supposed to show, every payment and the name of the person who makes it.

2. In addition to this, as 5 or 10 khátédárs are poklist, and as (in the Deccan) none of them pay the full assessment for the land nominally in their possession, the kulkarni is supposed (Note—He often does not) to issue a number of *hálth pávís* to persons paying amounts of assessment for land in the khátas of others.

3. As the khátédár has very often lost all interest in the land and he only possesses the receipt book, it follows that the latter are frequently not produced and are consequently not written up for years together.

4. I propose to abolish the present system altogether and substitute the following :—

(1) At the settlement every khátédár receives a slip on stout paper showing in detail the land in his possession and the new assessment.

(2) Unless the area or assessment of land held is changed or unless there are suspensions and remissions, this slip should hold good until a new one is received.

(3) If a rayat surrenders or takes up a survey number, or if there are suspensions and remissions, the kulkarni will send him a slip showing what he has to pay for the current year. He will continue to do this until there is no change. Then the last slip will hold good until there is a change again. For miscellaneous revenue, such as grazing, dead wood, separate slips or bills, can be sent out as money comes due.

(4) This will obviate the necessity of keeping the debit side of the account.

5. Then for *payments* I attach Mr. Orr's form of tagái receipt now in use in Poona. I propose that the kulkarnis should keep a book in this form, and when each rayat comes to pay, merely tear out a receipt and give it him, making the corresponding entries in the counterfoil.

6. The rayat should be given a small case of country leather in which these loose papers would be kept.

7. The advantages which I claim for this system are—

Debit side.

There is no object in writing out each year for the rayat's benefit what he has to pay. In normal years this does not vary at all. If he wants to know what he owes, he merely has to turn to the slip given him at the settlement or during the last year that there was any change in his assessment.

As a matter of fact at the present moment owing to the fact that the khátédár keeps the receipt book, while the kabzedár pays the money, the latter practically can only find out what he has to pay by asking the kulkarni. Of course I hope to change this by making the kabzedár the basis of the ledger, as opposed to the khátédár; but this does not affect my present proposal.

Credit side.

At the present moment except the day-book there is no consecutive list of receipts. Acknowledgments are granted partly in receipt books, partly by *hākh pāolis* and (apart from the day-book) it is impossible to trace in what order amounts have come in or whether they have been entered in the day-book or not. If money is pouring in, and the kulkarni cannot write up his day-book at once, he himself may by inadvertence omit to show correctly in the day-book the amounts received.

With the revised form for every receipt that is torn off the kulkarni will have to make an entry in the counterfoil; and this will be a guarantee that all amounts are recorded and subsequently entered in the accounts.

APPENDIX I

QUESTION No. 7 PUT BY THE HONOURABLE MR. DAJI ABAJI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 3RD OCTOBER 1908.*

ANSWER GIVEN BY GOVERNMENT.

- (a) Is it a fact that on account of the opening of primary schools in more villages in recent years the work of the Head Masters of the talukā schools has increased owing to the latter having to perform various duties in connection with the village schools?
- (b) If so, do Government propose to give the Head Masters of the talukā schools some addition to their pays on that account?

No representation in the matter has been made by the Inspecting Officers. It is the practice, if the work of a talukā school master is appreciably increased, to give him an extra assistant.

APPENDIX J.

QUESTION No. 14 (c) PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908.†

ANSWER GIVEN BY GOVERNMENT.

Have Government considered the desirability of reducing the fee (of Rs. 25 for a shooting license in the forests) in the case of the villagers?

A copy of Government Resolution in the Revenue Department, No. 11013, dated the 30th October 1908, on the subject, is laid on the Council Table.

*The following *ad interim* reply was given by Government at the Council Meeting of the 3rd October 1908 :—
“Inquiries are being made.”

†The following *ad interim* reply was given by Government at the Council Meeting of the 20th June 1908 :—

“ (c) The fee does not apply in the case of special permission granted under Rule 13 by the Divisional Forest Officer or Collector to resident villagers on special occasions. But Government will consider whether any further concession can be made.”

APPENDIX K.

Rules under the Indian Forest Act.

Rules for the preservation of game in reserved
and protected forests

No. 11013.

REVENUE DEPARTMENT.

Bombay Castle, 30th October 1908.

Question* No. 14 put by the Honourable Mr. Hari Sitaram Dikshit, B.A., LL.B., at the meeting of the Legislative Council held on 20th June 1908 and the answer given to it by Government.

Government memorandum* No. 7035, dated 11th July 1908, to the Commissioners, N., C. and S Divisions.

Letter* from the Commissioner, S. D., No. 3829, dated 26th August 1908

Letter* from the Commissioner, C. D., No. E.—2591, dated 22nd September 1908.

Letter* from the Commissioner, N. D., No. 4908, dated 24th September 1908.

Memorandum* from the Commissioner, N. D., No. 4915, dated 25th September 1908.

RESOLUTION.—Government entirely agree in the views expressed by the Conservator of Forests, S. C., in his letter No. 3508*, dated 20th August 1908, and consider that no modification of No. 13 of the rules published in Government Notification No. 5627, dated 18th August 1903, is necessary, as it is absolutely certain that an extension of the privilege of hunting would lead to the wholesale destruction of animals which it is desired to protect.

J. E. C. JUKES,
Under Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
All Collectors, including the Collectors and Deputy Commissioners in Sind,
The Conservator of Forests, N. C.,
The Conservator of Forests, C. C.,
The Conservator of Forests, S. C.,
The Deputy Conservator of Forests in charge Sind Circle,
The Director of Agriculture and of Co-operative Credit Societies,
The Accountant General,
The General Department of the Secretariat,
The Political Department of the Secretariat,
The Judicial Department of the Secretariat,
The Public Works Department of the Secretariat.

* Printed as accompaniments to this Resolution.

No. _____ of 1908.

Copy forwarded for information and guidance to

**Accompaniments to Government Resolution, Revenue Department, No. 11013,
dated 30th October 1908.**

Question No. 14 put by the Honourable Mr. Hari Sitaram Dikshit, B.A., LL.B., at the meeting of the Legislative Council held on 20th June 1908,	Answer given by Government.
<p>14. (a) Is it true that the fee for a shooting license in the forests is Rs. 25? Are Government aware that that fee is felt to be prohibitive in the case of poor Kols and others who, though they have a license to hold arms, are unable to shoot in the forests and kill the tigers that kill their cattle?</p> <p>(b) Is it true that in February last a tiger killed a large number of cattle in the Khed and Mával Talukas of the Poona District?</p> <p>(c) Have Government considered the desirability of reducing the fee in the case of the villagers?</p>	<p>The fee is as stated. It applies to a license issued under No. 3 of the rules published in Notification No. 5627, Revenue Department, dated 18th August 1903, Forests in which wild tribes have been given the privilege of hunting are not notified under that rule. No. 13 of the rules provides for the preservation of this privilege and for the grant of special permission by the Divisional Forest Officer or Collector to resident villagers on special occasions.</p> <p>Government have received no information on the subject.</p> <p>The fee does not apply in the case of special permission granted under rule 13 by the Divisional Forest Officer or Collector to resident villagers on special occasions. But Government will consider whether any further concession can be made.</p>

REVENUE DEPARTMENT.

No. 7035, dated 11th July 1908.

N. D.
C. D.
S. D.

Forwarded to the Commissioner, with a request that he will be so good as to state whether No. 13 of the rules published in Government Notification No. 5627, dated 18th August 1903, works satisfactorily and whether no further concession can be made to meet such cases as are mentioned in the question.

J. E. C. Jukes,
Under Secretary to Government.

No. 3829, dated 26th August 1908.

To—The Chief Secretary to Government, Revenue Department.

Sir,

I have the honour to forward reports from the Conservator of Forests, S. C., and the Collectors of Kánara and Belgaum, and to say that I concur in the views expressed by these officers.

I have, etc.,
M. C. GIBB,
Commissioner, S. D.

No. 4571, dated 10th August 1908.

To—The Commissioner, S. D.

Sir,

With reference to your endorsement No. 3055, dated 20th July 1908, below Government memorandum No. 7035, dated 11th July 1908, I have the honour to report as follows:—

No doubt the fee of Rs. 25 leviable in respect of a shooting license under No. 13 of the rules published in Government Notification No. 5627, dated 18th August 1903, is usually prohibitive in the case of villagers and shikáris wishing to shoot in reserved forests, but such persons almost always want to shoot, not in order to kill the dangerous carnivora, but bison, sambar, chaetal, etc., which animals are now being strictly protected in Kánara. Recently a Patel produced his Rs. 25 for a shooting license, but refused to take it out when

he heard it would entitle him to kill only tiger, panther, bear and pig, and not the comparatively harmless animals above mentioned. The number of cattle, goats, etc., annually killed in Kánara is still considerable though on the decrease, but is really very moderate (418 are the figures for 1907) considering that the district contains several thousand square miles of forest. I am not sure that the above figures do not include some cases of animals specially tied up by sportsmen or shikáris as baits for the purpose of killing the large carnivora.

At any rate the figures of cattle annually killed by wild animals in this district have shown a steady decrease during the last five years and are for 1907 less than half what they were for 1903.

Not only do villagers (there are no wild tribes in Kánara), as a rule, show no special readiness to shoot tigers and panthers themselves, but their guns are usually quite unsuited for this purpose, more often than not, being picked up for Rs. 2 or Rs. 3 out of a sort of scrap-heap in the taluka kacheries. Tigers and panthers are, however, not uncommonly shot at by villagers as is evidenced by the number of cases in which slugs, etc., are found under the skins of animals which eventually fall a prey to the rifle of the district officer. In very rare cases, however, is a tiger killed on the spot by a village gun, and the danger, not only to cattle, but also to the villagers themselves that must be caused by a wounded tiger lurking in their jungles, not active enough to kill his ordinary prey in the forests and at the same time infuriated for a time at least by his wounds to such a degree as to be ready to assume an offensive rôle towards any creature he comes across, needs only to be mentioned to be appreciated. No doubt, realising these facts, the villager whose cow has been killed very wisely makes it a practice to take immediate "khubber" of the kill to the nearest district officer, who is armed with a modern rifle, who is pretty sure to be on the lookout for such an opportunity, and who is prepared to bear the expense of engaging coolies to beat out the marauder and spend money among the villagers in the pursuit of sport. The result is that as soon as a tiger or panther takes regularly to cattle-killing he is pursued and usually bagged before long by district officers or sportsmen from outside who are constantly crossing the Kánara border.

In special cases, notably those of man-eaters, exceptional concessions are made. The usual restrictions are withdrawn. Special rewards, amounting in one case last year to Rs. 200, are placed on the head of a single animal, and temporary licenses without charge are issued freely to shikáris and others with permission to hunt the quarry in reserved and protected forests unrestricted. The number of such special temporary licenses granted in Kánara last year was 29.

The real enemy of the cultivator, in Kánara as elsewhere, is not the tiger, but the pig. It is believed that of late years owing to the decrease in the numbers of tigers in Kánara, pigs have considerably (one Divisional Forest Officer says "enormously") increased, and it is impossible to estimate the damage wrought by them to crops of various kinds, more especially sugarcane, throughout the district. It is not practicable for human agency, at any rate under existing conditions, to exterminate pig from a cover extending over 4 or 5 thousand square miles which, broadly speaking, describes the Kánara District, and if the natural enemy of the pig be wiped out, the latter will of course flourish and multiply exceedingly. For this reason I have heard it seriously suggested in a responsible quarter that the time has now arrived for preserving tigers rather than exterminating them, and though the suggestion is not likely to meet with the approval of higher authority, I am not at all sure that it is a bad one so far at least as the agricultural interest is concerned. Again, cheetal, sambhar and bison have been mercilessly shot down, chiefly of course by the native shikáris, regardless of sex or season in the past; and though earnest efforts are now being made to protect the remainder, the extermination of the deer tribe also naturally tends to drive tigers more and more to look for their prey among the village cattle. Poaching on the part of villagers whether with licensed or unlicensed guns still prevails, I believe universally, to a greater or less extent in spite of the efforts of the authorities to preserve the few remaining specimens of the abovementioned fauna.

As the pig is the real enemy of the cultivator in Kánara, so rinderpest (and not the carnivora) is the real enemy of his cattle. For every head of cattle killed by a tiger or panther a dozen or more fall victims to rinderpest, and I am now making special efforts to combat this fell disease which has wrought such havoc in the past. From the foregoing it will be clearly seen that in my opinion the extension of existing concessions as regards shooting in forests is not only uncalled for, but is on the contrary very much to be deprecated, except perhaps in the case of pig upon which a reward of Re 1 per head has recently been placed. The danger is of course that once the average villager is let into a forest with a gun, he will confine his attention to the comparatively harmless animals of the deer tribe and the like, and as a rule, leave the carnivora unmolested. Though nearly 1,400 gun licenses are out in Kánara the number of pig destroyed is extremely small, and this is not to be wondered at as they are very well able to take care of themselves, issuing only at night from the dense jungles into the cultivator's crops where they often cannot be seen even while actually committing their depredations.

I have, etc.,
L. C. SWIFT,
Collector of Kánara.

No 6492, dated 13th August 1908.

To—The Commissioner, S. D.

Sir,

In reply to your No. 3055, dated 20th ultimo, I have the honour to state that no special permission under No. 13 of the game rules has been granted to villagers in this district during the last three years, presumably because none was applied for. The number of tigers and panthers killed in this district during the last three years is 3 tigers and 15 panthers, of which 4 panthers only have been killed by natives. None of the latter was a village shikári, I believe; two seem to have been Pátla. No complaints have reached me of the depredations caused by tigers and panthers. In fact I know of *some* villages where tigers are welcomed as they bring European sportsmen who spend money in attempting to kill them. I am certainly of opinion that no concessions beyond those already provided in the rules are needed.

I have, etc.,
B. A. BRENDON,
Collector of Belgaum.

No. 3508, dated 28th August 1908.

To—The Commissioner, S. D.

Sir,

As requested in your letter No. 3055, dated 20th ultimo, I have the honour to express my opinion upon the working of No. 13 of the rules published in Government Notification No. 5627, dated 13th August 1903.

2. In this Circle I do not think any applications have been made to the Forest Department for permission to shoot tigers and panthers, though this fact has not prevented a good number being shot by the villagers without any sort of permission. During the 12 months ending June 30th, 1908, rewards were paid by the Huzúr Deputy Collector, Kánara, for 2 tigers and 10 panthers killed by villagers. As a rule, however, the villagers prefer to give information to European sportsmen, amongst whom there is keen competition and by whom they are generally very handsomely rewarded. Moreover, the guns employed by the villagers are generally so inferior that except by a lucky fluke they seldom succeed in doing much damage. For one animal killed probably a dozen are wounded; in fact, I have seldom killed a tiger or panther without finding one or two slugs under the skin due to native guns. The wonder is that, these wounded beasts do not more often become man-eaters, probably they would were it not that cattle and wild animals are fairly plentiful. I have never known of a tiger turning man-eater in this part of the Presidency, though occasionally considerable damage has been done by panthers. One panther near Kárwár accounted for 16 people in the years 1906 and 1907. A reward of Rs. 200 was offered by the Collector and a number of extra gun licenses were given out to the villagers, but it is not quite certain yet that the beast has been accounted for, though commonly believed to be one of those killed by Mr. Maxwell, the Assistant Collector.

3. I do not think that any modification of rule 13 is necessary. If application were made to the Revenue or Forest authorities for permission to kill tigers or panthers doing damage to cattle, it would not be refused, unless some of the district officers were prepared to undertake the duty themselves. The granting of a general permission to kill such animals would merely result in the indiscriminate slaughter of deer and other harmless beasts, to prevent which, the game rules have been framed.

4. There can be no doubt whatever that tigers and panthers are decreasing rapidly owing to the keenness of European sportsmen, and it is an open question whether this is a very desirable state of affairs. A certain number of cattle, most of them of little or no value, are killed every year, but from the point of view of the Agriculturist this is by no means so serious a matter, as the damage done to crops by the pig which are rapidly increasing in numbers now that their natural enemies—the carnivora—are decreasing. We have made it known to the people that they will be allowed to organize beats for the destruction of pig on giving notice of their intention to the nearest forest guard, but so far the offer has not been taken advantage of to any great extent.

5. In the Belgaum and Dhárwár Districts tigers are rare and panthers not very numerous. They are so much sought after by the district officials that there is certainly no need to afford other facilities for their destruction and the day of their final extermination is not very far distant.

I have, etc.,
H. MURRAY,
Conservator of Forests, S. C.

No. 2.—2591, dated 22nd September 1908.

To—The Chief Secretary to Government, Revenue Department.

Sir,

With reference to Government memorandum No. 7035 of the 11th July last, I have the honour to state that No. 13 of the rules published in Government Notification No. 5627 of the 18th August 1903, is in force in all districts of this Division except Sholapur. The reports of the Collectors of these districts and of the Conservator of Forests, C. C., show that nowhere except in the Sâtára District has advantage been taken of the concession allowed by the rule. In Sâtára several complaints that pigs were damaging crops were received by the Divisional Forest Officer, and in each case permission was granted to people to shoot pigs in forest under the supervision of a forest guard. All these officers, with the exception of the Collector of Poona, think that the rule works satisfactorily and that no further concessions are necessary; they are of opinion that any further concessions would be likely to be abused by native shukáris, who, on the excuse of looking for dangerous animals, would enter the forest and kill large numbers of deer and antelope for their skins; effective supervision over them being impossible with the inadequate staff at the disposal of the Forest Department.

2 In Poona, tigers were seen near the gháts in the Khed and Mával Tálukas and are reported to have killed 22 animals; and the Collector recommends that the shooting of tiger, panther, wolves and pigs in forests in his district should be permitted without a license, while the killing of particular species of deer and antelope should be prohibited under a penalty. I am inclined to support Mr. Carmichael's proposal for the whole Division. The fact that the existing concession under rule 13 is not more availed of is due, not I think to the absence of need for it, but to the trouble and delay involved in procuring the Divisional Forest Officer or Collector's permission. If a tiger has killed in the forest near a village, it is ridiculous to expect a shikári to waste a day or two in getting the Divisional Forest Officer or Collector's permission before he sits up over the "kil". I would extend the proposed concession to the shooting of tigers, panthers, wolves, hyenas, wild dogs, pigs and bears, and think that at least it might be tried as an experiment, subject to reconsideration, should the result be the destruction on a large scale of deer and antelope.

I have, etc.,
W. T. MORISON,
Commissioner, C. D.

No. 4903, dated 24th September 1908.

To—The Chief Secretary to Government, Revenue Department.

Sir,

With reference to Government memorandum No. 7035, dated 11th July 1908, I have the honour to forward copies of the reports of the Collectors of the Panch Maháls and Surat, and to state that there is no reason to suppose that rule 13 is not working satisfactorily or that any further concessions are necessary.

2. The Collector of Thána has not replied to my reference; his report, which I have expedited by telegram, will be submitted on receipt.

I have, etc.,
R. P. BARROW,
Commissioner, N. D.

No. 3261, dated 13th August 1908.

To—The Commissioner, N. D.

Sir,

In reply to your No. 3778, dated 21st July 1908, I have the honour to say that rule 13 works satisfactorily and no further concession is necessary.

I have, etc.,
(Signed) A. R. BONUS,
Collector of Surat.

No. F.—3085, dated 15th August 1908.

To—The Commissioner, N. D.

Sir,

With reference to your No 3778, dated 21st July 1908, I have the honour to state that rule 13 needs no modification. No hardship is felt in any way under these rules. Tigers are so rare in every district that the moment one appears it is fairly sure to be pursued to its death by some "shikári". The same applies to all dangerous wild animals. Pig, deer and other destructive animals can be easily dealt with where they become destructive and invade crops.

I have, etc,
(Signed) R. C. Brown,
Collector of the Panch Mahals.

No. F.—534, dated 23rd September 1908.

To—The Commissioner, N. D.

Sir,

I have the honour to reply to your memorandum No. 3778, dated the 21st July 1908, on the subject of shooting and hunting licenses in reserved forests. I have not yet received reports on the subject from all my Sub-Divisional Officers, so that the district report is not quite complete, but as you have in your memorandum No. 4713, dated the 17th instant, called for its early submission, I submit it from the materials at my disposal.

2. None of the officers who have reported on the subject consider that there is any necessity for extending the concessions already provided for by rule 13, and they are apparently satisfied with the working of the latter.

3. The area which has been notified in this district, and consequently in respect of which alone shooting and hunting are restricted by the necessity for procuring a license, is a limited one. The Divisional Forest Officers have recently made proposals for extending it, and the whole question is under consideration between the Conservator of Forests and myself. I am naturally opposed to wholesale extension and our proposals will probably be confined to rounding off the present notified area so as to include within their limits well defined tracts. At present the delimitation is by blocks and appears to be purely arbitrary.

4. To return to the question, I may quote from Mr. Cama's report certain remarks which appear to me to be opposite:—

"These people (i. e., Kols, Thakurs, etc.) for themselves generally sit over a kill and do not organize a beat, i. e., the game comes to them rather than they go to the game. Now the cattle is not generally caught by a panther or tiger in reserved forest. It is generally caught in máiki land or gurcháráu or woodland forest, and the owner of the cattle can and does easily sit over a kill at these places without any shooting license."

The same may be said of the "nilgá" and "wild pig" which are great destroyers of crops in some parts of the district. It is not much use going after these animals in the thick jungle. The obvious plan is to shoot them when they come down into the open cultivated lands. Mr. Cama further points out that big game is more likely to be found in the closed reserved forest than in the open, so that a shooting license would only be of qualified utility to a hill man, who would not dare enter the closed forest for fear of being suspected of being there for the real object of puffing wood.

5. I think, however, that the objection to the extension of concessions in the matter of shooting licenses may be based on broader grounds. The high fee demanded for a license is not fixed for purposes of revenue. Its object is merely to limit the number of applications for licenses with which a Divisional Forest Officer would otherwise be flooded. The restriction implied by the necessity of obtaining a license is applied to certain selected areas, which it is desired to maintain to a certain degree as sanctuaries for game in which the latter, being free from the danger of wholesale and indiscriminate slaughter, may have a reasonable chance of multiplying. But once concessions are introduced, this protection is *ipso facto* withdrawn, and the whole *raison d'être* of the system of licenses ceases to exist. Rather than make licenses cheaper, or give them out free in any appreciable number, it would be far simpler to withdraw the application of the rules altogether. It would be manifestly anomalous to demand a sum of 25 from one person for what, in consequence of its free surrender to a large number of others, has necessarily ceased to be a privilege of any value. Once concessions are admitted the shooting in a notified forest will be reduced to the level of that in unnotified forests, for with the withdrawal of protection game is bound to diminish.

8. There is finally another objection. It is notorious that forest fires are more frequently due to the careless or intentional firing of the jungle by hunters in the forest than to any other cause. The notification of a forest under the shooting rules consequently affords a measure of protection, not only to the game in it, but also to the forest itself. Any measure involving a diminution of that protection must be prejudicial to the interests of the forests.

I have, etc.,
J. L. RIEU,
Collector of Thána.

No. 4915, dated 25th September 1908.

Submitted to Government in continuation of this office No. 4908, dated 24th September 1908.

2. The Commissioner concurs with the Collector's remarks in paragraphs 5 and 6.

R. P. BARROW,
Commissioner, N. D.

APPENDIX L.

QUESTION No. 3 PUT BY THE HONOURABLE MR. CHIMANLAL HARILAL SETALVAD AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 3RD OCTOBER 1908.*

ANSWER GIVEN BY GOVERNMENT.

Whether Government will be pleased to take into consideration the desirability of taking measures to improve the present "unhealthy and unwholesome" hostel attached to the Elphinstone College?

Government are taking such measures into full consideration and have called for a plan and estimate of certain improvements to the hostel.

APPENDIX M.

QUESTION No. 8 (c) PUT BY THE HONOURABLE MR. DAJI ABAJI KHARE AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 3RD OCTOBER 1908.†

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state the number of offences committed in the said village (Kelshi) during the last five years and how many of them were committed by the Bráhmín inhabitants of the village?

Eighteen offences were committed at Kelshi during the last five years. None were actually committed by Bráhmíns; but Government are informed that six of the offences (including one murder) remain undetected owing to the obstructive attitude of the Bráhmín community.

* The following *ad interim* reply was given by Government at the Council Meeting of the 3rd October 1908:—

"Inquiries will be made."

† The following *ad interim* reply was given by Government at the Council Meeting of the 3rd October 1908:—

"The information is being called for."

APPENDIX N.

QUESTION No. 17 (3) PUT BY THE HONOURABLE MR. GOKULDAS K. PAREKH AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 3RD OCTOBER 1908.*

ANSWER GIVEN BY GOVERNMENT.

What are the reasons of the delays in the hearing of the case (lodged by one Malhari against Dosumia and Rupchand Amthabhai in the Court of the Second Class Magistrate of Vagra) and its disposal?

Rupchand was the Sub-Inspector of the Vagra taluká and Dosumia a First Class Police Constable. While the trial was going on they were obliged to attend to their ordinary duties and this led to frequent postponements. The case was also delayed by a transfer from the Court of the Second Class Magistrate, Vagra, to that of the Second Class Magistrate, Amod. It is probable that the second accused, Rupchand, especially, made his official duties a pretext for unnecessary postponements, and the District Magistrate has been directed to inquire departmentally into the conduct of the two accused.

APPENDIX O.

QUESTIONS Nos. 3 to 5 PUT BY THE HONOURABLE MEHERBA'N NARAYANRÁO GOVIND ALIAS BABA SA'HEB GHORPADE, JA'GHI'RDA'R OF ICHALKARANJI, AT THE MEETING OF THE LEGISLATIVE COUNCIL, HELD ON THE 3RD OCTOBER 1908.†

ANSWERS GIVEN BY GOVERNMENT.

3. Will Government be pleased to state what is the income derived from the fees paid by the scholars in the Government primary vernacular schools in the Bombay Presidency?

3. There are 17 primary schools strictly Government and the income derived from fees in these schools is Rs. 1,970. But if the Honourable Member includes Local Board and Municipal Schools in the term Government Schools the number of such schools and the incomes from fees are as under:—

	Schools.	Fees.
		Rs.
Local Board	5,259	1,88,076
Municipal	900	89,477

* The following *ad interim* reply was given by Government at the Council Meeting of the 3rd October 1908:—

“Government have ordered an inquiry into the cause of the delay which has occurred in disposing of this case and the result of this inquiry will be communicated to the Honourable Member.”

† The following *ad interim* reply was given by Government at the Council Meeting of the 3rd October 1908:—

“This information will be given shortly.”

4. Will Government be pleased to state how many new primary schools were opened in the year 1907 and what was the number of boys in these schools?

4. The number of new primary schools opened in 1907-08 and the number of scholars in them are given below :—

		No. of schools.	No. of scholars.
Local Board	... ..	132	4,707
Municipal	... ..	15	537
Aided	... ..	177	4,850
Total	... ..	324	10,094

5. Will Government be pleased to state how much revenue will be sacrificed if fee in all primary schools were abolished?

5. The total amount of fee receipts in primary schools of all kinds in the year 1907-08 was Rs. 3,85,286; but only one village in four on an average possesses a primary school. It is not therefore possible to dispense with fees while funds are required for starting new schools.

Abstract of the Proceedings of the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 and 25 Vict., c. 67, and 55 and 56 Vict., c. 14).

The Council met at Poona on Saturday, the 19th June 1903, at 12 o'clock noon.

P R E S E N T :

His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E., Governor of Bombay, *presiding*.

The Honourable Sir JOHN W. P. MUIR MACKENZIE, K.C.S.I., M.R.A.C., I.C.S., J.P.

The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I. C. S.

The Honourable Mr. CHIMANLAL HABILAL SETALVAD, B.A., LL.B., J.P.

The Honourable Mr. GOKULDAS KAHANDAS PAREKH, B.A., LL.B., J.P.

The Honourable Mr. DASI ABAJI KHARE, B.A., LL.B., J.P.

The Honourable Sir VITHALDAS DAMODHER THACKERSEY, Kt., J.P.

The Honourable Meherbán NARAYANRAO GOVIND *alias* BABA SA'HEB GHORPADE, Jágirdár of Ichalkaranji.

The Honourable Mr. HARI SITARAM DIKSHIT, B.A., LL.B., J.P.

The Honourable Mr. IBRAHIM RAHIMTOOLA, C.I.E., J.P.

The Honourable Mr. RICHARD AMPHLETT LAMB, C.I.E., I. C. S.

The Honourable Sir PHEROZESHAH M. MEHTA, K.C.I.E., M.A., J.P.

The Honourable Khán Bahádúr NAVROJI PESTANJI VAKIL, C.I.E.

The Honourable Mr. MONTAGUE DE POMEROY WEBB, C.I.E.

The Honourable Sirdar Meherbán LAKHAMGAUDA BASAVPRABHU, Sar Desai of Vantmuri.

The Honourable SYED ZAIN EL EDRUS.

The Honourable Mr. THOMAS JOSEPH STRANGMAN, Advocate General.

The Honourable Mr. WILLIAM HASTINGS SHARP, M.A.

The Honourable Mr. CHARLES HERBERT ARMSTRONG.

The Honourable Mr. W. L. S. L. CAMERON, C.S.I., A.M.I.C.E., J.P.

The Honourable Mr. HUGH MURRAY.

The Honourable Mr. GHULAM MUHAMMAD KHAN *walad* Khán Bahádúr WALI MUHAMMAD KHAN BHURGRI.

NEW MEMBERS:

The Honourable Mr. CHARLES HERBERT ARMSTRONG, the Honourable Mr. W. L. S. L. CAMERON, the Honourable Mr. HUGH MURRAY and the Honourable Mr. GHULAM MUHAMMAD KHAN *walad* Khán Bahádur WALI MUHAMMAD KHAN BHURGI took their seats as Additional Members of Council.

QUESTIONS AND ANSWERS.

The following is the question put by the Honourable Mr. IBRAHIM RAHIMTOOLA :—

Question No. 1.—*Will Government be pleased to furnish the following information?*

(1) *The amount of money realised by them up to the 31st of March 1909, through the operations of the Improvement Trust, from each of the following :—*

- (a) *Sanad lands,*
- (b) *Toka lands, and*
- (c) *Leaseholds.*

(2) *The estimated amount expected to be realised under each of the three heads mentioned above from the 1st April 1909 up to such time as the acquisition of all the lands comprised in all the sanctioned schemes of the Trust has been completed.*

(3) *The amount collected by them since November 1898 from the holders of sanad lands and leaseholds in the City not included in any of the schemes of the Trust.*

Answer.—(1) The amounts realised by Government up to 31st March 1909 through the operations of the Improvement Trust, are as follows :—

	Rs.
(a) From Sanadi lands	1,92,904
(b) From Toka lands	28,17½*
(c) From Leasehold lands	2,252†

(2) *The estimated amount expected to be realized under each of these three heads from 1st April 1909 until the acquisition of all lands comprised in the sanctioned schemes of the Trust is completed, is as follows :—*

	Rs.
(a) From Sanadi lands	8,000
(b) From Toka lands	6,00,000*
(c) From Leasehold lands	1,500

(3) *The amount collected by Government since November 1898 from the holders of sanadi and leasehold lands in the City not included in any of the schemes of the Trust is as follows :—*

- (a) *From Sanadi lands.—Sanadi lands usually form a portion only of holdings the remainder of which are held on the Quit and Ground Rent Tenure. Payments are made for the whole holding and it would not be possible to separate the amounts due on account of the sanadi portions without prolonged inquiry.*

* Out of this amount a refund of Rs. 8,029 may be granted.

† In addition to this there is a sum of Rs. 6,12,231 due by the Trust on account of Carnao Road and Bhandari Street leases.

Since 1906 a large number of sanads have been cancelled on payment of premia by the holders. The total amount received in the shape of premia is Rs. 1,01,659.

(b) From leasehold lands.—The following statement shows the amount collected in each year from Government leasehold lands. In addition a further sum of Rs. 22,174 has been received since November 1898 on account of occupancy price on the grant of new leases.

Receipts from leasehold lands.		Remarks.	
From November 1898—			
	Rs. s. p.		
1898-1899	10,538 8 8 ⁹	* i.e., 5/12 of year's total receipts.	
1899-1900	24,639 7 5		
1900-1901	32,355 8 0		
1901-1902	37,968 11 7		
1902-1903	37,267 3 7		
1903-1904	36,699 7 5		
1904-1905	33,940 10 11		
1905-1906	39,674 13 1		
1906-1907	35,900 3 11		
1907-1908	1,18,792 13 0 [†]		
1908-1909	51,481 6 4		
Total	4,68,543 8 6		† Includes Rs. 79,645 received on account of arrears of rent due on municipal workshop land.

The following is a list of the questions put by the Honourable Sir PHEROZESHAH M. MEHTA :—

Question No. 1.—*Will Government be pleased to furnish a full and detailed statement of the negotiations regarding, and the terms, conditions and provisions of, the offer from Europe to place 100 first class and 50 second class Taxi-cabs on the streets in Bombay next cold weather, as announced in a press communique issued by them on the 22nd of May 1909?*

Answer.—The Honourable Member is referred to Government Resolution No. 2715, dated 26th May 1909, which is placed on the Council Table.
Vide Appendix A.

Question No. 2.—*Will Government be pleased to give the reasons which have led them not to proceed further with the City of Bombay Improvement Act Amendment Bill?*

Answer.—The Honourable Mr. Jenkins will explain the position of Government.

Question No. 3.—*Will Government be pleased to say if, in sanctioning schemes submitted to them by the Board of Trustees under the said Act, Government took means to ascertain "the sufficiency of their resources" as required by section 23 thereof?*

Question No. 4.—*Will Government be pleased to state what were the means, if any, which they adopted for the above purpose?*

Answer.—Section 23 of the City Improvement Act enjoins that the Board should be satisfied of the sufficiency of their resources before they proceed to pass a Resolution that an Improvement scheme should be made. Government have to deal with the scheme under section 27 (2) of the Act. The particulars required by that section have invariably been supplied to Government.

Question No. 5.—*Will Government be pleased to say if they have received from the Board a prospective review of its financial position and, if they have, to place it on the Council Table?*

Answer.—Government have received a review of the financial position of the Board, *Vide* Appendix B. a copy of which is placed on the Council Table.

Question No. 6.—*Will Government be pleased to give a list of the lands specified in Schedule B (C?) which have been resumed under section 60 (7) of the City of Bombay Improvement Act, 1898?*

Answer.—The lands included in Schedule C which have been resumed by Government have been specified in Appendix A to the Administration Report of the Trust for the year ending 31st March 1908. The Honourable Member is referred to that Appendix.

See Proceedings of the Legislative Council for 1906, p. 101.

Question No. 7.—*Will Government be pleased to furnish a statement showing for each district of the Presidency—*

(a) *How much land was forfeited for non-payment of land-revenue during the years 1906-07 and 1907-08 respectively?*

(b) *How much of the land so forfeited has been given out on the non-transferable tenure specifying the acreage given on leases—*

(1) *for one year;*

(2) *for more than one year but not more than three years;*

(3) *for more than three but not more than ten years;*

(4) *for more than ten years?*

Answer.—(a) The Honourable Member is referred to Appendix No. VI to the Land-Revenue Administration Report, Part I, of the Bombay Presidency, including Sind, for 1906-07, which contains the information for that year. Similar information for 1907-08 will be given in the report for that year, which will be published in due course.

(b) The information has been called for.

The following is a list of the questions put by the Honourable Mr. CHIMANLAL HARILAL SETALVAD :—

Question No. 1.—*Whether Government have come to any, and if so what, decision with regard to the future of Science Teaching in the Presidency?*

Answer.—Government are awaiting the reply of the Bombay University to their letter No. 3060, dated 18th December 1908, suggesting a revision of the existing curriculum in the interests of Science and of higher education generally.

Question No. 2.—*Whether Government have come to any, and if so what, decision on the report of the Committee that was appointed to consider the question of the location of the Elphinstone College?*

Answer.—The subject is still under consideration, pending a decision regarding the future of Sciences Teaching in this Presidency.

Question No. 3.—*Whether the Government have come to any, and if so what, decision on the question of providing proper residential accommodation for the large number of students attending the Government Law School at Bombay?*

Answer.—The subject is still under consideration, pending a decision regarding the future of Science Teaching in this Presidency.

Question No. 4.—(a) *Whether the Board of Management of the Gujarát College have reconsidered the question of Voluntary Science Teaching at that College and, if so, with what result ?*

(b) *Whether the Board have come to any decision as regards the spending of the balance of Rs. 40,000 out of the Imperial Grant of Rs. 50,000 received by the College ?*

Answer.—(a) The following extract from the proceedings of the meeting of the Gujarát College Board held on 3rd February 1909 gives the information required :—

“ 1. (a) Read papers circulated with the President's Memorandum dated 21st January 1909 with reference to a request for the reconsideration of the Board's decision to suspend Optional Science Teaching.

Resolved :—

The main reasons which actuated the Board in deciding to suspend the teaching of Science were the inadequacy of the present equipment and the want of funds. The Board have a larger balance than was expected, from which the Laboratory apparatus and equipment can be supplemented. It has been represented moreover to the Board that in order to retain Optional Science as part of the College course of studies substantial donations will be forthcoming to increase the endowment fund. In view of these altered circumstances it is resolved that the Board's decision to suspend Optional Science Teaching from April next be cancelled and that the President be authorised to appeal to the Public for a sum of at least Rs. 50,000, and to apply to the Municipality for an increased annual grant to the College; that Mr. Bhaishankar Nanabhai be authorised to collect subscriptions in Bombay and that Government may be respectfully informed that the Board confidently hope to raise the endowment fund of the College by half a lák of rupees in the near future and be requested to assist the Board in placing their finances on a sounder basis.”

(b) It has been proposed to allow the Board to add the unexpended balance of the Imperial grant to its capital. The decision of the Government of India on the proposal is awaited.

Question No. 5.—*Whether Government have come to any, and if so what, decision on the report of the Director of Public Instruction regarding the establishment of a Training College in the City of Bombay for training teachers for the primary schools in the City ?*

Answer.—Government recognise the necessity of establishing a Training College for primary school masters and mistresses in Bombay and are prepared to bear the cost of the staff, the Municipal Corporation providing building, stipends and other incidental charges. An offer to this effect has been made to the Municipal Corporation.

Question No. 6.—*Whether Government will be pleased to state when they will be able to place on the Table the report of the Committee that was appointed in 1905 to consider the needs of the Grant Medical College ?*

Answer.—The report with a summary of the action taken thereon up to date is, *vide* Appendices C and D. placed on the Table.

Question No. 7.—*Whether it is true that a large proportion of trained primary school teachers in Gujarát are not getting the salaries due to them according to their Training College Certificates and length of service under the Vernacular Masters' Code and whether Government will be pleased to have inquiries made into the matter ?*

Answer.—Inquiries are being made.

Question No. 8.—*Whether Government have passed any orders on the application for a Grant-in-aid to the fund raised by public subscription for providing trained nurses in connection with the Byramjee Jeejeebhoy Hospital at Mátherán ?*

Answer.—Grants-in-aid of nursing are given to Government Hospitals only. Government have, however, as a special case, sanctioned, for a period of three years from 1st April 1909, an annual grant of Rs. 650 in aid of nursing at the Byramjee Jeejeebhoy Hospital at Mátherán.

Question No. 9.—(a) *Whether it is true that the Commissioner, S. D., had recommended that Government should bear the charges on account of plague measures at Mátherán and that Government declined to adopt such recommendation and ordered that the said charges be borne by the Mátherán Municipality ?*

(b) *Whether Government will be pleased to lay on the Table the letter of the Commissioner making the said recommendation and the Resolution of Government on the same ?*

Answer.—(a) A copy of the orders* passed by Government regarding the charges in question is laid on the Table. It will be observed that the charges are correctly debited to Municipal funds. Government, however, have intimated their willingness to consider an application for a grant-in-aid to cover them. They are also considering the whole financial position of the

Mátherán Municipality in connection with an application for a redistribution of income and expenditure between Provincial and Local Funds.

(b) The Commissioner's letter is printed in the Government orders referred to in the reply to question No. 9 (a).

Question No. 10.—*Whether it is true that Government determined what the said plague measures and the expenditure thereon including the extra allowance to the Superintendent for plague work should be and that the Municipality had no voice or discretion in the determination of the same ?*

Answer.—The answer is in the affirmative.

Question No. 11.—(a) *Whether Government are aware that the proposals to increase Municipal taxation at Mátherán consequent on the deficit in the budget caused by the Municipality being called upon to bear the plague charges, have evoked a strong protest from the property holders of that place ?*

(b) *Whether certain correspondence has passed between the Vice-President and the President of the Municipality on the subject in January and February 1909 and the same has been submitted to Government ?*

(c) *Whether Government will be pleased to lay on the Table the said correspondence and the orders, if any, passed on the same ?*

* *Vide* Government Resolution No. 1284-P., dated 10th September 1906—Appendix E.

Answer.—(a) Government have no information on the subject.

(b) and (c) The correspondence has not been received from the President.

Question No. 12.—*Whether any, and if so what, decision has been arrived at on the representations sent to Government by the City Improvement Trust and the Bombay Municipal Corporation in respect of the Government contribution towards the resources of the City Improvement Trust ?*

Answer.—The matter is under consideration.

The following is a list of the questions put by the Honourable Mr. HARI SITARAM DIKSHIT :—

Question No. 1.—*Will Government be pleased to state whether the arrears of income tax due by the Bārsi Light Railway Company, Limited, for the years prior to 1906-07 have been now recovered ? If not, what action has been taken with reference to the same ?*

Answer.—The arrears for the years 1905-06 and 1906-07 have been paid. Under the orders of Government the Collector of Sholapur has instituted proceedings against the Company under section 34 (1) (b) of the Income Tax Act, in respect of the latest year for which arrears are due.

Question No. 2.—*Will Government be pleased to state whether Mr. Mead has made his report about the development of Salsette and, if so, will Government be pleased to lay a copy of the same on the Council Table ?*

Vide Appendix F.

Answer.—The report is laid on the Table.

Question No. 3.—*Will Government be pleased to state whether the Notified Area Committee of Villa Pária has power to make roads ? If not, will they be pleased to state why such power has not been conferred on it and whether it is intended to confer the same now ?*

Answer.—The Honourable Member is referred to No. 24 of the Rules for the Villa Pária Committee.

Question No. 4.—*Will Government be pleased to state whether lands which have been disforested are given out for cultivation for short terms extending in some cases only to two years ? If so, will Government be pleased to state why they are given for such short terms and whether they have considered the desirability of giving them on the ordinary survey tenure or at least for much longer terms so that the holder may feel interested in improving the same ?*

Answer.—In no district has actual disforestation on a large scale recently taken place. Cultivation is, however, being allowed in pasture forests in Poona, Ahmednagar, Sholapur and Násik, the intention of Government being to disforest and grant on permanent tenure such lands as may prove suitable for permanent cultivation. In Poona district orders have been issued that the lands commanded by the projected canals shall be given out only on temporary leases until it has been decided how far those lands will be required to provide for cultivators who will be dispossessed of their lands by reason of their submersion under the projected storage reservoirs.

Question No. 5.—*Will Government be pleased to state how much tagdi has been suspended and how much remitted this year in each district of the Central Division?*

Answer.—It is understood that the revenue year 1908-09 is meant. The information will be called for.

Question No. 6.—*Will Government be pleased to state whether pilgrims to Pandharpur and other fairs are still carried in goods waggons and whether the crowding of passengers in such waggons is not calculated to impair their health? Do Government propose to take any action with a view to compel Railway Companies to provide a sufficient number of third class carriages?*

Answer.—The Honourable Member is referred to the answers given by Government to the several similar questions put by him since 1902.

It is reported to Government that pilgrims to Pandharpur and other fairs are still carried in certain fixed types of goods waggons when coaching vehicles are not available. Every endeavour is made to avoid overcrowding of passengers when conveyed in waggons. The G. I. P. Railway, and other Railway Administrations, are increasing their stock of passenger vehicles, but even when the stock sanctioned is provided it will be necessary, on occasions of large gatherings, to convey passengers in waggons. Railway Administrations cannot keep stock which would be utilised only on these occasions and remain idle throughout the remainder of the year.

Question No. 7.—*Are Government aware that most of the third class carriages in through passenger trains on the G. I. P. Railway are still not provided with latrine accommodation? Will they be pleased to state whether they intend to require the Railway Companies to provide such accommodation in all third class carriages in such trains?*

Answer.—The Government of India directed in 1902 that the Railway Administrations should take steps *inter alia* for the provision of latrine accommodation—

(a) as early as possible in all third class carriages running on Mail and Fast passenger trains, that is, trains which are not timed to stop at every station;

(b) as opportunity arises, in all other carriages of this class, except those intended for use on Suburban trains running for distances of less than 50 miles; and

(c) in all carriages of this class which might thereafter be built.

Government have learned that on the G. I. P. Railway latrine accommodation has been provided in third class carriages used for main line service, built since 1902, and there are about 400 carriages fitted with latrines, out of a total of some 950 in service at the present time. All third class carriages built since 1904, with the exception of those running on the Bombay Suburban service, have been provided with latrines, and even in the case of the latter, facilities are given for access to latrines at ends of trains, by gangway. Practically all third class carriages used on Mail and Express trains have latrine accommodation and it is only the older type of third class carriage, which is now used on slow passenger and branch line trains, that is not so provided.

Government have no reason to believe that the orders of the Government of India are being ignored by the other Railway Administrations.

Question No. 8.—*Will Government be pleased to state whether owing to there being no railing to the stone bridge at Kumbhar Ves near Poona City accidents usually occur*

when the river is in flood? If so, will Government be pleased to state whether they intend to provide suitable railings on both sides of the bridge?

Answer.—Government have been informed that accidents have occurred when the river has been in flood. The dam is in charge of the Poona City Municipality and Government are not aware what steps the Municipality propose to take to render the crossing more safe.

Question No. 9.—*Will Government be pleased to state whether the quarters provided for Hindu school masters and the Municipal Secretary and clerk at Matherán are those that had been occupied for nearly fifteen years by bhangis? Is it true that the employes objected to the said quarters on social and religious grounds but without effect? Will Government be pleased to cause inquiries to be made in the matter?*

Answer.—Government have no information regarding the matter referred to, but a report has been called for.

Question No. 10.—*Will Government be pleased to state whether it is true that the bungalow which was built at Dhulia about seven years ago for the use of the Personal Assistant to the Collector is now in ruins and is being repaired? Will Government be pleased to state the total cost of the bungalow originally built and the estimated cost of repairs? Will Government also be pleased to state who is responsible for the unsubstantial character of the bungalow?*

Answer.—It has been reported that there has been an unequal settlement of foundations which has caused cracks to appear. The bungalow is now under repair.

Question No. 11.—*(a) Will Government be pleased to state whether it is true that the crops irrigated by the canal of the Bandhara of the Panjra river in the Dhulia táluká have totally failed this year and in most of the fields plantain trees have been cut off on account of the deficiency of the water-supply? What is the total amount of the water cess in the Dhulia táluká and how much has been remitted this year?*

(b) In view of the continued deficiency of water-supply, will Government be pleased to reduce the Bagayet rate to that of Jirayet or at least to class the present Second Class Bagayet as First Class Bagayet?

Answer.—*(a)* Inquiry will be made.

(b) There is not much likelihood of any action such as is suggested.

Question No. 12.—*Will Government be pleased to state whether the Local Board Vernacular School at Kasára in the Pimpalner táluká was closed some time ago? Will Government be pleased to state the reasons for such closing and lay on the Council Table all the papers on the subject? When is the said school to be re-opened?*

Answer.—The school referred to was closed on account of a political demonstration by the students in which the villagers and the masters sympathised with the boys. It will be re-opened when the villagers give evidence of an improved state of feeling. Government regret the correspondence cannot be published.

Question No. 13.—*Are Government aware that the inhabitants of Ashvi in the Sanganner táluká have sent representations to the Postal Department to have an independent Post Office there instead of entrusting the work to the school master there as hitherto but that no heed has been paid to such representations? Is it true that con-*

siderable inconvenience is caused to the public there owing to the two offices being combined in one individual and proper attention is not paid to either? Will Government be pleased to inquire into the matter?

Answer.—Government will inquire into the matter.

Question No. 14.—*Will Government be pleased to state on what basis the contribution from Provincial Revenues to the District Local and Municipal funds on account of excise is assessed? When was the present scale of contribution fixed and on what principles?*

Answer.—The contribution paid to Local Funds on account of excise was granted as compensation for the loss of the one arna cess formerly levied and paid to them on "Sayer" revenue which was understood to include excise. It was fixed in the year 1873 and was based on the amount of the cess actually levied in the year 1872-73. The compensation was granted as a matter of grace to make up the loss arising from the discontinuance of payments which had been made under a misapprehension for some years

after Act III of 1869 was passed, ábkári revenue having
* i. e., Miscellaneous land-revenue. already been separated from "Sayer"* when that Act was passed.

Except in the City of Bombay no contribution is paid to Municipal Revenues on account of excise. In Bombay the compensation (Rs. 1,43,750) is paid to the Municipality under section 63 of the Bombay A'bkári Act No. V of 1878. The amount was fixed on the average of the net revenues derived by the Municipality in the ten years ending 1877.

Question No. 15.—*As regards Government of India's letter No. 882 of November 22nd, 1908, on the subject of free education, will Government be pleased to state what is at present the exact position of the question as far as this Presidency is concerned? Has any definite conclusion, and if so what, been arrived at in the matter?*

Answer.—The Honourable Member is referred to the reply given to question No. 1 put by him at the meeting of the Legislative Council held on 20th June 1908, and to Government Resolution No. 2061, dated 18th December 1908, a copy of which is placed on the Council Table.

Question No. 16.—*Regarding the Government Resolution on local self-Government of July last, paragraph 6, will Government be pleased to state to what Municipalities the privilege of extended elective representation has been conceded, and in the case of Municipalities where the triennial elections had taken place just before the Resolution was issued, e. g., Poona City, is it in contemplation to extend the concession before the expiry of the triennial term, and if so, when such extension may be looked for?*

Answer.—The privilege of extended elective representation has been conceded to the Karachi Municipality. Proposals for the reconstitution of the Dhulia and Belgaum Municipalities with effect from 1st April 1910 and of the Sholapur, Bársi and Pandharpur Municipalities with effect from 1st October 1910 have been approved, subject to the acceptance by each of these Municipalities of the condition requiring the appointment of an Executive Officer. Proposals for the reconstitution of the Násik, Jalgaon and Bhusáwal Municipalities will be considered in the course of this year. In the case of two

Municipalities, *viz.*, Ahmednagar and Sátára, Government have decided that they should be allowed to complete their term which expires on 31st March 1911. No proposals have been received by Government regarding the reconstitution of the Poona City Municipality.

Question No. 17.—*Referring to paragraph 3 of the local self-Government Resolution, will Government be pleased to state the reason or reasons for which the privilege of electing its own President has been withheld from the Municipality of Wái in the Sátára district?*

Answer.—The privilege was withheld as the affairs of the Municipality both recently and in the past were grossly mismanaged.

Question No. 18.—*As regards Government Resolution of 13th January 1909, were the people of Vítá (Sátára district) allowed an opportunity of electing new men in place of those who had resigned, or submitting a representation to Government on the subject before it was decided to take away from them "until further orders" the privilege of elective representation on the Municipal Council?*

Answer.—The question is answered in the negative.

Question No. 19.—*Is it true that in the village of Kumbhárgaum in táluká Pátan (áishrikt of Sátára) the villagers, though they have duly paid the grazing fee for their cattle, have been debarred from grazing their cattle in the allotted area under revised forest orders?*

Answer.—The allegations have attracted the attention of Government, and a report of the facts has been called for.

Question No. 20.—*Has the attention of Government been drawn to Order No. 1 published in the Dnyán Prakásh of Poona of June 2, alleged to have been issued by the Mámlatdár of Sangameshwar in the Ratnágiri Collectorate to the village authorities under his control regarding public meetings held in the village temples and elsewhere even for religious purposes and, if so, will Government be pleased to lay on the Table copy of such orders?*

Answer.—The reply to the first portion of the question is in the affirmative. With regard to the latter portion there is no reason to doubt the substantial accuracy of the version which appeared in the newspaper referred to.

Question No. 21.—*Will Government be pleased to lay on the Council Table a return giving the details of income and expenditure of the two experimental liquor-shops started by them in Poona, and what profit or loss was made by each?*

Answer.—A report on the subject has not yet been received.

Question No. 22.—*Will Government be pleased to state whether the minimum price fixed for the sale of liquor in Poona is less than the cost price thereof? If so, will they be pleased to state why the minimum is fixed so low?*

Answer.—The object of imposing a minimum selling price for country spirit and of enforcing it so far as it is possible to do so is to prevent reckless competition among sellers and to deter shop keepers from undue efforts to clear off stocks towards the close of the period of the currency of their licenses. With this object the minimum selling price for country spirit is fixed at the sanctioned rate of still-head duty on the spirit.

Question No. 23.—(a) *Will Government be pleased to state whether the maximum strength of country spirits allowed to be sold in Bombay Presidency is 25° U.P. while*

(b) *according to the recommendation of the Excise Committee it should not be higher than 30° U.P. ?*

(c) *Similarly will they be pleased to state whether the limit of retail sale and possession for private consumption is fixed at one gallon while*

(d) *the Excise Committee have recommended that such limit should be reduced to one quart ?*

(e) *Do Government intend to adopt the above recommendations of the Excise Committee and, if so, when ?*

Answer.—(a) Yes, as regards the Presidency proper. For Sind Government have adopted the recommendation of the Excise Committee that at present the maximum strength should be 10° U.P.

(b) The Excise Committee did not recommend an immediate reduction to 30° U.P. They suggested that at a latter stage steps might be taken to reduce the 25° U.P. limit to 30° U.P.

(c) Yes, generally. For the Kaira district and the Cantonment of Deolali the limit is one reputed quart bottle.

(d) The Excise Committee expressed an opinion that, provided certain preliminary conditions were satisfied, the reduction could probably be made. These preliminary conditions are not at present fulfilled.

(e) Government are prepared to consider a reduction of the maximum strength in the Presidency proper from 25° U.P. to 30° U.P. when they are satisfied that all the Native States are willing to effect the same reduction in their territories, and that adequate precautions can be taken to prevent illicit practices following on the reduction in strength. In Sind the effect of the reduction already approved will be carefully watched. Government do not at present contemplate a general reduction of the limit of retail sale and possession of country spirit.

Question No. 24.—*Will Government be pleased to state whether a "proper Excise Manual" for Bombay which the Excise Committee say is an urgent necessity is under preparation? If so, when is it likely to be ready?*

Answer.—The answer to the first part of the Honourable Member's question is in the affirmative. The Manual will be ready as soon as the modifications in the rules, notifications and forms of licenses due to the extensive changes made in the system of excise administration, have been completed.

Question No. 25.—*Will Government be pleased to state what decision they have come to with reference to the recommendations made in paragraphs 242 to 244 of the Excise Committee's Report which, they were good enough to say in reply to question No. 13 put by me at the February meeting, were under their consideration?*

Answer.—The recommendations in question are, it is understood, usually attended to in the Presidency proper, and in Sind it has been directed that they should be carried out.

Question No. 26.—*Will Government be pleased to state whether they have considered the propriety of providing facilities to agriculturists for obtaining stone for building*

wells as promised in reply to question No. 21 put by me at the meeting held in June last, and, if so, what conclusion they have arrived at ?

Answer.—The Honourable Member is referred to Government Resolution No. 3538, dated 13th April 1909, a copy of which has been placed on the Council Table.

Question No. 27.—*Is it true that Bábul plantation by the road-side has the effect of making the fields over which its shade extends unproductive? Have Government considered the advisability of removing Bábul trees from the road-side and substituting instead Vad, Pimpri, Nim or other trees?*

Answer.—Complaints have been made from time to time that Bábul trees are injurious to crops. There is reason to believe that in some localities the complaints are well founded, but in other localities it is a matter of common experience that the finest crops are to be found under Bábul trees standing in the fields. The Bábul, however, is a poor road-side tree and Government have already issued orders that it should never be planted on the road-side except in parts where no other tree will thrive. It is the intention of Government that existing Bábul trees should, as far as practicable, be gradually removed from road-sides to make room for other kinds of trees that yield a pleasanter shade.

The following is a list of the questions put by the Honourable Mr. GOKULDAS K. PAREKH :—

Question No. 1.—*(a) With reference to the Tálukdári estates of Bagad Punja Vikamsi, Bela Vika Dosa and Jhanjharkha Bhagvatsing Devising, will Government be pleased to say if these estates were taken under the management of the Tálukdári Settlement Officer in 1883, 1887 and 1889, respectively?*

(b) Will they be pleased to say whether the average net incomes of these estates fall short of the amounts of annual interests on the debts due by the Tálukdárs to Government?

(c) Will Government be pleased to state how long they propose to keep these estates under management on account of their indebtedness to Government?

Answer.—*(a)* Yes.

(b) Yes.

(c) The matter of these estates has attracted the special attention of Government, and the subject is receiving consideration.

Question No. 2.—*Will Government be pleased to say—*

(a) Whether in the village of Hāthisa in the Olpád táluká in the Surat district the rice crop of this year failed altogether from insufficiency of rain?

(b) Whether any official estimates were made of the other crops of the village and what were these estimates in annas?

(c) Whether any remission was given on account of insufficiency of rain water to bring the rice crop to maturity?

(d) Whether the collection of any portion of revenue was suspended in consequence of the failure of crops?

(e) *Whether the landholders had applied to the officer in charge of the taluká to have an inspection of the crops and the anna estimates made while the crops were standing and whether such inspection was made?*

Answer.—Government have no information, no representation having been made to Government by the inhabitants of the village mentioned. Should any representation be received it will be given full consideration.

Question No. 3.—*Will Government be pleased to say—*

(a) *Whether Hirjibhai Edalji was the licensee of the liquor-shop of Olpád during the year 1908-09 and paid Rs. 3,000 as the fee for his license?*

(b) *Whether the license for the year 1909-10 for the Olpád shop has been given to Ratanji Merwanji Paravala for Rs. 1,100?*

(c) *Whether Hirjibhai Edalji was one of the bidders and expressed his willingness to pay Rs. 1,500 for the license?*

(d) *Whether in a majority of cases in the district of Surat the licenses for keeping liquor-shops for 1909-10 were given to the persons who held licenses for the same shops during 1908-09?*

(e) *Why was the license of the Olpád liquor-shop for 1909-10 not given to Hirjibhai Edalji?*

Answer.—A petition was received by Government from Hirjibhai Edalji in which it was stated that—

(a) the licensee was Jamshedji Nasarwanji, and the fee was Rs. 3,000;

(b) the license had been allotted to Ratanji Merwanji for Rs. 1,100;

(c) Hirjibhai Edalji was willing to pay Rs. 1,500 for the license;

(d) the liquor-shops were given to all the old licensees in Olpád taluká except Hirjibhai Edalji, and to many licensees of one year's standing in Bulsár taluká;

(e) the Collector is invested with full discretion to reject any applicant or bidder for a license to whom he deems it undesirable to grant a license.

Question No. 4.—*Will Government be pleased to say—*

(a) *Whether their attention has been drawn to the paragraph of the Sánj Vartmán newspaper of the 20th of May last about the agriculturists of the Borsad taluká having petitioned to Government with reference to the impressment of their carts?*

(b) *Whether such a petition was received by Government and what orders they have passed thereon?*

Answer.—A vernacular petition on the subject was received on 17th May 1909 and was returned for compliance with No. X of the Petition Rules which requires that a petitioner should apply to the chief local and controlling authorities before coming up to Government, and that he should append to his petition to Government the petitions made by him to those authorities and their orders on those petitions. The petition has not yet been resubmitted by the petitioners. When received it will be duly considered.

Question No. 5.—*Will Government be pleased to say whether they propose to confer the privilege of electing Presidents with the approval of two-thirds of the members on all Municipalities other than those that are excepted for special reasons or whether this privilege will be limited to such as agree to appoint executive officers?*

Answer.—The Honourable Member is referred to paragraph 2 of Government Resolutions No. 4614,* dated 16th July 1908, and No. 7010,† dated 25th November 1908, copies of which are placed on the Council Table.

* *Vide* Appendix H.

† *Vide* Appendix I.

Question No. 6.—*Will Government be pleased to say whether they propose to fix any minimum annual income as the limit of estates to be taken under management by the Tálukdári Settlement Officer under the Gujarát Tálukdárs' Act?*

Answer.—No limit of the kind proposed in the question has hitherto been before Government. Government are not prepared to fix such a limit at present.

Question No. 7.—*Will Government be pleased to give a statement of the quantities of grain, timber and cloth imported into and exported from the City of Surat during the three years previous to the introduction of the new Octroi Tariff and the years following its introduction?*

Answer.—The Honourable Member is referred to statement No. IV appended to the Annual Administration Reports of District Municipalities for the requisite information. Timber is included in Class IV—Articles used in the construction of buildings.

Question No. 8.—*Will Government be pleased to say—*

(a) *Whether in connection with Tálukdári estates of the Ahmedabad district remission of the portion of the Government demand which is due to water-rate in respect of rice lands is given during the years in which they do not receive sufficient water for a successful crop?*

(b) *Is such remission given to Tálukdárs who receive famine remission in consequence of recommendations in Mr. Robertson's report?*

Answer.—(a) The Honourable Member is referred to No. 7 of the Suspensions and Remissions Rules which were published under Press Note No. 2703, dated 13th March 1907. This rule has since been amended, and a copy of the amended rule is appended to this reply. The rule relates to remissions to occupants of Government land of the Government demand in respect

Vide Appendix J.

to that land. In Tálukdári estates the Government demand does not relate to the land held by the cultivators who are the tenants of the Tálukdár and are not Government occupants, but is fixed in the form of "jama" on the estate. Remissions of "jama" are not regulated by the Suspensions and Remissions Rules. As however the Honourable Member is aware considerable reductions, suspensions and remissions of "jama" have been given from time to time. The grant of this relief is governed generally by the circumstances of the Tálukdárs.

Question No. 9.—*Will Government be pleased to say—*

(a) *Whether a fee of Rs. 1 per head under the name of Registration fee is levied from all non-European visitors of Aden, whether they go to it for permanent residence or visit it temporarily on their way to India or any other country and that such visitors as are unable to pay the same are kept under detention?*

(b) Will they be pleased to say under the authority of which Statute this fee is levied?

(c) Is such fee levied from the European visitors of Aden?

(d) For what purposes is the fee so levied utilised?

Answer.—Inquiry is being made.

Question No. 10.—(a) With reference to question No. 9 put by me at the meeting of this Council held on the 5th of February last, will Government be pleased to say if they have received any petitions from persons aggrieved in the matter?

(b) Have Government issued any orders with reference to the action of the Collector?

Answer.—The Honourable Member is referred to the reply placed on the Council Table to question No. 9 put by him at the meeting of the Council on 5th February 1909. Several petitions from persons aggrieved have been received and have been referred to the Collector for disposal in accordance with the orders of Government. These were published in Press Note No. 4634, dated 12th May 1909, to which the Honourable Member is referred.

Question No. 11.—With reference to question No. 10 asked by me at the meeting of this Council held on the 5th of February last, will Government be pleased to say whether in the Jhalod mahal in which the kharif crops of the last season were fair and in the taluká of Dohad in which the crops were poor, and both of which localities suffered from famine during the year 1907-08, whether the Collector of the Panch Mahals ordered that $1\frac{1}{2}$ times the annual assessment should be collected?

Answer.—The Honourable Member is referred to the reply placed on the Council Table to question No. 10 (c) put by him at the meeting of the Council held on 5th February 1909.

Question No. 12.—Will Government be pleased to say how far the measures taken by the Surat Municipality for removing the nuisance of the night-soil depot have advanced?

Answer.—Government have no information on the subject, but a report has been called for.

Question No. 13.—(a) Will Government be pleased to state what is the number of new licenses for the retail and wholesale vending of foreign liquor granted within the Fort of Bombay since April 1, 1908?

(b) What were the special circumstances under which the new licenses were granted?

Answer.—Information has been called for.

Question No. 14.—Will Government be pleased to state what is the number of shops for the sale of foreign and country spirits and of refreshment-rooms in each of the Municipal wards of the City of Bombay?

Answer.—The following are the figures for 1908-1909 :—

Ward.	Number of liquor-shops.			No. of refreshment-rooms.
	Country.		Foreign.	
A	19 (after taking into account the reduction of 4 shops)	...	4	17
B	28 (after taking into account the reduction of 3 shops)	...	8	1
C	58 (after taking into account the reduction of 8 shops)	...	12	9
D	38 (after taking into account the reduction of 3 shops)	...	6 (after taking into account the reduction of 1 shop).	6
E	64 (after taking into account the reduction of 5 shops)	...	13	4
F	35 (after taking into account 2 shops transferred from E ward)	...	5	1
G	32 (after taking into account 1 shop transferred from E ward)	...	Nil.	4

The figures for 1909-10 have not been reported to Government, but it is not probable that there has been any material change.

Question No. 15.—(a) *Are Government aware that the liquor-shops near Mughlat, Girgaum Road, and at Chira Bazaar on the same road have each separate entrances opening in two streets ?*

(b) *Will Government be pleased to say why the back and side entrances of these shops are not closed as recommended in the Report of the Excise Committee ?*

Answer.—Information has been called for.

Question No. 16.—*Will Government be pleased to say what was the nature of the peculiar hardships involved, which prevented the closing of 7 out of the 26 liquor-shops the closing of which was recommended by the local Advisory Committee in the City of Bombay ?*

Answer.—The Honourable Member is referred to the reply of His Excellency the Governor to paragraph 31 of the Memorial from the Bombay Temperance Council, dated 26th January 1909, explaining that some of the shops recommended for closure could not be closed, as their licenses had yet some time to run.

Question No. 17.—*With reference to the complaint made by the Bombay Temperance Council in paragraph 28 of their last Memorial to Government, will Government be pleased to direct that such information as is supplied to the liquor-vendors be supplied to local Temperance Associations concerned ?*

Answer.—Government are not aware that there is any precedent for the supply to the public, or to third parties, or to private Associations of the particular information which it is necessary to supply to those who have entered, or are about to enter, into a contract with Government for a specific purpose; and they must decline to comply with the request contained in the question. General information on the subject of Excise is published by Government and is available to the Temperance Associations.

Answer.—The information will be called for. Additional establishment is being sanctioned for the execution of orders for recovery in assistance cases in the Sátára district.

Question No. 2.—*Will Government be pleased to place on the Council Table a list of the names of the toll-bars in the Southern Division the abolition of which has been directed by Government in the current year ?*

Answer.—A complete list of the tolls that have been abolished this year has been published in the *Bombay Government Gazette*, Part I, dated 1st April 1909, pages 518 and 519.

Question No. 3.—*In view of the fact that several people are now engaged in sugar-cane cultivation on a large scale by means of water pumped by engine, what concessions would Government be pleased to grant for the opening of a sugar-factory ?*

Answer.—The Honourable Member is referred to the reply given to question No. 2 put by him at the Council meeting of 3rd October 1908. The matter will be considered when specific application for the grant of concessions is made to Government.

Question No. 4.—(a) *Is it a fact that Government Resolution No. 10505, Revenue Department, dated 15th October 1908, prohibits the sale of land of defaulters for the recovery of arrears of revenue of the holder of an inám village on whom Commission under section 88 of the Land-Revenue Code has been conferred, while the lands in the alienated villages on the holders of which powers under section 88 are not conferred are sold for the recovery of the Inámdárs' dues ?*

(b) *Is Government aware that this prohibition causes great hardship to the Inámdárs who are invested with powers under section 88 of the Land-Revenue Code ?*

Answer.—(a) Section 90 of the Land-Revenue Code prescribes that the sale of the property of a defaulter shall be conducted by the Collector and not by the holder of the Commission, unless the latter is invested under Regulation XIII of 1830 with civil jurisdiction and with power to execute his own or his agent's decrees. Government Resolution No. 10505, dated 15th October 1908, prohibits not the sale by the Collector or the Inámdár invested with the power mentioned above, but the forfeiture of the defaulter's property except in cases where the Inámdár obtains an order for forfeiture in the course of assistance proceedings under sections 86 and 87 of the Land-Revenue Code.

(b) Section 88 of the Code does not confer on holders of commissions power to conduct a sale except so far as is provided in section 90 of the Code.

Question No. 5.—*Has the attention of the Government been drawn to the editorial note headed "bribes" published on page 7 of the issue of the Jagadvritta dated 6th June 1909 ?*

Answer.—Government have examined the article referred to. It does not appear to disclose any ground for action, as no specific instances of bribery are charged.

Question No. 6.—(a) *Is it a fact that the people of several villages put the leaves of aloe in pools of water in the bed of rivers and streams ?*

(b) *Is it also a fact that this makes the water unfit for drinking ?*

(c) *Is it also a fact that this water mixes with the water of the river when it begins to flow for the first time and in this way the villagers who depend on the stream for their water-supply have their water spoiled ?*

(d) Is it also a fact that this action of the villagers is not punishable on account of the mischief resulting from it being prospective?

(e) Will Government be pleased to put a stop to this practice by a proclamation?

Answer.—No complaints have reached Government on the subject, but they are informed that the practice mentioned in clause (a) of the question does exist. It appears to Government that where the results mentioned in clauses (b) and (c) of the question occur, or are likely to occur, it is open to any person affected to apply to the Magistrate of the district to make a rule or order under sub-clause (k) of clause (1) of section 39 of the Bombay District Police Act, providing against the pollution of the source or supply of water, or of the water therein, in any place in which he thinks fit to make such a rule or order.

PAPERS PRESENTED TO THE COUNCIL.

1. Replies to questions Nos. 4 and 5 put by the Honourable Syed Zain El Edrus at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix K.
2. Reply to question No. 3 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix L.
3. Reply to question No. 12 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix M.
4. Reply to question No. 6 put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix N.
5. Letter from the Secretary to the Government of India, Legislative Department, No. 691, dated the 9th March 1909—Returning, with the assent of His Excellency the Viceroy and Governor General signified thereon, the authentic copy of the Law to validate certain action taken under the Criminal Tribes Act, 1871, and to amend section 14 of that Act.
6. Letter from the Secretary to the Government of India, Legislative Department, No. 872, dated the 25th March 1909—Returning, with the assent of His Excellency the Viceroy and Governor General signified thereon, the authentic copy of the Law further to amend the Karachi Port Trust Act, 1886.
7. Reply to question No. 2 put by the Honourable Syed Zain El Edrus at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix O.
8. Reply to question No. 21 put by the Honourable Mr. Hari Sitaram Dikshit at the meeting of the Legislative Council held on the 20th June 1908.
Vide Appendix P.
9. Reply to question No. 9 put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix R.

10. Reply to question No. 11 put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix S

11. Report of the Select Committee appointed to consider Bill No. IV of 1908 (a Bill to provide for the erection and management of the Prince of Wales Museum of Western India).

12. Report of the Select Committee appointed to consider Bill No. I of 1909 (a Bill to amend certain enactments and to repeal certain other enactments).

13. Letter from the President of the Indian Merchants' Chamber and Bureau, Bombay, dated the 19th May 1909, regarding the Bill to amend certain enactments and to repeal certain other enactments.
Vide Appendix U.

14. Reply to question No. 10 (c) put by the Honourable Mr. Gokuldas K. Parekh at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix V.

15. Reply to question No. 1 put by the Honourable Meherbān Narayanrao Govind *alias* Baba Saheb Ghorpade, Jāghirdār of Ichalkaranjī, at the meeting of the Legislative Council held on the 5th February 1909.
Vide Appendix W.

16. Telegram from the Chairman, Chamber of Commerce, Bombay, dated the 16th June 1909, regarding the Bill to amend certain enactments and to repeal certain other enactments.
Vide Appendix Y.

OPENING REMARKS.

His Excellency the PRESIDENT said,—Gentlemen,—It is just a year since I first presided over the meetings of this Council. Again I cordially welcome the Honourable Members of this Council to what will probably be its last session before the introduction of extensive changes, which we all hope will deserve the title of reforms in the truest and best sense of the word. Much has happened during the year that has passed, and on the whole the Presidency has cause for thankfulness. The annual period of anxiety has again come round; and we watch the course of the monsoon with mixed hopes and fears. Last year the rains ended prematurely, but except in a part of the Panoh Mahāls we happily escaped famine, and by means of takāvi advances and of suspension and remission of land-revenue, the people were saved from suffering. Of this monsoon, we can only say that it has begun well, that sowing is being carried out under favourable conditions, and that the promise held-out by meteorological forecasts is distinctly hopeful.

India, and our Deccan country especially, lies at the mercy of the rainfall, and this fact, though not always recognised, is really the bed-rock fact in the political and economic situation. No legislation, however wise and beneficent, can make good the losses of a bad season. All that we can do is to press forward the great protective works in hand or projected, and to make the fullest preparation to deal with famine if it should come. I need not say that Government are doing all that is possible in both directions. We are

more ready to deal with famine than ever in the past, and we do not cease to urge the necessity for rapid progress on the great protective works.

There are only three points in connection with the present Budget as to which I wish to say a few words. Last year I announced that Government proposed that the Budget should be discussed by the non-official members at a time when alterations would be possible. We have fulfilled our pledge; but for reasons beyond our control, it has not been possible to give effect to all the proposals made at the committee which sat in Bombay. In future years, we hope that more satisfactory results may be obtained.

Another matter in which we are all deeply interested is that of sanitation. Government are sometimes attacked for not doing enough to promote this important object. We are, however, faced with many difficulties in this ancient country. In Europe the great improvements in sanitation are due, not to the army of inspectors, but to the general acquiescence of the people in the necessity of the stringent regulations enforced. To proceed on European lines in India would result in harassing the people without securing an adequate compensating advantage. Meanwhile Government consider that the greatest boon which we can confer and one which the people most warmly appreciate is the provision of good water. The Budget shows what is being done in this direction, and much more will follow as means permit. It is certain that we cannot in this way combat plague; but cholera and malaria can thus be effectively checked. In Bombay city, with its good municipal water-supply, there can be no doubt that malaria could be eradicated and the present investigation will give us the necessary information; but here again there are difficulties in connection with tanks which give breeding places to the mosquito. The Poona scheme is, I trust, at last about to be begun after many years of discussion.

Government recognize how heavily the great visitation of plague fell upon Poona and we have dealt very liberally with the Corporation. Meanwhile, I have no doubt that the spread of knowledge among the people will enable us in time to improve the general sanitation of our towns and villages. At Násik, during the recent outbreak of cholera, it was very gratifying to find that the people, when the needs were explained to them, did co-operate with the medical officer in carrying out the necessary measures. The result was a rapid fall in the death rate from this disease.

Lastly, the Budget shows what has been done and is to be done in removing tolls. Government feel strongly that tolls in some cases inflict hardships on the poorer classes, and that their gradual abolition should be carried out. On this point, I am sure that we can count upon the cordial and unanimous agreement of Honourable Members.

Answers to numerous questions have been laid on the Table, and I think it will be found that full information has been given where it is now available and unless it has been previously communicated.

I will now ask the Honourable Sir JOHN MUIR MACKENZIE to make his statement.

**EXPLANATION OF THE FINANCIAL STATEMENT OF THE
GOVERNMENT OF BOMBAY FOR THE YEAR 1909-1910.**

The Honourable Sir JOHN MUIR MACKENZIE, in introducing the Financial Statement* of the Government of Bombay for the year 1909-1910, said :—Your Excellency,—After the remarks which have fallen from Your Excellency I do not think I have any observations to make. I will therefore merely ask Your Excellency and the Council to take the statement as read.

* *Vide* Appendix Z.

The Honourable Mr. CHIMANLAL HARILAL SETALVAD said:—Your Excellency,—Speaking this time last year and being then—as my friend Dr. SELBY described it—in a somewhat reminiscent mood I adverted to the vast change that had come over the attitude of the official mind towards the expanded Council and specially its non-official members and the ever-increasing usefulness of this Council since the time I first joined it in the year 1893. I venture to claim that the anticipations of those who were responsible for the expansion of the Councils in 1893 have been more than justified and this has been very generously and liberally recognised in the granting of the large measure of reforms that has recently become law. And past experience leads one confidently to hope that this Council further expanded and with wider powers will enter upon an era of still greater usefulness.

Your Excellency, this time we the non-official members had the benefit of an informal consideration of the Budget in April last at a meeting called for the purpose and I beg to acknowledge the great courtesy and friendly spirit in which my honourable friend Sir JOHN MUIR MACKENZIE who presided at that meeting received the suggestions of Honourable Members.

Coming to the department of education, Your Excellency, one is very much gratified to find that Government are keen about extending primary education on a large scale. It appears that Government were prepared to allow funds sufficient to open over 1,500 new primary schools but the department was not prepared owing to the want of qualified teachers and other difficulties to work up to that figure. I hope the department will lay down a definite scheme and be ready to work up to the full number of 1,500 schools in a period of three years. Then, one is delighted to see that the question of raising the status and emoluments of primary school teachers has been engaging the attention of Government. Orders have been already issued to fix the minimum salary at Rs. 9. Time was when Rs. 3, 4 and 5 used to be the salaries paid to these poor teachers. I ventured to press this matter earnestly on the attention of Government and the minimum was fixed in 1896 at Rs. 7. But while it is satisfactory that the minimum has now been fixed at Rs. 9, I beg to draw attention to the fact that the salaries which trained teachers have been promised according to their certificates and the Vernacular Masters' Code are in a large number of cases not paid to them. According to the Masters' Code of 1887 and also in the revised one of 1899, the following scale has been fixed and the same is mentioned in their certificates: Masters with first year Training College certificates start with Rs. 9, rise to Rs. 12 in their service from 1 to 10 years, Rs. 15 in 10 to 20 years and Rs. 20 on completing 20 years' service. Those with 2nd year certificates, start with Rs. 12 to 15 according to the class they obtain at the examination, Rs. 20 for 1 to 10 years' service, Rs. 30 for 10 to 20 years' service and Rs. 40 for over 20 years' service. Then with 3rd year certificates, they start with

Rs. 20 to 25 according to the class they obtain at the examination, Rs. 40 for service of 1 to 10 years, Rs. 50 for service of 10 to 20 years, Rs. 60 for service of over 20 years. Now, I understand that a large proportion of the masters in the Surat district for example, are not paid according to the above scale which they had been given to expect by their certificates and the Masters' Code.

Coming to higher education, we in the University are in the midst of the consideration of momentous questions of far-reaching importance. The question of the future of Science teaching in the Presidency, the establishment of a Central Science Institution and other cognate matters are still awaiting solution. And two important letters of Government dealing with Arts and Science curricula and the Medical courses are engaging the anxious attention of the University. I may be permitted to assure Your Excellency that the University is fully alive to the importance of placing the courses of study on a proper footing and if we in the Syndicate and the Senate may not be able to see eye to eye with Your Excellency's Government in certain matters, I venture respectfully to say, on their behalf that, whatever decision they arrive at will be dictated only by one single desire to do what they conscientiously believe is the best to be done for higher education in this Presidency. But while it is hoped that much good will result by the co-operation of Government and the University authorities in putting the courses of study on a satisfactory footing, as I have always said, the great thing to do is to put our Colleges in proper and efficient working order. The question of the equipment of the Elphinstone College as regards science teaching is still under consideration. The important question of its location is still awaiting decision. The hostel in its most unsuitable and unhealthy surroundings for which as my honourable friend Dr. Selby said last year nothing could be said in defence of, is still there. I find that it is proposed to spend some money on some alterations in these quarters so as to make them a little more tolerable. But I am afraid the real thing to do is to boldly grapple the question and decide upon erecting a new hostel in a better and more suitable place.

And this brings me again to the consideration of the position of the Gujarát College and the Sind College. I trust the Council will not be impatient with me for year after year practically urging the same thing about these colleges. But I assure Your Excellency that I feel so strongly about the matter that I shall never get tired of hammering at it and shall never be happy till I succeed in inducing Government to take my view of the matter. It is admitted on all hands that the Gujarát College is far from what a good first class college ought to be and it will never reach that level under the present arrangements. The management is in the hands of a Board consisting almost wholly of people with no academic training or experience and the funds available are so limited that it is almost impossible to attract really good professors with no further prospects of promotion or advancement. As one Principal in his report mentioned some years back "it is indeed sad to note that during the 25 years of the existence of the college not a single student had taken a first class at the B.A. examination." Government are maintaining a first class college, the Deccan College in this city although we have here another efficient private college, the Fergusson. Surely the important province of Gujarát deserves equal treatment and is entitled to have maintained a first class Government College for that province. My honourable friend Mr. JENKINS admitted last year that if my proposal were accepted there would be a great increase in efficiency. I trust Government will make up their mind to secure that efficiency as early as possible.

What I have said about Gujarát applies equally to Sind and I do hope that Government will also take over the Sind College and maintain it as a full Government College.

There is one matter in itself a small one but involving a principle to which I beg leave to refer in connection with the University. Under the new Universities Act it is obligatory on the University to undertake periodical inspection of the affiliated colleges. The last inspection was made in 1906 by a Committee appointed by the Syndicate and it will be undertaken again this year by a similar Committee. Now among the affiliated Colleges are certain colleges in Native States, *e.g.*, Baroda, Kolhápúr and the like. Government have recently addressed a letter to the Syndicate saying that before inspecting a college in a Native State the consent of such State for such inspection should be obtained. I venture to submit that this proceeds upon a misapprehension of the correct legal position. There is the University Act which puts the legal obligation on the University to periodically inspect the affiliated colleges. The Native State colleges have sought and obtained affiliation under the Act and the regulations thereunder and they are bound if they care to be affiliated to abide by the provisions of the Act and their affiliation carries with it the liability of inspection under the Act. The inspection of their colleges therefore cannot be made to depend upon the consent of the States maintaining them. They are by the very fact of their having sought and obtained affiliation under the Act bound to submit to the inspection under the Act.

His Excellency the PRESIDENT :—Has any inspection ever taken place there ?

The Honourable Mr. SETALVAD :—An inspection took place in 1906.

His Excellency the PRESIDENT :—In the Native States ?

The Honourable Mr. SETALVAD :—Yes.

His Excellency the PRESIDENT :—Was any objection raised ?

The Honourable Mr. SETALVAD :—No objection was raised in 1906.

The Honourable Mr. SETALVAD :—Of course, the University will give timely intimation of the intended inspection and fix such date for the inspection as may be convenient but they cannot recognise that they have to seek the sanction of the States concerned before inspecting their colleges.

The Honourable Mr. GOKULDAS KAHANDAS PAREKH said :—Your Excellency,—I should like to offer a few observations on the Financial Statement for 1909-1910 that has been expounded before this Council.

In connection with the question of land-revenue, one of the features in the budgets of the recent years is that each year commences with a large balance of land-revenue which had become due during previous years but remained uncollected, and which is open to the Collectors to collect during the year of the budget. Such uncollected revenue was about one crore and thirty-nine lacs at the commencement of 1907-1908, was estimated at rupees one crore and forty-eight lacs at the commencement of 1908-1909 and at rupees one crore and forty-three lacs at the commencement of 1909-1910. In the budget of the current year, it is expected to fall to rupees one crore and seven lacs at its end. This uncollected revenue is classed under two heads namely (1) suspended revenue, that is revenue in respect of which the Collector has passed orders that its collection should

be put off and (2) arrears, *i. e.* the amounts of Government demands without any such orders from the Collector, and it may be remarked that the amounts of arrears are often much larger than those of the suspended revenue. According to the revised estimates of 1907-1908, while the suspended revenue was about 72 lacs, the arrears were 32 lacs, in the budget of 1908-1909 while the amount of suspended revenue was 33 lacs that of arrears was 85 lacs, in the revised estimates of that year while the amount of the suspended revenue was 70 lacs that of arrears was 72 lacs, and in the budget of 1909-1910 while the suspended revenue is 35 lacs the arrears are 72 lacs. In the accounts of the districts it is found that in some years the amount of suspended revenue is much larger than that of arrears and in others *vice versa*. The practical effect of this classification is, that while suspended revenue is converted into remission at the end of two years if it continues suspended during the whole period, in the case of arrears the cultivators do not get the benefit of the rules issued by Government for giving remissions, but continue liable for the same till the Collector chooses to write them off as irrecoverable, and that every year Government are obliged to write off large amounts as irrecoverable. Without saying anything as to the theoretical soundness of the distinction between suspended revenue and arrears, it practically causes much hardship. It is not true that the greater portion of these arrears are the result of contumacy. It does not unusually happen that the ignorant ryots are satisfied, when the officers of Government do not press for payment and no formal orders of suspension are sought for or made. So long as the new rules about remissions were not issued, the people did not understand the necessity of getting formal orders for suspension. Then for a long time there were no fixed rules for the giving or withholding of suspensions. They depended so much on the temperament of individual officers, that while one officer would treat one case as a proper case for suspension another would not. Again, some of the arrears are on account of past years, when the policy of Government was different from what it now is. The owners of rice lands and of lands which were irrigated by tanks used to be charged full assessment, whether the lands received sufficient supply of water for rice or other irrigated crop; recently Government were pleased to issue orders that so much of the water rate as is due to the rate of water ought to be remitted when the supply of water is not sufficient to allow such crops to be raised. Again, the new orders of Government are that no distinction is to be made between agriculturists and non-agriculturists in the matter of suspension or remission of the Government land-revenue demands; but for some years there was a distinction in their treatment, and suspensions and remissions were given to land-holders who were agriculturists, while under the same circumstances they were withheld from those that were non-agriculturists. I have been told that the arrears include Government demands 6 or 7 years old, and the land-holders would have obtained suspension or remission if the present rules were then in force. Again the arrears are not a special feature of any particular district. They exist everywhere notwithstanding the best efforts of the Government officers to recover them. In the ordinary course, large arrears remain uncollected, and they have to provide for large unsuspended demands remaining uncollected from year to year. Under the circumstances I submit, that Government would make no distinction between suspended revenue and arrears, and issue orders remitting all uncollected demands when they are more than two years old, and once for all free the people from the anxiety with reference to the old demands. With reference to the manner in which Government revenue is collected I beg to draw

the attention of Government to loud complaints from the inhabitants of 3 tálukás in the district of Kaira about the Collector making a distinction between agricultural land-holders and non-agricultural land-holders and refusing concessions to the non-agriculturists which he has given to agriculturists. It is not necessary to repeat the arguments that have been accepted by Government about the unjustness of making distinction between agriculturists and non-agriculturists, but apart from it it is the wise policy of Government that when land-holders receive concessions from Government, they insist that like concessions must pass from the land-holders to their tenants. In giving effect to the intentions of Government, several non-agriculturist land-holders have effectually remitted the rents due to them from their tenants; and it is very hard on them after they incur this sacrifice in pursuance to the wishes of Government expressed in their rules, that the Collector should enforce from them the Government demand on their lands. Another matter under this head to which I beg to draw Your Excellency's attention is, about the elimination of the portions of the assessment in Gujarát which is due to the rating of the subsoil water. This rate is from 4 to 10 or 12 annas per acre. The Famine Commission of 1901 have expressed a strong opinion against the propriety of requiring a ryot to pay for a prospective advantage which he has not the means to turn to his benefit and the Government of India consider their argument as deserving of acceptance. Under the system of classification that is adopted in the Presidency, every point of advantage or disadvantage to the cultivator is taken into account in fixing the amount of assessment, and I do not think it is proper to tax the ryot for a mere imaginary advantage from which he is unable to derive any benefit.

Government have recently issued a blue book about the Revision Survey-Settlement of the Dohad táluká. The effect of the new settlement is to raise the assessment of the whole táluká by 8.75 per cent.; but in nine villages it has been increased by more than 25 per cent. This has been the result of the double operation of transferring several of the villages from the groups in which they were placed at the original survey into higher groups and raising the maximum rate of each group. In this táluká there is considerable room for expansion, there being 26 per cent. of arable waste in the year immediately preceding the famine, and there was considerable decrease both in men and live stock during the famine, and in some of the villages of the lower groups this loss was enormous. Again the táluká is under a heavy debt to Government on account of tagávi, the repayment of which is likely to extend over many years. The present settlement is to operate from 1908-1909 and is guaranteed for a period of 15 years; it was introduced in the year immediately following that in which there were famine conditions in that táluká. The greater portion of the land of the táluká is given on restricted tenure and is held by agriculturists of the aboriginal classes. I do not think the holders of lands of this táluká would be able to pay with ease the increased assessment as well as the tagávi. I think the recovery of the táluká would have been much helped if the increase in the assessments had been postponed till the táluká had become free from its tagávi liabilities.

I next beg to draw Your Excellency's attention to the complaint of high assessments in the Párdi táluká of the Surat district, particularly in the villages of Ambli and Rohina, where at the Revision settlement the increase has been of over 50 per cent., in the villages of Sukesh, Tarmalia, Bata and Goima, where the increase has been of over 30 per cent. and the villages of Khadki, Suklav, Baldi, Dasvada, Kunta, Charvada, Warai, Tigri, Sarodhi, Dungri, Vagohhipa, Nivori and Lavachha in which the increase

has been of over 20 per cent. It is suspected that some serious errors have somehow or other been committed in classification; lands in which there are no water facilities have been classed as *bágayat* and the most ordinary soil has been classed as *uttam jirayat*. I understand that Government made inquiries into one of the cases of this *táluká*, and I do not know whether the result of such inquiry was not such as to throw doubts on the correctness of the classifications. I hope Government will be pleased to make inquiries and ascertain whether the errors are not so many as to require some general relief. The next point in connection with which I have to draw the attention of Your Excellency has reference to the condition of the *Tálukdárs* of the Ahmedabad district. I do not deny that during recent years the treatment by Government of these *Tálukdárs* has been very sympathetic and generous, and many of them have been substantially helped by Government by the reduction of the amount of *jama* payable by them, by special reduction in *jama* on account of the famine and substantial reduction of the debt which they owe to Government; in many cases however, it appears that the indebted condition to which they have been reduced was the result of the policy of Government and Government officials, with reference to them. The high rates of assessment of the *Tálukdári* villages, the levying of assessment on waste lands, the inclusion of considerable areas of waste and uncultivated land in the cultivated area which formed the basis of fixing the Government demand, the imperfect classification caused by the largeness of numbers, the *Tálukdárs'* inability to throw up unprofitable lands, the refusal of Government to recognise that they are liable to repair irrigation tanks and other sources of water-supply in *Tálukdári* villages, these and several like causes have contributed to the condition in which they are now found. I am glad to say that in many of the above matters the old policy has been given up and a better policy has been adopted; but considering the fact that the old policy has contributed, to some extent in any case, to bring the *Tálukdárs* to this condition, I trust Government will treat the *Tálukdárs* even more liberally than they do now, particularly those whose estates have been long under Government management.

In connection with *Tálukdárs*, Government will note that even excluding the ruling Chiefs of *Káthiáwár* some of whom are *Tálukdárs*, their status varies between those whose estates bring to them an income of about a lac and a half rupees, to those whose estates do not bring them an income of more than 5 or 10 rupees a year. Some of the *Tálukdárs* eke out their living by serving as watchmen of village fields and some by working as day labourers in the Cotton Mills at Ahmedabad. So far as the poorer *Tálukdárs* are concerned I think they do not get much benefit from the *Tálukdári* Settlement Officer's supervision. I think that so far as these smaller *Tálukdárs* are concerned if they could be given restricted tenure under the amended Land-Revenue Code they would get all that is needed for their protection. I suggest that it would be a great gain to remove the holders of small estates from the supervision of the *Tálukdári* Settlement Officer and to leave him to concentrate his energy on helping in improving big *Tálukdári* estates and ameliorating the condition of their *Tálukdárs*. I believe the *Tálukdári* Settlement Officer's supervision would be far more effective if it is limited to big estates.

I have on previous occasions referred Your Excellency to the desirability of limiting the restricted tenure in the Nandurbár *táluká* of Western *Khándesh* to land-holders of the aboriginal classes. At the time while the Amendment Bill was before the Council,

it was understood that the provision of the Bill would be mainly applied to the aboriginal classes who were ignorant and improvident. In the Nandurbár taluká they applied the measure because the larger number of cultivators belonged to the aboriginal classes. If Government consider that the Mahárs and Chámbárs ought not to have the right of transfer, I would not quarrel much against that. But the Gujjars and Vanjárís are regarded as skilled and industrious cultivators; they are provident and many of them are in fairly good condition. They are not behind the members of their community elsewhere. They occasionally require money for replenishing their stocks and for making improvements in their fields. By the circumstance that they hold their lands on restricted tenure their credit has become much diminished and they are handicapped in obtaining moneys, when they require them for proper purposes. They regard it as a great grievance that they should be deprived of that right which people of their community and other communities of a corresponding status in society enjoy elsewhere. Even if Government are not prepared to grant the exemption to all non-aboriginal classes, I trust they will extend it to the Gujjar and the Vanjári classes of cultivators.

I am very glad to find that Government have after all been able to remove one of the two grievances of the useful class of public servants the Talátís, by including them in the superior service for the purpose of pension. The other grievance is about the improvement of their prospects; it has been engaging the attention of Government for some time, and I trust that before long Government will be able to remedy it satisfactorily.

In connection with the question of education I regret to note that the proposal of the Director of Public Instruction for opening 1,650 new primary schools at an expenditure of Rs. 4,77,800 could not be carried out at once. With regard to the opening of new schools it often happens that the Educational Department takes some time after the commencement of the year in putting the scheme into operation. This results in a saving of the grants of the year and the Government of India are tempted to curtail the grants of the following year. To avoid this I have suggested that all the schemes for opening new schools should be kept ready in advance, that arrangements for procuring furniture, making appointments and locating the school should be previously made, so that the Department may be able to start the new schools at once in the beginning of the year. I believe the scheme is agreeable to the Director of Public Instruction. It is again a matter of regret that the Government of India should have insisted on considerable retrenchments which have necessitated the reduction of the provision for new primary schools to 60. I trust no such difficulty is hereafter found in connection with the opening of new primary schools.

In connection with the question of the administration by local bodies, I beg to offer a few remarks on the Resolution a short time ago passed by Government for suspending the Kaira Municipality for 3 years. Government very properly condemned the conduct of the Auditors and Councillors whose gross negligence helped a dishonest servant to misappropriate a very large sum of the municipal moneys. The Councillors must always have present to their mind that their office involves serious responsibilities which they have no right to avoid. There are however a few facts which are not referred in their Resolution by Government and in reference to which it is doubtful whether they were present to the mind of Government when the Resolution was passed. One

fact to be noted is that the present municipal body was not composed of the same members as the body, the neglect of whose members enabled the municipal money to be misappropriated. After the defalcations the Municipality was reconstituted. There was a triennial reconstitution. The old body was dissolved and there was a fresh election by those who were given the right to elect and new nominations of Councillors were made on the part of the Commissioner, N. D. It may be said in favour of the electors that except in one ward they returned new councillors and none of the old. Among the newly elected members there was only one who sat as an elected member of the old Municipality; the rest were all new. Among the non-elected members, there was an officer of Government who was an *ex officio* member of the Municipality during the period when the defalcations occurred and the Commissioner, N. D., nominated two gentlemen who were Councillors of the old Municipality on the Board of the new one. It will thus be seen that so far as the municipal voters were concerned they showed their disapproval of the conduct of their representatives in the only effective way that was open to them by electing new representatives to six out of the seven seats. Their conduct in condemning their representatives was stronger than that of Commissioner in connection with renomination of the members who were nominated members on the Board of the old Municipality. Another fact that is not noted in the Government Resolution is that the Municipality had taken the opinion of an experienced pleader who had the reputation of being a sound lawyer in that part of the country, upon the question whether there were any legal difficulties in the way of the Municipality taking proceedings against the Auditors and Municipal Councillors, whose negligence had helped the perpetration of the fraud. The opinion of the pleader which was in writing was that the claim of the Municipality to recover the money had become time-barred and he advised that no proceedings should be instituted against these persons. When the Municipality had taken the opinion of a lawyer upon a legal question involved in a case, I do not think that it is in any way reprehensible on the part of any of the members of the Municipality to act in accordance with the legal opinion. Again in their Resolution Government say "It appears from the Commissioner's report that, of the Honorary Auditors and the Managing Committee holding office when the frauds were committed three, *viz.*, Messrs. Chunilal Vrajbhai, Vadilal Chaturji and Manilal Gangadas are still members of the Municipality". Now I submit that the statement with reference to Chunilal Vrajbhai is not correct. Chunilal was not a member of the Municipality during the period that the frauds were perpetrated; he was a member of the new Municipality but was not a member of the one that preceded it. Then with reference to Mr. Manilal Gangadas he was an *ex-officio* member, and it was not within the powers of the inhabitants of Kaira to prevent him from being on the Board. However blameworthy may be the conduct of the auditor or auditors of the period during which the defalcations were made and of the members of the Managing Committee for the time being, I do not think there is anything in the conduct of the inhabitants of Kaira which deserves to be censured or anything they have done which justifies a curtailment or deprivation of their municipal privileges. I trust that Government will inquire into the matter and see if their decision does not require reconsideration.

Under the head of medicine I like to offer an observation in connection with the grant of Rs. 30,000, the first moiety of a grant of Rs. 60,000, in aid of the cost of the construction of a Mission Hospital building in the City of Poona. In a mission hospital

the hospital work is not its main object but merely a means towards carrying out its missionary work. In a recent report of an hospital which was built by a Hindu lady but was entrusted to the management of a Missionary body, it is stated in one place "we have been trying all the year not only to teach the Bible in our wards daily and in our Sunday service, but also to inculcate in various manners the great principles underlying the Christian religion and we believe our work has not been done in vain. One woman said I will test your God in this way. If he will make my foot well, I will believe in the truth of what you say. I have prayed to many gods for many months with no result. Her foot did get well and quickly and she seemed to think that God had taken up her challenge and was something more than one name in many." In another place the report says "We have continued the informal service to out-door patients and those who attend often come to look upon it as an integral part of our morning's work." I submit that Hospitals which are conducted as means for carrying on Missionary work ought not to receive State help. In making these observations I have no desire to underrate the large amount of useful and charitable work for which the country is indebted to Missionary organizations; all that I say is that when an institution is conducted for a proselytising purpose, it should not be helped from the public funds for the indirect benefit that is conferred on the public. The analogy of Educational Institutions ought not to be pushed to Hospitals and like institutions.

In connection with the question of Excise, I wish to draw the attention of Government to the existence of liquor and toddy shops on the big roads in the neighbourhood of cities. There are some of these such shops on the main road from Surat to Olpád and other main roads. These shops are at distances from the village to which they belong and the object in placing them on the public roads is to attract the labourers who at the end of the day are returning with their earnings to their villages from the city. The existence of such shops is opposed to the principles which have been recommended by the Excise Committee and approved by the Government of India. I trust Government will see their way to direct the removal of shops which are situated on big roads in the neighbourhood of cities.

Your Excellency referred to the abolition of tolls; I submit a greater service could not have been done to the public traffic. The revenue yielded by these tolls is on the whole very little, and the annoyance they cause to the people using the roads is enormous. I venture to hope that Government will continue its policy of abolishing toll stations from year to year until they are entirely done away with.

With reference to Your Excellency's observations in connection with water-supply, I feel that the cause of sanitation cannot be better served than by supplying good water both to municipal cities and to villages. So far as villages are concerned, Government were long ago urged to increase their grants for the purposes of water-supply, but the grant was always so short that in a large number of villages it served very little useful purpose. It is a matter of great pleasure to find that Government are now earnestly trying to assist City Municipalities in carrying out their water work schemes, and to provide facilities for the supply of water in villages.

As regards the observation which Your Excellency has made with reference to the outlook of the season, there is no doubt that everything depends upon good seasonable rain. If the year is good and the rainfall good and seasonable, then all the difficulties

of finance and of the other branches of administration are removed; but if the rainfall is deficient we have to encounter all the innumerable difficulties that follow famine as a consequence. I trust the fear of an insufficient rainfall may not be realised; but, if it should, I feel sure that Government will adopt measures to relieve distress in a most sympathetic and liberal spirit.

The Honourable Sir PHEROZESHAH M. MEHTA said :—Your Excellency,—I am very thankful to you for giving me now the opportunity for making a few observations, not upon the Budget but upon the general principles and policy which has guided this Council under its present constitution. But before I do so Your Excellency will allow me to thank you for the very liberal manner in which members are supplied with Government papers, Press Communiques, &c. I assure Your Excellency that this assistance has been invaluable to us. Formerly we had to make inquiries in all sorts of places and then we were not always satisfied that we had got the information we wanted, but under Your Excellency's new policy members have been greatly assisted and I thank Your Excellency for adopting a measure of this character. My honourable friend Sir JOHN MUIR MACKENZIE will forgive me if I say that I feel a little disappointed at the very brief remarks he has made before the Council on this occasion. My disappointment arises not inconsiderably from the circumstance that we know of the graphic power of description, the great use of language, and the generous appreciation of the work done which my honourable friend has often shown and in consequence of which I hoped that on this occasion, which Your Excellency has described as the closing scene of the reformed Council under the Act which came into operation in 1893, he might have given us a graphic summary of the work done by this Council and especially by non-official members and the impress their work has had upon the Budget which the Government has been able to lay before the Council on this occasion. I think on this occasion the opportunity might have been taken to recapitulate what has been done in the direction I have pointed out.

Your Excellency, the observations I am going to offer, I hope, will not be taken in the light that I offer them as adverse or hostile criticism of the Government. I shall certainly offer some criticism in the course of my remarks as to the way in which the efforts of non-official members were sometimes met and to their non-success; but Your Excellency, I will at once say that in offering that criticism, taken by itself, I shall be presenting only one side of the shield.

No one recognises more than I do that the true genius of British statesmanship contains within itself the power to recognise at the proper time—though perhaps slowly and cautiously—such drawbacks and failings as may present themselves and moves up to the requirements of the time and the march of progress. Your Excellency, the approaching reforms in this Council prove what I say. It is sometimes said that the grant of these reforms is the result of agitation but every student of history knows that agitation may be dealt with in one of two alternatives. There is the statesmanship which meets agitation by simple and pure repression; there is the statesmanship which tries to meet it by marching up as I have said to the requirements of the time and trying to lead up to reforms such as we have got for the removal of the defects and drawbacks which may have presented themselves

in the course of administration. That is what has taken place in regard to the march of Indian events and I have no doubt we shall all be much inspired in the future in the work of bringing into operation the reforms in the interests of this country, in the true interests of the connection of this country with England by, if Your Excellency will permit me to say so, the sympathetic guidance of statesmen like yourself. I have no fears for the future and if I look back to the past—as I am entitled to do for I have been a member of this Council ever since the present Act came into operation in 1893 and I have been able to watch its work perhaps more nearly than many other members—I say we may well look forward to a period of greater usefulness than even the past has provided. When we began in 1893, with the new functions which devolved upon us there were forebodings that we should not be able to exercise those functions in a satisfactory manner. Even such a distinguished thinker as our late colleague Dr. SELBY ventured to argue that when under the system of nomination we had got such good men as Ranade, Tyabji and Telang we could not expect to get even similar men by election. I then ventured to point out that this system of election had a magic in itself and worked upon those elected in a way that nomination could never do. Still we approached our duties with timidity and some misgiving, but I am sure that the work which has been done has been neither useless nor vain.

Taking the judicial department for instance, I think the Honourable Mr. WESS will gladly recognise that an important reform in his province is due to the non-official members. From the very year 1893 we urged Government to reconstruct the Sadar Court of Sind. The Appellate Side was under a single Judge. The reform was first urged upon the Council by my old friend ODHAVRAM MULCHAND the first member from Sind. I helped him and as a result—though it was a very slow process and took more than ten years to persuade Government to undertake it,—the reorganization was carried out, and Mr. Justice Fulton steered a Bill through this Council putting the administration of justice in Sind on a sound and satisfactory basis.

Then, Your Excellency, there were a great many things even in the High Court of Bombay that required looking into. There was the question of the appointments of the Clerk of the Insolvency Court and of the Administrator-General. The Clerk of the Insolvency Court was allowed to draw thousands of rupees a month from the fees that came in instead of drawing a salary. Sir Richard Temple's Finance Commission pointed out that the work could be properly done by an official who would be well paid on a salary of Rs. 600 a month. From the first, my friend Mr. SETHAVAD, fresh from the High Court, urged this upon the Council. It required many efforts and many years before it was carried out, but I am glad to say Government decided to take the fees themselves and pay the Clerk a salary thereby saving a very large amount of money. In the same way the Administrator-General was allowed to draw thousands of rupees though his services could have been adequately paid for by a moderate salary, and I am glad to say that now a salary is paid for the office instead of the holder being allowed to draw the fees.

Then, Your Excellency, I may record one failure on our part in getting what we strenuously tried to get in this Presidency and that is the separation of judicial and executive functions. I took one of the first occasions which presented itself, I think it was in 1893, of urging upon Government to do this and I pointed out that the scheme

could be carried out not only economically from a financial point of view but satisfactorily from the point of view of administrative efficiency. On that point, as I have said, we have to record a failure. That is surprising seeing that when owing to stress of famine exigencies, Government were for a time obliged to relegate the judicial duties of revenue-officers to subordinate judges, it was proved to work satisfactorily. With that experience to guide us, it is a source of disappointment that this Government has not been forward in urging the Government of India to experiment in this Presidency along with the sister Presidency of Bengal. Your Excellency will perhaps remember that the Viceroy's Council, when it last considered the matter, selected the Bengal Presidency for the experiment instead of the Bombay Presidency, a position we in Bombay resent.

Then there is one point on which I think I can congratulate myself and the other non-official members and that is the old thorny question of the police charges of the city of Bombay. I urged upon Government that it was an anomaly that the Bombay Corporation should be called upon to pay the cost of the police when the whole of the police administration was in the hands of Government. After a long struggle, I hope I may be allowed to call it a struggle, the Bombay Government made an arrangement, largely owing to the efforts of our late colleague Sir STEYNING EDGERLEY, under which Government took over the police charges and imposed upon the Corporation primary education, medical relief and other minor charges. It was one of those questions requiring sympathetic treatment and required a lot of care on the part of the unofficial members. Then Your Excellency will permit me to refer to some points with regard to education. I do not know whether Your Excellency is aware that the Bombay University had in the beginning a grant of Rs. 15,000. Then Government, in the name of the needs of primary education, reduced it to Rs. 10,000 and again the claims of primary education and financial exigencies brought it down first to Rs. 5,000 and then to nothing. I struggled to prevent what I then thought meant the separation of Government from higher education, for Government's action was universally interpreted to mean the adoption of a set policy of dissociating Government from higher education. I protested against such a policy being adopted in this or any other parts of the country. Since then Government have fully realised that such a policy was not a policy beneficial to the best interests of the country, and they have, I am very glad to say, returned to the older policy and raised the grants so that instead of Rs. 5,000, Rs. 10,000, or Rs. 15,000, Government has given Rs. 50,000, Rs. 60,000, one l  kh, two l  khs, three l  khs for the purpose of the University and I think Government ought to be congratulated upon acting in that manner. I see there is no University grant this year but this is, I take it, due to the exigencies of the year and will be made up in future years.

Then, Your Excellency, I may refer to the Fergusson College. When we urged Government to give a grant we were told that they did not wish to interfere with private enterprise. Private enterprise I might say without being invidious is a term which has been used in various ways. It has sometimes been used to defend depriving Government colleges of their grant and sometimes to defend depriving private colleges of their grants. The Fergusson College was deprived of the grant it used to get and I believe that it was the Government of Lord Harris which began by giving a grant of Rs. 3,000 which I think ultimately came up to the full amount aided colleges can claim, Rs. 10,000. In mentioning Fergusson College I may also state that I join my honourable friend Mr. Setalvad in deploring that Government will not grant to Gujar  t and Sind Govern-

mont colleges as they have done to the Deccan. Government have established a model college in Bombay and given another one to the Deccan and Gujarát and Sind ought to have Government colleges also. We have been told that Government are leaving it to private enterprise, but I pointed out many years ago that such a policy had not succeeded and that the only remedy was the provision of model Government colleges in Gujarát and Sind in the same way as in the Deccan.

Then, Your Excellency, we may take some credit for inducing Government to take a step in advance with regard to the question of the construction of primary school buildings in Bombay. For a long time Government would not listen to us, but ultimately they awoke to the necessity of the occasion and appointed a committee to consider the matter. Now, a scheme has been settled for spending ten lákhs on such buildings, Government and the Corporation sharing the cost equally. I am glad to confess that in this matter Government have met the wishes of the Corporation in a liberal spirit.

Then, I think, this Council and especially its non-official members can lay claim to making Government take a firm and decisive step in another direction, and here I beg to congratulate Your Excellency's Government on what has been done with regard to the salaries of primary school teachers. To my friend Mr. SETALVAD is due the credit of bringing this question before the Council. In 1893 he drew the attention of the Council to this matter by pointing out that primary school teachers were paid salaries lower than even ordinary peons and labourers. These teachers were paid for many years Rs. 5 or 6 a month, and a large number called pupil teachers were paid three to five rupees a month. Your Excellency could well imagine, with the knowledge which you can bring to bear upon educational questions, what sort of teaching pupils in the primary schools could have received under those conditions. Government pleaded all sorts of excuses and the Finance Member pleaded two things ; (1) the state of the Provincial finance : and (2) the calls upon their purse in various other directions ;—and the somewhat surprising excuse that was brought forward of the law of supply and demand. I have heard with surprise the plea : " If you can get teachers for Rs. 3 and 5 why should you pay more ? " Now, this is a plea which is far from convincing. Although you may get a certain kind of men for three and five rupees, it does not follow that they can really do the most responsible work which the teachers have to do of training the minds of the young. I admit with great pleasure that Government have thoroughly realised the importance of this question, and I think Your Excellency's Government is to be congratulated for taking a firm and decisive step in raising the salaries of these teachers. I am perfectly certain that this process will be continued until the teaching in primary schools is placed on the basis on which it ought to be.

I also congratulate Your Excellency's Government upon the recent resolution which has been issued with regard to the establishment of a training college for primary school teachers in Bombay itself. This has probably followed upon the recommendation made by the primary education committee to the effect that it was absolutely necessary that such a college should be established in Bombay. It is of no little credit to Your Excellency's Government that they have lost no time in framing a scheme and forwarding it to the Corporation for securing such a good purpose. I have no doubt that the Corporation will approach the question in the same spirit in which Your Excellency has launched this project.

We have done one other good thing Lawyers are now in discredit. But, if that is so, there is no doubt that law teaching should be put upon an improved and proper footing. For years we had urged that the Government Law College should be put upon a proper basis and our efforts met with no success. And Your Excellency will allow me to point out that when we did win success it was not in a way upon which Government can be congratulated. At that time a scheme was started for a private Law College with my late lamented friend Mr. Justice TRAJI at its head. A committee was formed and the University was approached to grant it recognition. The recognition was granted. When Government saw that after all a private college was to be established they thought the time had come when a step should be taken forward. This could only be done by establishing a proper Government Law College. Then they brought in a scheme under which the present Law College exists.

I think, Your Excellency, I have indicated some of the salient reforms brought about by the exertions of non-official members under the Heads of Justice and Education. There are many other minor questions, but I do not propose to take up the time of the Council by dilating upon them. I now come to the most important Head of the Budget—the Revenue Head, and it is in connection with that department that, I really hoped my honourable friend Sir JOHN MUIR MACKENZIE would state what had been done by non-official members in the interests of the Presidency.

Your Excellency, it is with a great deal of astonishment that I have seen recently a claim put forward in public that so far as the interests of the ryots and the agricultural population of this Presidency are concerned it is the Government officials—the revenue-officers—who ever look after their interests in this Council, and that much could not be expected from non-official members in that direction who rather than look to the interests of the ryots are more bent and interested upon looking to the interests of the money-lenders, the *sávkárs*, and the landlords. Your Excellency, I have said, I have seen with great deal of astonishment that plea put forward. I will ask the members of the Council to look to the records of the Council from the year 1893. I venture to say that no claim ever put forward was more unfounded so far as the revenue officers were concerned and more libellous so far as the non-official members were concerned. From 1893 non-official member after member has striven hard to draw the attention of the Government to the hardships and difficulties under which the ryots have laboured, to the pressure which was tried to be put in the collection of revenue and to the rigours of the rigid system of revenue collection, and, which, not only the official members who have worked on Government Commissions but also officials outside the Presidency have admitted, was responsible to a very large extent for the indebtedness of the Bombay ryot. Your Excellency, the Deccan Agriculturists' Commission pointed out that it was largely to the rigidity of the system of revenue collection in Bombay that the indebtedness of the Deccan ryots was due. Sir THEODORE HOPE, one of the most distinguished Revenue members of the Bombay Government, who afterwards went to the Viceroy's Council, admitted that the indebtedness of the ryot was owing in a large measure to the rigidity of the Bombay system of land-revenue collection. Again, the Famine Commission reported to the same effect. I admit that the Bombay revenue-official never admitted the pertinency and soundness of the view taken by officials from other parts of India, charging them with knowing nothing about the Bombay revenue

system, and pertinaciously maintained that the Bombay system was the best system under the sky. But even on these questions I am glad to congratulate the Government on the gradual improvement that has taken place in this direction through the exertions of non-official members. Government has at length yielded to public criticism and given up their favourite system of remission and suspension of land-revenue during times of famine. Time after time, we pointed out the futility of attempting individual discrimination in granting remissions and suspensions. But nothing could move them from it until the Government of India passed its orders on the subject, and now we have a system, which, as the Honourable Mr. PAREKH has admitted today, has worked liberally and justly in this Presidency. But it was not a little due to the persistent efforts of the non-official members that that improvement has been effected.

I think Sir JOHN MUIR MACKENZIE will remember that the abolition of the Survey and Settlement Department was very largely accelerated by the pressure put upon Government by non-official members, though I see with some nervousness that in the recent Report of the Land Records Department, proposals are made, which, if carried out, would mean the resuscitation of the old Survey and Settlement Department. I hope my alarms are not well founded, but I fear these proposals if adopted would do away with the good work which was done with the abolition of that department.

Then, Your Excellency, if the Honourable Sir JOHN MUIR MACKENZIE will allow me, I will draw attention to the efforts made by the Honourable Mr. PAREKH in bringing to the notice of Government the way in which famine measures were administered in some of the talukás which he represented. We were told in this Council that the statements were exaggerated, if not altogether unfounded. Lord Northcote, the then Governor, told Mr. Parekh that if his statements and allegations were in any way well founded, he should present them in the shape of a statement and prove them. The Honourable Mr. PAREKH with a persistency and tenacity all his own did so and collected a mass of facts, with the result that Government appointed Mr. E. Macnochie, then, I believe, serving the Government of India, to conduct an inquiry. The inquiry was held—and speaking from memory—I think I am correct in saying that many of the allegations and statements regarding the hardships suffered by ryots were borne out by the view which Mr. Macnochie took in his report. His report went up to the Collector with the inevitable result that he was convinced that Mr. Macnochie was all wrong. It next went up to the Commissioner, who happened to be Sir Frederick Lely, and though he said that several of the statements were exaggerated, he wound up as follows.—

“The Commissioner thinks the inquiry has done good by bringing to light irregularities which may now be rectified for the future. It has also shown that even the superior authorities did not thoroughly realise the deterioration of the taluká and its consequent inability to stand the shock of famine. This has since been represented to Government in Mr. Mehta's Revision Report and its forwarding memoranda. It is creditable to the public officers of the taluká that so little real hardship has been proved or even alleged. The Aval Karkun Himatram Ganpatram has incurred suspicion, but in the Commissioner's judgment there is not sufficient ground for punishing him. Others, including many talátis, have made mistakes, some from sheer stupidity, some from excess of zeal in carrying out what they thought the wishes of Government, and some through overwork at a very difficult time. Further than this the Commissioner does not think it is possible to go.”

I may point out that Government did go a little further and said that taken as a whole the Honourable Mr. PAREKH's statements were not really satisfactorily proved. But in a case of this character it is to the Report of an independent Commissioner and to the report of the Commissioner of the Division, Sir Frederick Lely, that we should look for judgment in the future. There is no doubt, however, that Mr. PAREKH did very valuable service when he brought to the attention of Government the hardships which were inflicted upon the poor ryots in the taluká. I am glad to be able to acknowledge that as a result of what Mr. PAREKH did, Government though it shook its head at him took strong measures to prevent any such thing recurring in future.

There is one other point to which I will refer in regard to the land-revenue administration. I have said that it is with surprise that I have read of the claim which has been put forward by revenue-officials of the Presidency that they are the protectors of the interests of the ryots rather than the non-official members of the Council. Your Excellency, whoever will read the record of the proceedings of this Council of 1901 relating to the Land-Revenue Code Amendment Bill will see that it was the non-official members who fought the battle of the ryots against the officials in this Council. That Bill, which was subsequently passed, endeavoured to assume that the State was the sole landlord of the soil in the Province. But the older class of administrators from Mount Stuart Elphinstone downwards had always admitted that Government had 'Rajbhag' or were joint landlords and entitled to a certain share of land-revenue only. They never asserted that the State was the sole landlord in the Province. The Land-Revenue Code Amendment Act tried to assert that Government was the sole landlord and we fought against that. It was never meant by the stalwart administrators of old that the soil of the Province should pass into the hands of a class of agricultural tenants who should hold land temporarily during restricted periods of short leases. The old system was that which the State itself impressed upon the occupancy of the land, a permanent tenure hereditary and transferable. It gave dignity, self-respect and status to the ryot, and the Act really aimed to destroy that status, and we fought as hard as we could against such a revolutionary project as the Bombay Government then entertained. We have been twitted with doing what had never been heard of, namely, with withdrawing from the Council on that occasion. But, my lord, the non-official members did this in consequence of the way in which the Bill was pushed through this Council. The only Council which has ever met at Mahabaleshwar was to introduce this Bill in hot haste. By a suspension of standing orders it was pushed on early in the rains in the Poona sessions, and the deliberate object of this haste was stated by the Revenue Member in charge of the Bill to be to take advantage of the forfeitures which would necessarily occur in the stress of the famine that was then raging. We prayed to Government not to push on a Bill of that magnitude with such haste. There was, however, such a growing agitation against the measure in the Presidency that ultimately Government had to issue a resolution stating that they were not going to take advantage of famine conditions and make forfeitures and issue restricted short leases which they were asked by the Bill to legalise. As the Bill was to be pushed through in that manner we resolved not to take any further part in it. I am glad to say that our efforts in that direction have not altogether proved in vain. The agitation which then took place and the expression of feelings of all classes of the people have led the Bombay Government to adopt a wise policy of not working the Act to any large extent to forfeit occupancy rights and grant short term leases. I have more than once asked Government for a report showing the action taken by them in that respect,

and in 1906-07 I was very glad to see from the report of the Government that their action was very wisely restricted. Your Excellency, our efforts to stop that legislation was not successful, but ultimately Government saw the wisdom of not pushing the thing too far.

Your Excellency, I had intended to say a word with regard to the efforts and action of the non-official members with regard to another branch of the administration, namely, Excise. But I approach that question with a great deal of trepidation. I see that looseness of statement does not go unpunished. I have not had the opportunity of referring to papers and documents as I could have wished, and I think I would fight shy of that perilous question. But one thing I may be permitted to point out, and it is that though it is perfectly true that the abolition of drink cannot be the aim of Government, still the point of view from which the question of Indian temperance is necessarily looked at by people in this country is different from the point of view which is held in more temperate climes where drinking—moderate or excessive—has been a part of the life of its people. Not only the question presents itself in a different manner altogether, but the large majority of the population—Hindu and Mahomedan population—all hold that drink is a religious prohibition. They approach the question from that point of view. It is not a question of restricting excess. But in India the question is the passing away from total abstinence to a gradual increase in the vice of drunkenness. I think it is one of the questions in which Indian temperance reformers cannot but view with alarm the introduction of the vice among the poorer classes. I am glad to see that Your Excellency's Government is in full harmony with the views of those who think that the cause of temperance should be advanced as steadily and as strongly as possible, and I have no doubt that under Your Excellency's sympathetic guidance the action of the department will tend to the direction in which measures will be taken to prevent the increase and growth of the vice which is abhorrent to the sentiments of the people of this country.

Your Excellency, I have been already too long. I hope I have shown sufficiently that the efforts of the non-official members have not been altogether in vain since the Reform Act of 1893 came into existence. This brief review of past history is calculated to inspire hope for the future.

And I confidently trust that under Your Excellency's liberal, high-minded and sympathetic guidance the extended Council which will now come into operation will have before it a future as beneficial and brilliant, nay, more so than has been the case in the past. The curtain is falling upon the present Council and I wished very much that there had been a word of appreciation from my honourable friend Sir JOHN MUIR MACKENZIE in presenting the Budget to cheer us on for the future.

However that may be, I am sanguine from past experience that the country may well expect that under the new India Councils Bill just passed, the non-official members will devote themselves to promote its best interests with patience, with sobriety and with unselfish integrity of purpose.

The Honourable Mr. DAJI ABAJI KHARE said :—Your Excellency,—In opening the proceedings your Excellency remarked that this is probably the last occasion when the Budget would be presented to the Council under the existing Act. Your Excellency has also adverted to the fact that some members of the Council were consulted by the honourable revenue member before the Budget was submitted to the Government of India, and I

may say that all those who attended the meetings of the Committee were fully impressed with the idea that non-official members were being taken into confidence by the official members. Such consultations are the best means of removing difficulties on both sides, that is, Government on the one hand would understand better the difficulties and the trend of thought of the non-official members; and the non-official members, on the other hand, would better appreciate the responsibilities of the Government departments. Several suggestions were made by the members in the Committee all of which were sympathetically considered—some of them were accepted and some were kept back for further consideration.

Your Excellency, I do not wish to go into great detail on the particulars of the Budget. Among the several matters for congratulation to be noticed in the financial statement is the abolition of tolls on Provincial roads which cause unnecessary restriction to free traffic, and the promise that in the near future all roads will be freed from a restriction of that character is certainly very welcome. Of course, as a result of this measure much burden will fall upon the Local Boards; but in the statement a promise has been given that in deserving cases grants will be sanctioned from Provincial funds for maintaining roads in proper repair. I hope and trust that this policy will be continued and the Local Boards will have no cause for complaint.

Then we find that attention has been directed to the relieving of the hardships, from which some classes of lower subordinates in the service, and particularly in the revenue branch, have long suffered. The talátis' grievances were prominently brought to the notice of Government who have now tackled the question; and now I request the attention of Government to the fact that the higher subordinates both in the judicial and revenue departments deserve the same consideration in the matter of their pay. I think the gradations of their pay were arranged about twenty or more than twenty years ago, and there is no doubt that their work has considerably increased during that period. There is no doubt, too, that their character for independence and purity has shown a marked improvement; but it is not at all a comfortable thing for them to find that all this work is demanded from them on the same old pay, which was fixed when all commodities were to be obtained at a much lower price than now, when the contact with the West was less than at present, and the standard of living was considerably lower. Officers in the position of Mámlatdárs and Subordinate Judges are very important members of the service and the efficiency of the Revenue and Judicial Departments very much depends upon the way in which these officers carry out their duties. As far as the judicial branch goes I may say without fear of contradiction that all the highest judicial authorities in the land have declared that if anything the subordinate judiciary display more learning and a better grasp of facts than what is often displayed by Courts which try appeals from their decisions. If this subordinate branch of judicial service is not encouraged and strengthened in the manner I plead for, I think it would be a great discouragement to the members of that Service.

While on judicial matters I should like to refer to a matter which has been frequently brought to the attention of this Council and which does not seem to have been remedied yet. From the large province of Káthiáwár important appeals come to the Governor in Council on matters sometimes involving questions of life and death and sometimes involving questions of large interest, but Government as a rule do not admit any representative of the parties to argue out their cases before them. No

man, however capable he may be, can be trusted to decide a case correctly, where two parties are at issue on intricate points of law and facts, without expert help; and this principle has been admitted throughout the world. I do not think that if the case of each party to these appeals is placed before the judge by experts it would in any way hamper or inconvenience the tribunal. On the contrary I think such a procedure would go a great way in helping the administration of justice. Analogous to the case of Káthiáwár is the case of the numerous jághirs in the Southern Mahrátta Country where also the same rule holds good. It would be said that the course I suggest would take more time than what is taken up now in disposing of cases. But I submit that mere haste ought not to be a recommendation where the real aim ought to be to secure proper administration of justice, and therefore this difficulty about time will not be considered a sufficient hindrance in the way of adopting this useful innovation.

Passing on to question of education I will not take up the time of the Council by dealing with it in its different aspects, but as to one matter I will again repeat what I said in previous years. I do think that much of the future of the country does really depend upon the degree in which its inhabitants are being able to read and write. In fact we ought to have free and compulsory primary education. The problem is a very difficult one and presents many perplexities. It would entail a large expenditure of funds; but whatever may be the difficulty and whatever may be the cost, if what I say is correct, namely, that the whole future of the land depends upon certain factors in the life of the people, Government should do all in its power to bring that factor into existence. His Excellency remarked in his opening speech that in the West the great improvements in sanitation were due to the enlightenment of the people, and that the work of sanitation in this country was retarded by the ignorance and conservative habits of the people. That is a very useful instance in point. I think if people are much more widely educated than they are now, the work of sanitation would be carried out much more easily. I have no doubt that appreciation of the benefits of water-supply does not require that knowledge which is necessary for recognising the importance of sanitation, although it is a matter of gratification that Government should continue their best efforts to bring good water-supply to the doors of the people as far as they can. But I speak with some feeling on this matter of education, because I consider that unless we have free and compulsory education we shall not get rid of the several defects in the administration of the country. Let Government do what they can for the labouring classes, they will not move them from their close and narrow cells in which they have been confined, as it were, for generations through ignorance, until that light is thrown upon their minds which only education can bring.

The reference to water-supply brings to my mind the liberality shown by your Excellency's Government to the inhabitants of the town of Dhárwár, and I take this opportunity of tendering thanks to Government on their behalf. I have no doubt that Dhárwár will in future be ever free from the great scourge of water famine to which it is subjected almost every year. Your Excellency's Government is no doubt aware that there are many villages in the district of Dhárwár inhabitants of which cannot get their daily water-supply unless they go to a distance of six or seven miles from their place of living. Only the other day I had a conversation about it with the revenue head of the Dhárwár District and I found that he was quite alive to the importance of this great problem.

Your Excellency, I will not take up the time of the Council any further. As to the question whether the work of the non-official members during the past sixteen years has deserved commendation or not, I would rather leave it to those whose duty it is to judge of it. What has been done has been done openly and with the best of intentions, and whatever may have been said against it, the work is there before the eyes of the world. I am quite sure that British statesmanship will never allow the energy of the non-official members to flag, but will lead them to bring before Government and the public the grievances of the people, more and more actively. I have only one thing to say of the Council which will come in after the Council under the old Act has ceased to exist. Whoever may be the elected or nominated members of the Council, and whatever may be the rules and regulations under which the electoral body will be created, one thing is certain that the work of the new Council will be much more difficult than that of the old ones; it will demand a greater patience and a closer study of facts in order that it may be as successful as the statesmen of England expect it to be by extending to this country enlarged powers of legislation. I also appeal to Your Excellency's Government not to pass any final orders regarding the election regulations before submitting them to the opinion of the Council if it is feasible to do so. There can be nothing against it in the Act; on the contrary, the course I suggest would be advantageous and satisfactory all round.

The Honourable the J'GHEDA'B OF ICHALKARANJI said: Your Excellency,—I would offer hearty congratulations to the Honourable SIR JOHN MUIR MACKENZIE on being able to place before the Council a budget which shows record expenditure and a sound financial position and handsome balance. I sincerely hope that the season will be normal as has been anticipated by him in the preparation of the budget. An earnest endeavour at reform is seen in all branches of the administration and I would with Your Excellency's permission allude to some of them.

Government have lately been devoting greater attention to the improvement of agriculture in the different parts of the Presidency. Provision has been made in the budget for increased expenditure under several heads such as demonstration on farms, contributions to agricultural shows and for sending students to England to study agriculture. In connection with this last item I am of opinion that it would be advisable to send scholars to study the methods of practical agriculture to countries where the economical condition of land, labour and capital are as nearly akin to this country as is possible under the circumstances. I do not know in what country this is the case. But it is a fact that there is no similarity in this respect between India and England. Perhaps it would be advantageous to study the methods in France and Italy and Holland. These would perhaps come more near to some of the provinces of India.

Another satisfactory progress during the year is the commencement of the industrial survey. This ought to have been done long ago, but then it is never too late to begin, and if a competent officer is selected for the work he will be able to accomplish a good deal. The chief industry in this country is agriculture. But as this depends to a large extent on rainfall, which is very uncertain, a large portion of the people who depend upon it find themselves without means to support themselves and they fall on the hands of Government in times of famine. The opening up of other industries would relieve the present congestion on land and would go a great way in improving the condition of the

labouring classes and mitigate the suffering caused by famine and it would also add materially to the wealth of the country.

It is also gratifying to note that a large grant for expenditure on irrigation works has again been made in the current year. It has been a long standing complaint that Government spend more on Railways instead of upon large irrigation works. Large irrigation works are a sure protection against famine. This cannot be said to the same extent of Railways. It is satisfactory that Government have already commenced two large irrigation works which are calculated to irrigate a considerable area in the famine districts.

It is a pity Government have been forced to omit the reorganisation of the subordinate forest establishment from this year's budget. These people have in many cases got to do very hard duty away from their homes and in very unhealthy climate and in inclement weather and they ought to get increased salaries. I hope the Government of India will favourably consider the application of this Government for increased grants.

There is a very great scope for the exploitation of forests in this Presidency, it being the only head of revenue which can be increased without putting any extra burden on the people, and it is hoped Government will spare no efforts in improving the forests and making them more valuable. If the resources of the forests are properly developed by new and improved plantation of trees useful in several industries it will result in considerably adding to the public exchequer.

The reduction of copying fees from 2½ annas to 2 annas per hundred words in the registration of documents will give great relief to the poor people who find the present scale of fees and court-fee stamps very heavy indeed.

The talútics will feel very grateful for their inclusion in superior service and they will now enjoy in their old age their well-earned pension and thus be free from anxiety about supporting themselves when they are not able to earn their maintenance. I wish Government had shown the same liberality to the Pátils in the Ratnágiri district, some of whom are now required to serve Government on the very insignificant yearly payment of Rs. 3 or so.

The policy of abolishing toll-bars begun last year has been followed this year and fifty more toll-bars have been selected for abolition. The Local Boards which would suffer from the abolition of these bars, are, I am glad to find, to get compensation, for otherwise they will not be able to bear the loss, their resources being limited.

In this connection I would point out one fact, *viz.*, that these toll-bars were very useful as so many halting places for cartmen where they could rest their bullocks and where they were sure to receive help and protection from highway robbers, etc. In fact practically these bars were so many posts. The abolition of these would prove a loss in this respect. Even if Government establish police stations on roads, they cannot be as useful as the toll-bars because the police are generally found to lord over the poor passers-by who naturally try to avoid coming in contact with them. But these things cannot be helped until the police are disabused of the notion that the people are for them and not they for the people.

The welcome change in the budget procedure that was announced last year by the Honourable the Finance Member has come in force, and a meeting of the Council was arranged this year to discuss the statement before it was sent up to the Government of India. I sincerely congratulate your Excellency's Government upon the opportunity thus given to the non-official members to make suggestions in the matter of reappropriation of revenue between the various departments. The necessity of such a step seems to have been recognised all round as similar procedures have been adopted in other presidencies also. I would like in this connection to suggest a further advance by allowing the statement to be discussed by the Press and the public before it is presented to the Council. At present even when the budget has received the sanction of the Government of India and copies of it are supplied to members of the Council the statement is considered confidential before its regular introduction in the Council meeting. The practice has its own drawbacks. The elected members have no opportunity of knowing the opinions of their electors in the various proposals in the budget before it comes for discussion in the Council. The public also cannot discuss it before it is introduced in the Council and this naturally deprives Government and the Council of the valuable material that would help them to discuss the proposals in the light of the varied public and individual opinion expressed on them. A discussion of the statement after it is presented to the Council is stale and uninteresting. I have therefore to suggest that copies of the statement be issued to the Press when they are usually sent to the members of the Council. The benefit of such a change would be invaluable when under the reform scheme a fuller discussion of the statement will be allowed. As your Excellency is already taking a keen interest in the reform scheme, I hope the suggestion will be favourably considered and increased facilities given for a full discussion of the statement before it is presented to the Council.

It is satisfactory that Government proposed to present the financial statement in the first week of April, that is to say at the beginning of the financial year. Government generally moves to Mahábaleshwar before April and a meeting of the Council on the hills would be rather inconvenient to the members. Hence it was suggested in the Committee meeting of February last to hold the meeting early in the monsoon as usual. If Government however hold the budget meeting in Bombay or Poona in the first week of April it would be very convenient to the non-official members. They have been urging upon Government to present the statement as early as possible and they would be the first to welcome the change.

I would draw the attention of Government to another matter connected with the Council meetings. At present the non-official members get the actual expenses incurred by them whenever they attend the Council meetings and they are required to submit their bills to Government. It is true some of the members receive payment in this way. But I submit that the practice followed in the Imperial Legislative Council of giving a fixed allowance to the members for every month of the Council session they attend is more dignified and convenient both to members of Council and Government. It is expected that under the new enlarged council scheme there will be more meetings and members coming from the mofussil will have to stay continuously for some days at the seat of Government. There would be also more work and the number of representatives coming from the mofussil would be increased. It would, I think, be desirable under these circum-

stances either to follow the procedure in the Viceregal Council or as is the case with the standing committee of the Corporation of Bombay and other business bodies to make a fixed payment to the member for every meeting that is attended by him. That would do away with the necessity of submitting bills for the expenses incurred and it would be a help to members coming from the mofussil who devote their time and energy to the Council work.

I was glad that Honourable Mr. SETALVAD last year drew your Excellency's attention to the system of deciding appeals from the decisions of the Agency courts. I would join him in what he said. At present the appeals are decided by His Excellency the Governor in Council and the parties do not get a hearing. This system might have suited old times when there were neither laws nor Regulations and Acts and Procedures introduced in the Native States; and where a kind of rough justice was administered by the Indian rulers and political officers. Now in almost all States the judicial system is constituted on the model of British methods and the subjects of the Native States expect to have the same facilities and the same safeguard for the proper administration of justice as their neighbours in the British territory. The principal thing is that the parties must feel that they are getting justice and this cannot be said to be the case when the appeals are not decided in open court but decided on the written applications and reports submitted by the Agency. I would therefore suggest that Judicial Commissioner of the status of a High Court Judge should be appointed who after hearing the parties in open court should advise your Excellency as is done by the Privy Council in England.

Among other minor objects Government have made provision for calendaring the Peshwa's diary in the current year. The work would be, I believe, carried under the supervision of responsible and capable persons and permission would be given to publish important and useful extracts. It would be a valuable addition to the Maratha history.

With regard to the question of free primary education the subject has been much discussed in and outside this Council from all points of view. The Government of India laid down in their circular letter the principle that primary education is one of the necessities that the State is bound to provide for the general well-being of the community. But this Government, I am sorry to find, does not think that they can act up to that principle. There are no two opinions about the desirability of free and compulsory primary education. The question only is whether the time has arrived for its introduction in this Presidency. This Government have practically accepted the principle by maintaining free schools for girls and depressed classes as an encouragement to education among them. I would now urge upon Government at least to extend the principle to all the primary schools under their direct control. The main object advanced against its general application is the loss of income from fees which cannot be dispensed with while funds are required for starting new schools. The total amount of fee receipts in schools of all kinds was Rs. 3,85,286 in the year 1907-08. Government have stated in reply to one of my questions that there are only seventeen primary schools strictly Government and the income derived from fees in these schools is Rs. 1,970. While the fees of Local Boards and Municipal schools amounted to Rs. 2,27,553. It follows therefore that if Government seriously contemplate introducing free education in

strictly Government schools as an experiment and as an example to be followed by others the loss of money to Government would be Rs. 1,970 only.

I would draw Your Excellency's attention to the value of such an experiment, however small it may seem to be. It is not a question of money but one of practical proof of recognition of the principle by Government of free primary education. It would set an example to the rich and enterprising Local Boards and municipal corporations which maintain almost all the primary schools in the Presidency. I would request Government to take a lead in the matter by first remitting fees in their schools and leaving the Local Boards and Municipalities to follow according to their own convenience and means. Such a step is bound to act morally on all educational bodies. *

I find that the Municipal Corporation of Bombay want to make primary education free and compulsory.

The Honourable Sir PHEROZESHAH : No, no.

The Honourable the JA'GHIEDA'R OF ICHALKARANJI : If not all the members, some members do wish it.

It must have been noticed that when the Government of India first moved in the matter the idea was readily taken up by some Native States on our side and they remitted fees in their schools. (The enthusiasm is bound to subside when an impression gets abroad that Government themselves are sceptic in the matter.) Government have already submitted their views on the subject to the Government of India and the final decision will be anxiously awaited. The idea mooted by the Government of India has given great satisfaction to the educated classes and the reform is certain to benefit the masses. Hence every effort of Government in this direction will be highly appreciated. Government should therefore be prepared to bear the loss of fee receipts if not for anything else at least for the sake of the popularity the measure would bring to Government.

As regards the provision for the extension of primary education made in this year's budget it is to be regretted that Government cannot carry out their original proposal owing to necessity of observing economy at the instance of the Government of India and the grant on this head is to be reduced to Rs. 60,000 only. Your Excellency's Government also think that this is a very small instalment. It is however gratifying to learn that this Government intend to provide the full sum of Rs. 1,14,000 as originally proposed by re-appropriation from the grants under other heads.

The Director of Public Instruction is to be congratulated upon having been able to submit proposals for opening 1,650 new schools, involving an expenditure of Rs. 3.29 recurring and 88 non-recurring. I would be glad to know in how many years this result would be achieved. I however trust that Government will be able to carry out the proposals in a year or two

It often happens that Government are not able in the first place to make sufficient provision on this head and again they are sometimes required to curtail the sum originally sanctioned for the purpose. It would be therefore desirable to first ascertain the utmost number of schools that could be opened in the Presidency and prepare a scheme by which the number could be reached in a definite and reasonable period of years. Government should then provide funds year after year for opening a fixed number every

year. In this way Government will be able to show definite results as regards extension of primary education. Government have followed such a plan in irrigation and schemes of reforms in other departments. I would therefore request Government to consider the question.

Last year I had referred in detail to the question of religious instruction in schools. I had pointed out that there was no valid objection to enforcing religious instruction for boys until a certain age in the faith of their parents. The question of text-books though a complicated one could be solved with a little effort. The then Director of Public Instruction, Dr. Selby, said in his reply that religious instruction was not possible in the composite schools that we have got. This difficulty is not unsurmountable as it has been solved by the Mysore State and some other private institutions which have found out a workable plan to give religious instruction in their schools. I would earnestly request Government to reconsider the question.

Two years ago I made an appeal in this Council for a larger provision for medical instruction. I had observed that there was an enormous increase of students in the Grant Medical College and that the teaching accommodation was inadequate and that time has now come for the opening of one more College. The number of existing medical schools was very small and that admission in them was difficult. I am sorry these conditions still prevail with the result that the outturn of qualified graduates and Hospital Assistants is quite inadequate to the actual needs of the Presidency. It is only in the big cities and towns where qualified men are available. In the mofussil the conditions are far from satisfactory. We have got a school at least in one out of four villages, but we have only one Hospital Assistant at every taluká town to administer to the medical wants of the people which are far greater than those of education. The increasing number of students going in for medical course in spite of the small number of posts open to them in Government service also shows that there is a still fair field for these men in the mofussil. *That there is want of trained medical men will have to be admitted.* This year Government have sanctioned Rs. 3,09 under the head of medical education, but they are intended for strengthening the staff of the college and schools. No provision is made for the admission and teaching of large number of students in the medical college and schools. Unless this is done the want of trained medical assistance now felt will not be removed. Your Excellency is already doing much to alleviate human suffering by encouraging diffusion of right methods to protect against plague, etc., such as inoculation. It was Your Excellency's happy idea to organise the successful session of the last Medical Congress. Government have recently appointed an officer to investigate into the extent and causes of malaria in the City of Bombay. With such solicitude for the suffering humanity I hope Your Excellency will consider the whole subject and take steps to remove the want of trained medical men by increasing the provision for medical instruction.

I will once more urge the attention of this Council to the subject of uniformity of weights and measures that are in use in different places. It is in the interests of poor ryots and not that of the middle men to have uniformity in this matter. Those who have vested interests in the existence of a variety of weights and measures—for example, a merchant, a sowkár—will naturally oppose any step that robs them of any undue advantage they get from the present system. As far as I can see there is no practical difficulty

in solving the question by an executive order or by undertaking legislation in the matter. It will not be opposed by the general public, neither will it be considered in any other light except as an honest attempt to secure uniformity and remove a long-standing grievance. Government have done this in many other respects and often interfered with vested interests of sowkars, land-holders and other middle men for the protection of ryots. Government need not be deterred by the notions and prejudices of Western people in matters of this sort. Changes in existing weights and measures have been brought about by old Governments and even by Collectors and nobody has ever thought it strange. Considering the acute and widespread inconvenience and material loss caused by diversity in this matter to the ryot, I trust Government will take the subject in hand at an early date and endeavour to introduce some practicable reform in this matter.

It is really very strange that the inámdár should be forced to apply for assistance if the revenue from his tenants is not collected by the village-officers. This may be very well in the case of superior holders who are at liberty to collect their own dues. But it is an anomaly in the case of Dumáldárs who are not at liberty to collect their own dues. At the most the village-officers may apply for assistance if they are not able to collect the revenue without it. The village-officers are now practically the servants of Government and consequently it is the duty of Government to see that they do their work properly and in case they fail to do it Government ought to issue the necessary process without waiting for an application from the inámdár and have the work completed just as they do in the Khálsa villages. To say the least, it is very unjust first to deprive the inámdár of the power of collecting his own dues and to lay down that the collection shall be made by the village-officers alone and then to give the inámdár no protection whatever in case the village-officers make default in their work and to throw the burden of proceeding against the tenant on the inámdár.

In connection with the collection of inámdár's dues I would point out one more fact Paragraph 3 of section 85 of the Land-Revenue Code lays down that in case the village-officers fail to recover the dues of the inámdár he may with the consent of the Collector recover his dues direct from the inferior holders. Although the village-officers have been shown to have neglected the work of revenue collection year after year and although large arrears accumulate year after year the Collector does not give his consent to the collection by the inámdár of his dues direct from the inferior holders. There is not a single case of the Collector having consented to the inámdár collecting his own dues from the inferior holders. I am really not able to understand why Government should not give the benefit of the provision of section 85 to the inámdárs when it has been shown that he suffers from the negligence of the village-officers. There are several inámdárs who are invested with magisterial and civil powers by Government. There are again some who are jurisdictional Chiefs, but even these are not allowed to collect their dues direct from the inferior holders. If they can be trusted with more important powers I do not see why Government should be so distrustful as regards the powers of revenue collection. The refusal of Government to allow the inámdár under section 85 to make direct collection is construed by the inámdár to mean that Government are altogether indifferent to their interests.

When the village-officers find that the inámdár is allowed to collect his dues direct from the inferior holders if they make default in their work they would also be more

diligent. When they find that there is a risk of losing their right of revenue collection they would be more careful and it would not be necessary to give the permission in many cases.

The only remedy which the holder of an alienated village has in respect of unauthorised cultivation of the land in his village by strangers is a suit in a Civil Court. The trespassers cannot be prosecuted against criminally as the act of unauthorised cultivation does not constitute criminal trespass. A civil suit is a costly and dilatory remedy which in the end often proves ineffectual as the individuals against whom it is instituted are often men of straw. Thus no remedy whatever is left to the inámdár. Government have invested the Collector in similar cases with power to recover the full assessment as well as the fine from persons unauthorisedly occupying Government lands. If Government with their large resources think it necessary to have these powers for the protection of their land much more is the poor inámdár in need of such protection. I hope the representation which I have lately sent in on this point will receive your Excellency's sympathetic consideration.

I have on several occasions raised my voice in this Council against the tendency of Government to restrict the possession of arms in the case of inámdárs and old aristocratic families which possessed them for a number of years or even generations. Almost all of them are of old pattern. These arms are necessary to certain Marathas and other families on religious and ceremonial occasions such as marriage, Barsa or infant naming ceremony, and so on, and the holders of these arms are men with stakes in the country. There is no likelihood of their being misused. Hence there is no necessity of depriving these people of their cherished rights of carrying them. Apart from the loss of means of protection the members of these old families think it an insult to their dignity and to their caste if they are disallowed to keep the arms. I would urge upon Government to be liberal in dealing with the matter and not to unnecessarily offend the feelings of this important class.

I am glad to find that the question of advancing loans to old aristocratic encumbered families on easy terms in order to free them from the clutches of the sowkárs has at last engaged the attention of the Government. I had suggested several times that a sum should be set apart for this purpose. The Honourable Member has observed on page 13 of the financial statement that provision for such loans can be made without difficulty. In order that deserving families should get the benefit of this it is necessary that the public should know of the readiness of Government to come to their assistance. If it is not possible to depute a special officer, as I suggested some time back, to select families whom it would be possible to free from debt within a certain number of years, at least wide publicity should be given to the fact of the readiness of Government to advance loans on easy terms to deserving families. I shall also try to make the liberal intentions of Government known to my constituents.

I would like to say a few words regarding the present mode of preparing and publishing the Sardár's list. In the beginning no distinction was made in the list and all names were entered in black ink. Government afterwards resolved to put the names of some of the Sardárs in black ink and of the remaining in red ink. This was probably done to make a distinction between Sardárs having jurisdiction with whom Government have entered into treaties or who come from old aristocratic families and hold large estates

and those for rank and precedence only. I am however sorry to observe that for some years past on the death of a Sardár whose name was entered in black ink his successor's name was put in red ink or in other words he was represented to be a Sardár for rank and precedence only. With few exceptions this has been done in almost all the cases. No distinction was formerly made between Sardárs having jurisdiction and treaty rights and those coming from equally old aristocratic families but holding large estates only. There is no necessity of making such a distinction, and if Government at all wish to have it I would request them that instead of putting the names of old aristocratic families in red ink which were before entered in black ink and bringing them to the level of Sardárs for rank and precedence only they should prepare a separate list of Sardárs having jurisdiction and treaty rights and leave the general list as it was at the beginning or the names of Sardárs having jurisdiction should be omitted from the list altogether as their status does not wholly depend on their names appearing in the list. The matter is causing much uneasiness and resentment in the aristocratic families concerned and I earnestly hope Government will give their early consideration to it.

I am sorry to find that the idea of an advisory council seems to have been given up at least for the present by the Government of India. However I do not see why such a council should not be informally established for the Bombay Presidency. The advantages of a council constituted in the right way would be many and Government would have a means of having a mature and independent opinion on important subjects. It naturally happens that influential and capable men do not like to canvass for votes in a contested election. Government at present cannot make use of such men. It is hinted in some quarters that the nominated members are not candid in giving their opinion for fear of displeasing Government officials. On the other hand the same perhaps may be said to some extent of the elected members who are afraid of saying things against the general trend of opinion of their electors. The advisory council would be a sort of upper chamber above all such petty considerations whose independent and experienced opinion would be entitled to respect and consideration and which would help Government to correctly estimate the impartial view of every matter.

I propose with your Excellency's permission to refer to the question of inámdárs in a general way, as I do not know whether under the new business rules I would have an opportunity next year to refer to it in such a manner. I have been ventilating the grievances of this class in this Council for the last twelve years. It appeared in the beginning that Government were not aware of the existing hardships as they were not brought to their notice. Later on when Government were convinced of them they passed several executive orders which, it was hoped, would remedy the long-standing grievances. I am, however, sorry to say that the action taken by Government has only touched the fringe of the subject and it has only helped a little to improve the condition of the inámdárs. I firmly believe that the inámdárs' grievances would not end unless they were allowed to recover their revenue.

The class of inámdárs has undoubtedly fallen upon evil times. This is no doubt due partly to their own fault. They have not been watchful of their rights from the beginning. Want of education, absence of co-operation and organisation and a false sense of dignity and above all the fact of there being many divisions in the inám villages have incapacitated them from zealously guarding their interests. They are very loth to write to the Press to ventilate their grievances. Many of them have received education

and have worked on Local Boards, in Municipalities and in Government service but rarely a voice has been raised outside this Council against the disabilities under which they have to live. Really speaking I am not the only representative who sits in this Council on behalf of the inámdárs. One or two other members represent more or less this class who have a voice in their election. If the inámdárs had been more watchful of their interests they should certainly have found in them advocates of their interests in this Council.

The inámdárs cannot hope to get redress unless they constantly urge upon the attention of Government their claims in a respectful but systematic way.

It is often said that there is no middle class in this country. This does not seem to be true. The inámdárs have long enjoyed the respect of both the Government and the people. They have for some reasons lagged behind in the present times of activity and the leaders have failed to notice this class as intermediaries between the people and Government.

It is rather curious that the Press and the public should think the grievances of the Khots and Malgujars and sometimes those of Sávkárs worth ventilating in the papers and on the platform, while they are apathetic to the hardships of the large class of inámdárs. It is true that the inámdárs themselves do not avail of every means of bringing them forward before the public. Another reason seems to be that the inámdár is still supposed by the people to some extent to be a representative of the authority of Government in the village and so they think that he is not entitled to public support.

Permanent settlement is one of the strong planks in the platform of the Indian National Congress. But I wonder whether it has occurred to any body that the large class of inámdárs and vatandárs are practically holders of tracts of lands on somewhat fixed permanent tenure.

It is a pity that no serious effort should have been made during so many years to radically remove the complaints of the inámdárs. The inámdárs are the natural and the hereditary leaders of the people. They are the proper men who can speak on their behalf. Although they have been reduced to a miserable plight still it is a force of immense value to Government in their endeavours to govern the people properly. By tradition and instinct they are a loyal class of people. They are very proud of their inheritance and they are very much attached to their vatan. Those who know the Marátha nature properly understand what power and hold the word vatan has upon its people and this fact has been repeatedly borne out by Grand Duff, the famous Maratha historian. Government have given them promises to continue their ináms and vatans and it is in the interests of the Government to see that this class is prosperous and not discontented. It is a valuable asset which Government can turn to best account and over which Government exercise such a control. It is true that there is some discontent among the members of this class, but it is due more to their not being treated with the consideration and courtesy due to them and to their grievances not being redressed for so many years than to anything else. It would be quite unjust to mistake this discontent for disloyalty. I would urge upon your Excellency to consider whether it would be a wise policy to allow this discontent to grow, in the present political state of the country when all the powerful and law-abiding forces ought to be rallied round the guardians of law and order. If Government cannot even now see their way of bettering the lot of

the inámdárs it will still further straighten them, but I submit it is not possible to completely wipe this class out of existence or to entirely deprive them of their natural influence and field of activity among the people. I would therefore repeat the appeal that this valuable and loyal force should be kept in tact and properly directed.

This would be the last meeting under the existing system. It is now nearly seventeen years since the Councils were enlarged and elected members were allowed to sit on them. My connection with this council extends practically from its beginning. For the first four years I was a candidate aspiring to get in and was a student of the work and progress of the Council, while for the last 13 years I have represented the Sardárs in this Council. When I look back upon this period it is interesting to note the gradual change in the attitude of officials towards the non-official members. In the beginning they seemed impatient of criticism, and the non-official members who offered criticisms on the policy of Government and suggested plans for reforms were at one time considered as hobby horse-riders. A similar attitude was noticed in the beginning with regard to the interpellations put by the Honourable Members in Council and this was considered more as an embarrassment to Government than an honest attempt to elicit information or to draw the attention of Government to a particular matter. There was a tendency to shirk the real issue of the matter and give vague replies. I am glad to observe however that a change for the better gradually came round.

Up to a recent time Government had been sending only the financial statement and the annual administration report to Honourable Members of the Council. But I am glad to say that now-a-days the reports of the working of the various departments and other useful matters are being sent to the members. They contain such a large and valuable material that it would be difficult for a holiday politician to study them and master the details. They would be of greater use to the members when under the enlarged councils they will have to devote more time and labour to the council work.

It naturally happens that Government pay more attention to the questions that are much discussed by the public and at times overlook real and urgent grievances brought forward by the elected members that have not that support. But this I am afraid cannot be helped. I may, however, say from my personal experience that every opportunity of exchange of views was availed of and we have all along tried to put our point of view of the subject before the Council, and although I am aware that Government have not been able to do all we wanted them to do or all that was possible for them to do, they have been at least fully acquainted with our grievances and wants by this time and I must say that Government have at least sympathised with us when they were convinced of a wrong. I am glad to observe that although Government and the elected members have differed on several occasions we were almost always treated with uniform courtesy. I have no doubt the same will be continued hereafter, and let us hope that the new councils will open an era of good and substantial work and of mutual trust and confidence among the official and non-official members of the Council and lead to prosperity and advancement of the Presidency.

I cannot conclude my remarks without expressing on behalf of myself and the Sardárs whom I have the honour to represent our heartfelt grief and sympathy for your Excellency's sad bereavements during the last few months. It is very seldom that we get at the head of the administration a man of affairs ripe in experience and possessing

broad sympathies like your Excellency. We are therefore grateful to your Excellency for having continued in the midst of overwhelming misfortunes in your high and onerous office to the great satisfaction of the people and benefit to the Presidency.

The Honourable Mr. HARI SITARAM DIKSHIT said:—Your Excellency,—The Honourable the Revenue Member is to be congratulated on the lucidity of the Financial Statement which he has laid before the Council. At the same time one cannot help sympathizing with him on the straits to which he has been reduced by the rigid economy enjoined by the Government of India and the lump deductions directed by them in the estimates originally submitted to them. It is, however, not quite clear whether the revision made since the meeting of the Committee held in Bombay in January last is the result of any specific directions of the Government of India or of the desire of your Excellency's Government not to allow the closing balance to fall much below the figure taken at that time. If it is the latter, may I venture to ask whether the reduction of that balance, so long of course as it remained considerably above the minimum balance, would have been such a great calamity as to have forced your Excellency's Government to drop the few items suggested by the members of that Committee? The closing balance in the Budget as now revised, which is rightly described by the Revenue Member as handsome, stands at sixty-four lakhs, forty-two thousand, while the minimum balance required is only twenty lakhs. I do not know whether it is really wise to build up large balances by starving necessary expenditure and abandoning or putting off useful reforms. The Government of India have this year given subsidies to the two Bengals and the United Provinces in aid of Provincial balances, and if one becomes necessary in the case of Bombay there appears to be no reason why we may not get it.

In making the above remarks I am not unmindful of the fact prominently brought out in the Financial Statement that the Budget shows a record expenditure, and I heartily endorse the remarks that there are grounds for satisfaction in the ample provision made for civil works and in the means provided for reform and improvement in many branches of the Administration. What I, however, wish is that the reform and improvement might have gone further and might also have extended to other branches of the Administration.

I should also like to say a word about the way in which the revision of the original Budget Estimates is stated to have been made. On the income side additions are made under the heads "Excise," "Assessed Taxes" and "Forest." All those three heads, but more especially the latter two, are, no doubt, very elastic. They afford scope to zealous subordinates to work up the realizations to the estimated figures, but that, I submit, is just the reason why they might have been left untouched. As it is, the way in which the Income Tax and Forest Departments are administered is highly unpopular and the irritation in the public mind is by no means small. Nor is it quite unjustified. The income tax assessments are fixed without any tangible data and the officer who fixes the assessment is also the officer who hears appeals against it. No doubt, there is a further appeal to the Commissioner, but it is not easy to get the Commissioner to reverse the Collector's assessment. Again, the ordinary rule of evidence, that he who affirms a fact must prove it, is reversed in the case of income tax assessments. The officer who asserts that the income of an assessee amounts to a particular sum has not to prove it but the assessee has to prove the negative, *viz.*, that it is not as much but is less. In some other provinces assessments are fixed in consultation with a *panch* composed of the leading

men of the place but in our Presidency even that is not done. Again, no appeal can be taken to a Civil Court, and the Income Tax authorities are invested with summary powers for recovery of the tax. When under these circumstances it is known that Government expect a larger revenue to be realized from income tax than originally estimated, the temptation to assess it liberally is almost irresistible, and one need not be surprised if officers of Government succumb to it. Of course, this can only happen in the case of incomes assessed under Part IV as the other incomes being fixed the tax in respect thereof does not lend itself to elastic treatment. That Income Tax officers are not devoid of zeal in over-assessing the incomes under Part IV has been shewn by the Government of India themselves who were forced to the conclusion that over-assessment was resorted to in order to bring within the limits of assessment, incomes which before the raising of the taxable minimum ranged between 500 and 1,000 Rs. The same tendency is still noticed by the Commissioner of the Central Division though your Excellency's Government do not take quite the same view. This tendency is further borne out by the figures in the Civil Estimates. A detailed examination of the figures will shew that even in years of trade depression the tax under this head has always gone on increasing. I do not wish to tire the Council by such detailed examination but will only take the figures for last year, *viz*, 1908-1909. In that year there was admittedly a falling-off in trade and the estimate of the tax on profits of companies fell from Rs. 9,50,000 budgetted to Rs. 8,16,000 revised and yet the revised estimate of the tax under Part IV rose from Rs. 25,33,000 budgetted to Rs. 26,70,000 revised. Would it, under these circumstances, be too much to ask that the income tax demands under Part IV may be fixed in consultation with the leading men of each place? I am aware that Government have kindly promised to consider the question in connection with that of village panchayets. I hope that does not mean that the introduction of that system is to be confined to villages only.

Having said this much about the head "Income Tax" I now turn to the head "Forest." That is another department against which there is considerable irritation in the public mind. For obvious reasons I am only speaking about my own division. There wherever I have gone I have heard the most bitter complaints about the working of the Forest Department. Some of these complaints I have brought before this Council in the shape of interpellations and some in the course of my observations on the Budget, and I must acknowledge that in not a few cases have they met with sympathetic treatment. The subject, however, requires a more radical treatment. The ryots attribute a good part of their miseries to the working of the Forest Department. Formerly there were large pasture grounds and the professional Dhangars who were spread all over the Presidency used to breed a large number of cattle so that ryots could easily replenish their stock of cattle whenever it became defective. Now a good number of these pasture grounds have become parts of reserved forests and others are put up to auction and sold to the highest bidder. The Dhangars therefore are not able to carry on their occupation as before and the result is that the ryot has very often to go far and pay dearly for buying bullocks for his farm. Again, though it appears originally to have been the intention of Government to set apart lands for free pasturage for the village cattle, and provision was made for the purpose by section 38 of the Land-Revenue Code which expressly authorizes the Commissioner to set apart lands for that purpose, not much appears to have been done in that direction. In fact, it is frankly admitted by high officers

of Government that in setting apart land for free grazing it has nowhere been at any time the practice to set apart sufficient for pasture and that the so-called *ghirán* has in most cases provided nothing more than standing ground for cattle on their way to the grazing and the like. I submit that sufficient land should be set apart near each village for the free pasturage of the cattle of the village. Government are, no doubt, alive to the necessity of increasing the depleted stocks of cattle and are spending large sums over the Northcote Cattle Farm and are also giving *tagávi* to the ryots for the purchase of cattle. The benefits of those operations can, however, only reach a few, while, if encouragement is given to the ryots in the shape of providing free grazing for their cattle, the benefit will reach a much larger number. Increase in the number of cattle will help the ryots in a variety of ways. That will give them not only milk and *ghee* which are so essential to their nourishment but also manure to their fields. Every encouragement should, I think, therefore be given for the increase of cattle. If sufficient pasture grounds are set apart there will also be a considerable reduction in the number of impoundings. These pasture grounds should be as near the villages as possible. I would also ask that all forest lands in the vicinity of villages should be disforested. The large number of impoundings which is a principal source of irritation appears to be due mainly to two causes, *viz.*, that there is not sufficient ground for pasture and that the forest lands are so near the villages and are so interspersed with the lands of the ryots that it is not easy to prevent cattle straying on to them. If, therefore, sufficient pasture grounds are set apart near the villages and the forest limits are not too near the villages there will, I venture to think, be a large reduction in the number of impoundings and a consequent reduction of the public irritation.

Another source of irritation with reference to the Forest Department arises from the manifold restrictions that are imposed upon the removal of wood and other produce from forest lands. The complaint is not uncommon that large tracts of land which are utterly unsuitable as forests, either on climatic, physical or commercial grounds, are included in the forest area. It is urged that they ought never to have been so included in the forest area, and the sooner they are disforested the better. No doubt, in some places the effect is somewhat softened by giving the people certain privileges. In fact, it appears to be the settled policy of the Government of India that outside the reserve the country folk should be generally allowed to obtain from the State forest, timber, bamboo, firewood and grass for their own use free of charge, and in the Moral and Material Progress Reports submitted to the Houses of Parliament year after year that is stated to be the practice. As I did not see much evidence of that practice in my division I asked in the course of my observations on the Budget two years ago whether the Deccan ryots were allowed those facilities, and pointed out from the figures given in the latest Forest Report then available that the value of free grants of timber amounted to the paltry sum of Rs. 2,505 for a population of over sixty lakhs, that there were no free grants of bamboos and that the cattle allowed to graze free numbered only 26,494. Thereafter at the meeting held in September 1907 I asked for a statement shewing the forest privileges enjoyed by the ryots of my division and Government were pleased to furnish such statement at the June meeting last year. That shews that there are no privileges at all enjoyed by the ryots of a considerable part of the division. The remark against Sholápur is that there are no privileges in that district. In Ahmednagar in all *tálukas*, except Akola, the only privilege mentioned is that the grazing of cattle is allowed at a uniform fee of 2 annas per head of cattle. Not being

a Forest officer myself I cannot properly appreciate its being described as a privilege. Evidently the officer preparing the return could not shew the existence of any privilege and caught at the above like the proverbial drowning man catching at a straw. The same is the case with five talukás out of nine of Násik and four talukás of Poona: In other parts the privileges do not generally extend beyond allowing grass, dead leaves, thorns, etc., to be taken for purposes of *rdh*, while in a very few talukás dead wood is allowed to be removed. The figures given in the last Forest Report go to confirm the view that the Central Division is not by any means treated even on the same footing as the Northern Division. For instance, the number of buffaloes allowed to graze free, exclusive of those allowed by right under Settlement in the Northern Circle, was 53,238 and that of cows 281,850 while in the Central it was *nil*. Then among the cattle allowed to graze on payment of fees, out of 71,612 buffaloes in the Northern Division 70,937 were allowed at privileged rates while only 675 were charged full rates. On the other hand, in the Central Division, out of 42,167 buffaloes allowed to graze on payment of fees as many as 7,686 had to pay the full fee. Again, the area open to all animals in the Central is much less than in the Northern though the total area is much larger in the Central than in the Northern. The figures in the Budget Estimates tell a similar tale. The income estimated from grazing, grass and other minor produce in the Northern Division is Rs. 56,350, while from the Central Division it is as much as Rs. 3,90,400. I lay these facts and figures before the Council, not in the expectation of receiving an immediate answer, but in the hope that the matter may receive the attention of Government in due course.

The reductions on the expenditure side have been made under the heads "Forest," "Education," "Medical" and "Civil" works. I have not been able to find the specific items which had to be given up on account of such reductions, and it is therefore difficult to say how far such reductions are advisable. One cannot help regretting, however, that education should have been one of the heads that come under such reduction. Government have, no doubt, been latterly making much larger grants under that head than before, but these larger grants, it need hardly be added, are greatly insufficient for the real needs of the situation. Not one village in four can even now boast of a primary school, and the bulk of the peasantry of the country is still steeped in ignorance. The removal of that ignorance is a supreme necessity, and primary education should, therefore, be extended as much as possible. Such extension, no doubt, would be limited by the supply of teachers, and as the number of trained teachers is not very large the extension cannot proceed as fast as one would wish. But there appears to be no reason why it should not proceed as fast as it can, having regard to such supply, and it is therefore gratifying to note that, though the directions of the Government of India have brought down the provision for opening new primary schools to Rs. 60,00, your Excellency's Government intend to provide a lách and fourteen thousand by reappropriation from the grant under civil works or under other heads as may be found practicable. It appears that the original proposals submitted by the Director of Public Instruction were for opening 1,650 new primary schools at a recurring cost of Rs. 3,29,000 but that it was not found possible to carry out those proposals all at once. I take it that this want of possibility is due to the deficient supply of trained teachers. May I therefore ask what steps Government intend taking for a substantial increase of that supply? I am aware of the existing Training Colleges as also of the proposal for a new Training College in Bombay

City. I, however, submit that something further should be done in that direction, so that the extension of primary education may proceed at a much faster pace than at present. As to the scale of pay of primary school teachers, it must be acknowledged that the improvement recently effected has given considerable satisfaction. It is, however, a question whether the improvement goes far enough. Would it be asking too much that primary school teachers may be brought on a level with the lower grades of service in other branches and that their minimum may be fixed on the same scale as that in the other branches?

While on the subject of primary education may I suggest that the price of MacMillan's Readers may now be reduced? The cost of the second and subsequent editions is naturally much less than that of the first, and I understand that the second edition is bound in paper instead of in cloth.

The provision that was made in the last Budget for hostels in connection with High Schools does not appear to have been utilized, nor is it repeated this year. In these days when it is perhaps more than ever necessary to maintain supervision over our school-boys out of school hours, it is a pity that the provision which more than any other would help in that direction is abandoned for the present. As to the grant to the University I see it stated in the Financial Statement that it has not been sanctioned by the Government of India. On the other hand, the proceedings of the Viceregal Council shew that it was stated by the Honourable Sir GUY FLEETWOOD WILSON at the discussion of the Financial Statement there in March last that a grant of Rs. 65,000 has been sanctioned to the Bombay University. I should, therefore, like to know whether our Financial Statement stands in need of revision in that respect.

Another head which has come under reduction in order to prevent the closing balance going down is "Medical." Vital statistics show that the population of the Presidency has been reduced since 1900 by over 78 per thousand instead of gaining an accretion of a corresponding number by the ordinary process of excess of births over deaths and the Sanitary Commissioner notices this fact in his Report for 1907. I have got here two tables (A & B), one showing the birth-rate and death-rate per mille for each year from 1900 to 1907 and the other the actual number of births and deaths in each year from 1897 to 1907. They show that during the eleven years 1897 to 1907 there is an excess of 15.45 lakhs of deaths over births. That taken with the fact that the normal increase of births over deaths would amount to about 20 lakhs in 11 years would work out the total loss to about 35 lakhs. No doubt plague and famine have to account for a considerable portion of this loss but there would still be a large number which cannot be accounted for on that score and it would be desirable if an enquiry could be set on foot to find out the causes of and suggest the remedies for this rather dismal state of things. In this connection if one examines the figures of expenditure under this head it will appear that they do not show much increase. I have here a statement (C) showing the expenditure on the different sub-heads under the head "Medical" and that shows that the total increase during the years 1899-1900 and 1906-07 amounts only to Rs. 3.75 lakhs if we exclude the expenditure on plague. The expenditure by Municipalities and Local Boards on Sanitary Works does not show much increase either as will appear from another statement which I have in my hand (D). No doubt latterly Government have been making grants-in-aid of sanitary works but I

submit that those grants are not quite sufficient for the needs of sanitation, greater expenditure appears to be necessary not only under the provincial head "Medical" but also for grants to Local Boards for sanitary works.

Before passing on to another head I think I should say a word about the finances of the Local Boards. The latest Resolution of Your Excellency's Government on their administration clearly brings out the fact of their resources being very slender and accounts for the lack of interest shown by members on that ground. I trust Government will at no distant date consider the question of putting them on a sound financial basis so that they may do the good work that was expected of them. There is however one important item of the resources placed at their disposal about which I should like to say a word, that is the contribution from Provincial revenues in lieu of the one anna on Excise revenue. The contribution was fixed on the Excise revenue of 1873-74 which was 33 lakhs. Since then the Excise revenue has increased immensely. In 1907-08 it rose to 148.47 lakhs and one anna on that would work out to over nine lakhs of rupees while the actual contribution is only a little over a lakh and a half. I submit the contribution ought to expand along with the expansion of the Excise revenue. That will make a very welcome and much needed addition to their resources.

As to the constitution of the Boards, the elective element is at present in a minority, the percentage working out to 44.6 against 55.4 nominated. That compares unfavourably even with such provinces as the Central Provinces and the United Provinces where the percentage of elected works out to 73.5 and 65.7 respectively. The Decentralization Commission recommend that the District Board should contain an elected majority. I submit that not only should that be done but as in the case of Municipalities they should be given the right of electing their own Presidents.

The reduction in expenditure under "Forest" appears to consist in the provision originally made for the re-organization of subordinate forest establishments, and the Financial Statement expresses the regret of your Excellency's Government on such omission. I understand that the re-organization is to be not only by means of the revision of salaries but also by large additions to the subordinate staff. While entirely approving of the former I regret I see some danger in the latter. A large number of round guards and forest guards who have to justify their existence, and whose salaries would not be such as to keep them absolutely above temptation, are more likely than not to be a source of harassment to the people and the irritation in the public mind against the department is sure to be considerably enhanced. At all events, the question of strengthening the subordinate staff might stand over until the experiment recommended by the Decentralization Commission about vesting the management of village forests and fuel and fodder reserve in selected *panchayets* has been given a fair trial.

Passing on to the head of "Excise," it appears from the Financial Statement that Government, recognizing serious objections to the method of auctioning the privilege of vend of country liquor, intend to try the experiment of fixing the fees for shops on the basis of their sales and of allotting each shop to a candidate selected from amongst the approved applicants. The only danger of that system would be that it may open the door to favouritism. It would be interesting to know what precautions are going to be taken to guard against that danger. Apart from that there will, as now, be the incentive to increase the sales, but there appears to be no chance of that incentive being removed

unless of course Government can manage the sale of liquor departmentally or through some benevolent agency or the agency of the *panchayets* intended to be formed in accordance with the recommendations of the Decentralization Commission.

There has, of late, been a considerable increase in the strength of the *Abkari* Department as also in the scale of pay. That has added considerably to the expenditure, but we are told on the other hand that the increased staff has been able to check illicit distillation and thereby to augment the revenue. That the revenue has been augmented there is no doubt, but it does not appear to be wholly or even principally due to that cause. On the other hand, it appears to be due in no small measure to the increase in consumption, and the Financial Statement records the fact that the efforts of the public were not able to restrain such increase.

The Police Department has also come in for a large increase in strength and provision is made for further re-organization of the District and Railway Police and for the strengthening of the Criminal Investigation Department. No objection can, of course, be taken to such increase as may be necessary. At the same time, considering the education and social position of the bulk of the detectives employed, and of the fact that the information which they place before officers of Government is not subject to any great check, an increase of their number cannot be considered an unmixed blessing. I should, therefore, like to be enlightened as to the reasons which have rendered it necessary to further strengthen the Criminal Investigation Department, of course if the information can be given without detriment to the public interests.

In this connection it is interesting to observe that while the expenditure on Police rose from 3.75 lakhs in 1903 to 51.21 lakhs in 1907 there was no corresponding increase of efficiency. The Acting Inspector-General of Police makes the following remarks in his Report for 1907 on this subject:—

“Cases of all classes remaining undetected during the year under report numbered 8,066 as against 8,111 in 1906. The proportion of undetected crime to true crime disposed of works out to 41.5 per cent. against 38 per cent. in 1906. With the crime to deal with, proportionally fewer cases should have remained undetected. What has happened, however, is the reverse; the fact that so much true crime remains undetected is a very serious defect in the work of the Police.”

Again under “true cases disposed of” Mr. Kennedy writes as follows:—

“In respect to the true Police cases the most important list illustrative of the efficiency of the Police is the ratio of cases ending in conviction to true cases disposed of. This stands as under during the year under notice and the 5 preceding years:—

1902	...	...	...	...	64
1903	...	...	...	...	62.9
1904	...	...	...	...	64.2
1905	...	...	...	...	55.4
1906	...	...	...	...	54.13
1907	...	...	...	...	50.7

The figures are disquieting as indicating a steady decline in the detective efficiency of the Police.”

Similarly under the head “property stolen and recovered” Mr. Kennedy says that the results are unsatisfactory all round and the failure to do better has nowhere been

satisfactorily explained. I have here a statement which goes to support Mr. Kennedy's remarks in this respect :—

					Stolen.	Recovered.	Ratio.
					Lakhs.	Lakhs.	
1902	...	...	...	...	18 64	6 14	32.98
1903	..	..	..	...	16 78	6 03	36 00
1904	...	...	...	...	16 86	6 28	38 39
1905	...	...	...	...	11 81	4 21	35.13
1906	...	...	...	...	11.59	4.22	36 6
1907	...	...	...	...	13 00	8.99	30 6

Before I pass on to another head may I draw the attention of Government to a question which I had asked last year with a view to get for villagers some concession in the fee for shooting licenses in forests? It was reported in the public press that in February last a tiger had killed a large number of cattle in the Khed and Mával talukás of the Poona district and that the villagers were unable to do anything as they had no shooting licenses, the fee for the same being Rs. 25 which was beyond their means. I thereupon brought the above facts to the notice of the Council and suggested that Government might reduce the fee in the case of villagers. Government were good enough to forward my question to the Divisional Commissioners with a view to ascertain whether any concession was needed. The Commissioner of the Southern Division obtained *inter alia* the opinion of the Conservator of Forests of his division, and apparently on the strength of that Government came to the conclusion that no modification of the rules was necessary. The case which had formed the basis of my question was, however, from the Central Division, and the opinion of the Commissioner of that division was that the shooting of tiger, panther, wolves and pigs in forests should be permitted without a license. His remarks on the present rule 13, under which special permission may be granted by the Divisional Forest Officer or Collector to resident villagers on special occasions and which Government apparently consider to be sufficient, are worth quoting. They are as follows :—

“The fact that the existing concession under rule 13 is not more availed of is due, not I think to the absence of need for it, but to the trouble and delay involved in procuring the Divisional Forest Officer's or Collector's permission. If a tiger has killed in the forest near a village, it is ridiculous to expect a *shikári* to waste a day or two in getting the Divisional Forest Officer's or Collector's permission before he sits up over the ‘kill.’”

One would have expected that in a matter like this the opinion of an experienced officer like the Honourable Mr. MORISON, writing as Commissioner of the Central Division, might have carried more weight than that of the Conservator of Forests of the Southern Division, but somehow the latter prevailed. May I, therefore, request Government to re-consider the matter and either reduce the fee or permit the shooting of tiger, etc., without a license?

Passing on to the head of “Land-Revenue,” I thankfully acknowledge that the present policy of Government in the matter of suspensions and remissions is far more con-

siderate towards the ryots than it used to be in the former times. The harassing procedure of individual inquiries has been done away with and the suspensions are announced in good time. No doubt, sometimes it does happen that the good intentions of Government are frustrated by the zeal of some of their officers and the ryots have to suffer. But even that is not so common now as it perhaps was at one time. Perhaps if such zealous officers ceased to exist, elected members would find a good part of their occupation gone, but happily or unhappily that *millennium* has not yet been reached. Only the other day I received information that in the village of Ashvi, though general remissions were given in respect of the land-revenue for 1905-1906, several persons were excluded from the benefit of that and that the revenue for 1908-1909 was recovered with undue severity, fines of as much as a fourth of the revenue being imposed on many persons. I regret the information reached me too late for submission as an interpellation, but I trust Government will be pleased to make the necessary inquiry into the matter. Apart from giving relief in individual cases of misguided zeal, however, I feel that it would not be a bad policy to take away that which gives scope for the exercise of the zeal. For instance, in the case of land-revenue the bugbear of forfeiture introduced by the Land-Revenue Code Amendment Act of 1901 is responsible for not a little of the exercise of that zeal and would have been more so but for the recent considerate policy of Government. That Act was hotly debated in this Council while in Bill form, but the point over which the official members exhausted all their armoury was as to restricting the power of alienation enjoyed by the ryots and the non-official members were characterized as the champions of the *sávkár* against the ryot. The other point made by the non-official members, however, *viz.*, that the Act proposed to take away the hereditary right of the occupants over their entire holdings if their assessment which forms a small fraction of the actual value of the holding fell in arrears, remained practically unchallenged. Before the passing of that Act, if land-revenue was in arrears the land could be forfeited but such forfeited land had to be sold and the surplus sale-proceeds after payment of the Government revenue went into the pockets of the occupants. Again, such land could be given only on the ordinary survey tenure, which is a tenure in perpetuity subject only to the payment of the land assessment for the time being. Under the amending Act of 1901, however, the land, whatever its value, can be forfeited absolutely for the payment of the arrears which bears a very small proportion, perhaps one in twenty, to the value of the land. Such land becomes the property of Government and they can give it to such persons and on such terms and for such periods as they like. This leads to two results:— one is that it leads the ryot to run into further debts or even to sell his cattle in order to avoid the forfeiture of his lands: in other words, instead of protecting the ryot from the *sávkár* it throws him further into his clutches; the other result is that the forfeited lands being often given out on short terms there is not much inducement to the new occupants to improve them. I do not mean to say that these results necessarily happen in all cases. The degree of frequency of these results naturally depends upon the degree of zeal of particular officers. Fortunately, officers of undue zeal in the enforcement of the provisions of that Act are now rather the exception than the rule. My objection, however, is to the fact that the above provisions, without being justified in any way, have been so framed as to become an instrument of oppression in the hands of officers of undue zeal. I would, therefore, earnestly ask your Excellency's Government to seriously consider whether the provisions might not be removed from the Act. I do not wish to

take objection at this stage to the restrictions on alienations imposed by that Act, because I know that there is considerable honest difference of opinion on that point.

I should like to say a word about the assessment of lands diverted to non-agricultural purposes. The Land-Revenue Code provides that, if land is so diverted, the Collector can, not only impose a fine, but can also revise the assessment in respect thereof, and in practice such revision of assessment is based on a percentage of the then market value of the land. This has naturally the effect of discouraging such diversion and the opening out of suburbs. The principle on which these revised assessments, or non-agricultural assessments as they are sometimes called, are justified is that Government are entitled to the unearned increment which is the difference between the values of agricultural and non-agricultural lands. It must, however, be remembered that non-agricultural lands have to pay heavy municipal taxes and also income tax, from both of which agricultural lands are exempt. The income tax, I need hardly add, automatically secures to Government a share of the increment. I must confess I cannot see any justification for penalising non-agricultural lands by imposing on them a heavy Government assessment in addition to the municipal taxes and income tax. That is evidently contrary to the policy which made town and village sites free from land assessment. The *gáonthans*, as they are called, are still exempt, and I submit that the lands so diverted really form additions to the *gáonthans* and should be similarly exempt.

Passing on to the kindred head of Irrigation I regret to observe that the irrigated acreage is almost stationary while the irrigation rate per acre is gradually increasing. I have here a table which shows clearly that the rate has been steadily increasing not only in the case of productive Major Works but also in the case of protective Major Works. The rate of the triennium 1905-06 to 1907-08 works to Rs. 15-3-0 per acre in the former case and to Rs. 6-4-0 in the latter. In no other province is the rating so heavy. In Burma where it is the heaviest it works out to Rs. 4-2-0 per acre for Productive and Protective works and in the United Provinces it works to Rs. 4-1-0. These high rates appear to account for the fact that the irrigated acreage in our Presidency is about the smallest in India. The percentage of irrigated to cropped area varies between 2·5 and 3·5—I believe the lowest in the country. And yet our Presidency, except in part, is the most exposed in the country. I submit the true revenue policy should be to raise an expanding revenue on an expanding irrigated acreage by a system of diminishing rate. The policy of the Irrigation Department however appears to be the reverse of that. They seem to believe in levying a maximum of revenue on a stationary area under irrigation. The continual forcing up of rates on the ground that they are easily paid is I submit open to grave objection. It is clear from the remarks of the Chief Engineer, Irrigation, that the demand for water for Rabi irrigation was very keen in the Deccan owing to deficient rainfall. Increasing the rates at such time when the Ryot has no alternative is like taking advantage of his present position. I hope both in the interests of the agriculture of the Presidency as well as in the interests of sound irrigational finance Government would be pleased to considerably reduce the present high rates.

As the question of the remuneration of village-officers is under the consideration of Government, and as it is intended to invite the co-operation of non-official members in such consideration, I do not think it necessary to say anything about it on this occasion beyond saying that it is of a very urgent character and the sooner it can be satisfactorily settled the better.

Before I bring my remarks to a close I should like to say a word about the Kaira and Lonávla Municipalities. The Kaira Municipality has recently been superseded for a term of three years. I have no intention of disputing the facts, but I venture to submit that the punishment meted out by Government falls on wrong shoulders. It appears hard that the ratepayers should suffer for the sins of certain members and should be deprived of the right of election for a period of three years. I hope Government will be pleased to re-consider the matter, and, while dealing as severely with the defaulting members as their misdeeds might require, remove the disability imposed upon the ratepayers by the resolution of Government for no fault of theirs.

As to the Lonávla Municipality, I should like to draw attention to certain anomalies that appear to exist in its constitution. The limits of that municipality have been recently considerably increased and yet the number of elected members has been reduced. Again, while all the municipalities in the Poona district have been granted the privilege of electing their Presidents, Lonávla has been singled out as an exception, and that in spite of the fact that Lonávla has a highly paid Superintendent as its executive officer. Now that the executive authority has been placed on a sound footing, would not Government be pleased to extend the franchise and give the municipality the right to elect its own President? Such extension was looked forward to by the Collector of the district in the report made by him on 8th July last, and I hope and trust Government will be pleased to carry it out at no distant date.

There are other heads on which I had intended to offer a few observations, but having regard to the time already taken by me I do not propose to do so. Fortunately the time has arrived when it would no longer be necessary to compress in one speech all that one has to say about the different branches of the Administration. Before the present year comes to a close the extended Councils will have come into existence, and not only will there be many more representatives of the people but they will have extended facilities for bringing before Government all questions affecting the public interests. Not only that, but such questions would be more effectively discussed, and the official and non-official members will be better able to appreciate the difficulties of each other and the merits and demerits of the respective positions taken by them on different questions. While expressing my gratification at what the Councils have been able to do under the existing system I may be permitted to conclude my remarks by expressing a confident hope that under the guiding influence of your Excellency and your able colleagues, and with the increased facilities that will be given under the new system, the non-official members may be able to do even more solid work and bring the Administration into closer touch with the people and their needs and enable the Presidency, not only to advance in prosperity, but to live in peace, comfort and happiness.

A.

Year.	Birth-rate.		Per mille.	
			Death-rate.	
1900	...	26.87	70.07	
1901	...	25.19	37.12	
1902	...	34.16	39.04	
1903	...	31.22	43.91	
1904	...	35.09	41.39	
1905	...	33.07	31.84	
1906	..	33.84	35.06	
1907	...	33.03	32.82	

B.

Births and deaths recorded in each year since 1897 in lakhs.

Year	Births.	Deaths.
1897	6.29	7.49
1898	5.82	5.48
1899	6.85	6.72
1900	5.05	13.13
1901	4.65	6.86
1902	6.81	7.21
1903	5.76	8.11
1904	6.43	7.64
1905	6.11	5.88
1906	6.25	6.43
1907	6.10	6.06
	65.72 lakhs of births.	81.17 lakhs of deaths.

15.45 lakhs representing excess of deaths over births since 1897.

C.

Medical charges in the Presidency in lakhs of rupees.

Years.	Medical establishment.	Medical Schools and Colleges.	Sanitation and Vaccination.	Hospitals and Dispensaries.	Plague.	Total.
1899-1900	3.26	1.79	3.96	8.15	14.43	31.59
1900-1901	5.16	1.87	4.58	8.15	13.12	32.88
1901-1902	4.31	1.97	4.30	7.63	2.28	20.49
1902-1903	4.18	1.79	4.19	7.72	6.46	24.34
1903-1904	3.67	1.97	4.11	8.32	2.01	20.08
1904-1905	4.51	2.00	4.55	8.56	1.89	21.51
1905-1906	4.62	2.20	4.33	8.78	2.93	22.91
1906-1907	4.45	2.18	5.01	9.27	2.02	22.93

D.

	1902.	1903.	1904.	1905.	1906.	1907.
(1) Municipal Expenditure—						
Water-supply Capital						
Outlay ...	0.66	0.70	1.29	1.59	2.20	
Drainage Capital Outlay .	1.71	3.45	2.68	6.05	1.96	
Hospitals and Dispensaries.	2.68	3.10	2.71	3.01	3.13	
Plague charges	1.22	1.33	3.52	0.48	0.75	
Total in Lakhs of Rs. ...	6.27	8.58	10.20	11.13	8.04	
	1902-03.	1903-04.	1904-05.	1905-06.	1906-07.	1907-08.
(2) Local Board Expenditure—						
Hospitals and Dispensaries, Sanitation and Vaccination ...	2.85	2.94	2.55	2.68	2.94	3.14
Water-supply	2.35	2.22	2.79	3.94	3.07	3.75
Total in Lakhs of Rs. ...	5.20	5.16	5.34	6.62	6.01	6.89

The Honourable Mr. IBRAHIM RAHIMTOOLA said:—Your Excellency,—At the outset I wish to tender to your Excellency and the Honourable Sir JOHN MUIR MACKENZIE my grateful thanks for the kindly reference made last year to my absence from the meeting at which the Budget was considered in this Council.

Dealing with the Budget Estimates it appeared to me that it would be interesting to compare the progress of revenue and expenditure during the last ten years. With this view I prepared a statement shewing the Budget Estimates for 1899-1900 and those for the current official year, *viz.*, 1909-1910, with increases and decreases under each major head. I have sent a copy of this statement to each member of this Council. Taking the revenue side first, the total income of Rs. 6,20,87,000 shews an increase of Rs. 1,86,16,000 or nearly 43 per cent. If this increase indicated a normal growth of revenue it would be considered as a very satisfactory feature but such is not the case. If your Excellency refers to the footnote it will be seen that while the Provincial share of land-revenue in 1899-1900 was a quarter, it has since been raised to half. This item alone gives us approximately an increased revenue of about a crore of rupees. The actual growth shewn by the total receipts estimated under land-revenue is very small indeed. The next important increase appears under excise. In this case also the Provincial share ten years ago was a quarter and it is half now. If the revenue from this source had remained stationary the income would have been double what is shewn in the year 1899-1900, *viz.*, over 57 lakhs. It is, however, shewn at 87 lakhs, shewing an increase of 30 lakhs for the Provincial share, or 60 lakhs on the entire revenue from this source. It works out at an increase of over 50 per cent. in ten years. I am not in a position to discuss the subject as I have not studied it. I wish merely to invite the attention of this Council to the fact that there has been an increase of 60 lakhs in the revenue from excise or 50 per cent. in the course of ten years. The substantial increase under registration is also due to the fact that the entire revenue from this source is now Provincial while formerly our share was only half. The only other item on the revenue side which may be noted is the income from irrigation the total from which is estimated at 21 lakhs 2½ thousand against an income of only 30 thousand ten years ago. The corresponding item under expenditure shews an equally high amount.

Taking the expenditure side, the first large increase is under land-revenue, but I believe that is due to the fact that, as we are getting half the revenue from that source now, we have to bear half the expenditure instead of a quarter as before. The large increase under excise is probably due to the same cause and also to the largely increased revenue obtained from that source. It is gratifying to find that there has been a substantial increase in the cost of the police. The increase shewn comes to nearly 32 lakhs and works out at over 50 per cent.

Taking the expenditure on education it is very satisfactory to notice that there is a large increase under this head. According to the statement the increase appears at nearly 27 lakhs, but out of this has to be deducted, as stated in the footnote, a sum of nearly 11 lakhs which was formerly debited as a contribution from Provincial to Local and is now shewn along with the total expenditure under the head "Education." Though the increase under this head is substantial and in excess of the percentage growth of revenue, there will always be a feeling that Government might have spared a few more lakhs towards this item of expenditure which does the people far more good than can

be reckoned in rupees annas and pies. I know from what the Honourable Sir JOHN MUTR MACKENZIE told us at the conference that Government were fully alive to their responsibilities under this head, especially in favour of primary education, and that they propose to do their best in finding more funds for this object. I am sure everyone must regret the decision of the Government of India under which the grant of a lách and fourteen thousand for primary education has had to be curtailed to only 60 thousand. We have to be content with the assurance conveyed that your Excellency's Government will endeavour to make up the difference in the course of the year and that as far as possible the full provision of a lách and fourteen thousand will be made available for this purpose.

The total direct expenditure on primary education comes to about 15 láchs. Of course, to this sum will have to be added the proportionate cost of direction and inspection which are shewn under different heads in the Budget Estimates. Then also the expenditure incurred by local bodies on primary education will have to be added. It would be interesting for this Council to know what the total expenditure on primary education has been during the last ten years and what has been the actual increase from year to year. I need not dilate upon the desirability of advancing primary education, as there is no question about it. Members of this Council, who have been on the board for some years past, will remember how strongly I feel on the desirability of free and compulsory primary education. I am very glad that the Honourable Mr. KEARN and the Honourable the Jáhirdár of Ichalkaranji have echoed the sentiments to which I have repeatedly given expression in this Council. I do not wish to go into the history of that question, because now under the Police Charges Act the liability for primary education in the City of Bombay has been transferred to the Municipal Corporation, and in spite of the recommendation of the Government Committee which was appointed to report on the subject, I strongly feel that the time has come when, at all events in the City of Bombay, an experiment ought to be made for making primary education compulsory for boys. If it cannot be done for the whole city, it is desirable that the experiment should be tried in one of the wards of the city and sufficient working data obtained that way. It is no use sitting quiet and doing nothing in the face of the fact that the enlightened ruler of the State of Baroda has introduced free and compulsory primary education in his province, and reports shew that it has been a great success. I hold that the body who makes the first experiment of introducing primary education in a large town, or in some part of the Presidency, will render a most important and valuable service to the country as a whole, and will earn well, not only of the town or place concerned, but of the whole country, because the adoption of such a measure in one place will lead to the spread of the principle to other places.

The next item of public importance on the list is that for medical relief. The figures shew that the grant has remained stationary and that there has not been the least increase under this head. This is not actually so. In the Budget Estimates for 1899-1900 under the head "Medical" was included a sum of rupees 12 láchs 64 thousand for direct plague expenditure while in the current year such provision is only 2 láchs and 15 thousand. There has therefore been a substantial increase of 10 láchs under this head. Under the head "Scientific and other Departments" there is an increase from 2,41,000 to 3,69,000 or of 6 láchs and 28 thousand. The major portion of this expenditure is incurred in efforts to improve agriculture.

The total expenditure under the various items of Irrigation is Rs. 29 lakhs 49 thousand against only 18 thousand ten years ago. The financial statement furnishes the required explanation in regard to this. The only other item which calls for remarks is the provision for civil works. The increase from 41 lakhs 52 thousand to 77 lakhs 96 thousand works out at 90 per cent. I believe the reason is that in 1899-1900 when the finances of this Presidency were in a very unsatisfactory condition this Department was kept at the very lowest sbb possible and that in proportion to the improvements in our finances the arrears of previous years have had to be supplied. This would probably account for such a heavy increase of expenditure under this head.

The year under review has been full of various topics of great public interest. I am very pleased to note that the suggestion which I have repeatedly made for taking the non-official element into the confidence of Government and associating them in the responsibilities attaching to the work of administration has been largely given effect to. The Honourable Sir JOHN MUIR MACKENZIE will remember how often I have pressed for round-table conferences at which members of Government should meet representative Indians to discuss and decide various problems constantly arising in the government of the Presidency and for the welfare of the people. The most important of these has been the one to which the Honourable Member in charge of the finances of this Presidency refers in paragraph 9 of his opening remarks. The non-official members of this Council were invited for the first time to meet him in conference to associate with him in framing the Budget. I was present at the conference and I am sure the Honourable Member will readily recognize that the spirit displayed by the non-official Councillors was one of sincere helpfulness and that there was an eminent desire on their part to be constructive in their criticism and practical in their suggestions.

The next relates to the appointment of the Haj Committee. Here also members of the Mahomedan community have been invited to associate with the Officers of Government in the administration of a very difficult and responsible work intimately affecting the large Mahomedan population in India.

I do not know whether Your Excellency is aware that it was in the year 1904 when there were widespread complaints of the hardships and inconvenience entailed upon pilgrims in consequence of the compulsory segregation at Pir Páo, that I ventured in the form of an interpellation in this Council to suggest that such a Committee should be appointed. There was to my mind a much greater necessity then of such an organization. I was told in reply that the suggestion would receive consideration. I revived it in 1905 and inquired what was the result of the promised consideration. I afterwards received a letter from Government intimating that they did not consider it necessary to appoint such a Committee. Since then quarantine has been abolished but still a great deal of work remained to be done and the appointment of the Committee will undoubtedly be much helpful in this respect. I am therefore very pleased to note that Government have thought fit to give effect to my suggestion and have invited members of the different Mahomedan sects to serve upon it. I am sure they will all be helpful to the Officers concerned with the pilgrim arrangements and to the large number of Hajis who proceed every year from Bombay to the Hidjaz to discharge a religious obligation.

The third instance in which the non-official element was invited to co-operate with the officers of Government was in connection with the Mohorum celebrations of last year.

I am told that this was done at Your Excellency's initiative, and your presence at the first meeting when representative Mahomedans were invited at the Secretariat had a very wholesome and encouraging effect. How successful this co-operation between the officers of Government and the representative Mahomedans proved to be is now a matter of history. The Mohorum celebration passed off without a hitch and I must say that great credit is due to Mr. DuBoulay, whose name Your Excellency suggested for the chairmanship of the Mohorum Committee, for his great tact, sympathy and consideration. I have given these three instances to show how advantageous and beneficial it is to work the administration of this Presidency in co-operation with the people. I hope it means that a definite policy has been laid down for the future that on every important occasion representative Indians of the different communities will be taken into the confidence of Government and their co-operation and assistance invited in all matters affecting the people of this Presidency. If this is done and round-table conferences and mixed committees become the order of the day, the work of administration will be greatly facilitated and a feeling of general satisfaction will prevail throughout the Presidency.

As I have already touched upon two points affecting my community I may be permitted to say a few words here in connection with the proposed Musaferkhana for the Mahomedan pilgrims. A short time before I went to England last year, the result of two years' correspondence with Government on the subject of a suitable site was most discouraging. The final decision as regards the Paltan Road site communicated to me was so manifestly unreasonable that I was considering whether it was any use prolonging the correspondence any further. I had only two alternatives in my hand, the one to appeal to the Government of India and the other to appeal to the public through the Press. But before I could adopt either of these alternatives I received a letter inviting me to meet Your Excellency. At the interview I explained to you all the aspects of the case and was pleased at the view Your Excellency expressed after giving me a patient hearing. Your Excellency promised that if I wrote again to Government on the subject you would look into the papers in view of what I had urged and promised to give us a site on the Military ground opposite the Crawford Market, one of the sites for which I had asked in one of my previous letters. This promise has been fully redeemed and Your Excellency has thereby laid the entire Mahomedan community of India under a deep debt of gratitude. The site for the proposed Musaferkhana has now been fixed in consultation with the Executors of the late Mr. Bachoo Haji Saboo Sidick, who have voluntarily raised their grant to three lakhs of rupees and the plans are in course of preparation for submission to Government. I am sure the work of construction will be taken in hand as early as possible. The large area which Government have been pleased to grant will enable the Executors to put up a large and commodious building and the keenly felt want for house accommodation for the pilgrims will shortly be supplied. I hope Your Excellency will be graciously pleased to perform the ceremony of laying the foundation stone of the proposed Musaferkhana.

It is very gratifying to find that the large instalment of associating the people of India with the administration of the country has received the sanction of both the Houses of Parliament in the form of the Indian Reform Bill and Your Excellency's Government will have shortly to announce what the constitution of the enlarged Legislative Council will be and how it is proposed to work out the non-official majority in this Council. I am very pleased to observe that in spite of the opposition of this Government to the principle

of elective representation on the communal basis, both the Government of India and the British Parliament have accepted the principle and a certain number of seats have been set aside in each Legislative Council to be filled up by Mahomedans elected by themselves. In his last speech in Parliament the Secretary of State read a telegram from the Government of India which referred to the constitution of this Council. It stated that four seats will be reserved for the election of Mahomedans on the communal basis and that two will be won by them in Sind out of the common electorates, thus bringing up the number of elected Mahomedan members to six, representing 28 per cent. of the total. I do not know how this percentage is worked out. I have not seen it stated anywhere what is going to be the constitution of this Council in view of the Despatch of the Secretary of State and until the details are published it would be premature to say whether the proportion of Mahomedan representation indicated in the telegram is really adequate.

His Excellency the PRESIDENT: I may tell the Honourable Mr. IBRAHIM that the question is not under the control of this Government.

The Honourable Mr. IBRAHIM RAHIMTOOLA: I confine my observations to this Council and the part of the matter which is under the control of the Bombay Government.

His Excellency the PRESIDENT: The question which you are now discussing is not under the control of the Bombay Government, and you are therefore not in order. This is a question between the Government of India and the Secretary of State.

The Honourable Mr. IBRAHIM RAHIMTOOLA: I will submit to any ruling which Your Excellency will make. But I may say that I confine my remarks to the enlargement of this Council, and I am not referring to anything which the Government of India or the Secretary of State may have done. I merely refer to those opinions which this Government has advanced in favour of a particular course. I am not dealing with what the Government of India may do.

His Excellency the PRESIDENT: You were referring to the decision of Government. There is no decision of Government.

The Honourable Mr. IBRAHIM RAHIMTOOLA: I mean the recommendation of Government.

His Excellency the PRESIDENT: You mean the recommendation of the Government to the Government of India? That is a question on which you can speak.

The Honourable Mr. IBRAHIM RAHIMTOOLA: Yes. The recommendation of this Government as affecting this Council.

I notice that the Government of India have included two seats in Sind, one for the Zamindárs and the other for the District Boards, in the total representation proposed to be provided for the Mahomedan community. In both these constituencies the number of Mahomedan members largely preponderates and it may reasonably be assumed that they will return Mahomedans to the Legislative Council. I am prepared to admit that in cases in which in consequence of a large preponderance of the Mahomedan vote there is a practical certainty of a Mahomedan being always elected that such seats may be computed as specially Mahomedan for the purpose of determining the extent of

Mahomedan representation. There is no reason why Mahomedans elected by such constituencies should not consider themselves as having been elected by electorates purely Mahomedan in all matters affecting Mahomedan interests. At the same time I think it is necessary in determining the number of seats to be allotted to the representation of this special interest to take into consideration the circumstances of each Province.

In this Presidency I think it is necessary to provide five special seats instead of four mentioned by His Excellency the Viceroy. No one can question the right of the Mahomedans of the City of Bombay, to at least one seat on the Legislative Council on the communal basis. One seat will have to be given to Sind in addition to the two which the Mahomedans are expected to win out of the mixed electorates. One seat each should in my opinion be provided for each of the remaining three divisions of the Presidency. The total number of special Mahomedan seats should therefore be five and not four. If the number is not increased to five, one of the divisions of the Presidency proper or Sind will have to remain without communal representation which would hardly be right. The increase by one of the number of seats provided for the Mahomedans will not give to the community excessive representation—certainly not in excess of what is understood from the statement made by the Secretary of State in his speech in Parliament. The provision of five seats has the added advantage of the Mahomedan representation not falling too short in the event of one of the mixed constituencies in Sind referred to by His Excellency the Viceroy selecting a non-Mahomedan as its representative.

Much has been recently said about the effect of having separate Mahomedan electorates on the national sentiment and the union of the people. I do not know whether constant friction in matters of election and the resulting heartburning is likely to promote a feeling of national unity. I am inclined to think that it would more easily conduce to such sentiment being genuine and real if the causes for such friction, unpleasantness and dissatisfaction were removed. In many countries in which the same conditions prevail, similar arrangements have worked for years without the apprehensions entertained on this score being realized. Take the instance of the Punjáb. In the municipal elections for that Province the principle of representation on the communal basis has been put into effect and the official report of the working of this system is the following: "The system of each community electing its own representatives where it has been tried in the Punjáb has proved popular and successful as it removes a frequent cause of friction and secures the representation of minorities."

It would be interesting to know whether there are any reasons other than those mentioned by Government in their Despatch to the Government of India and with which I propose to deal later on upon which they have based their recommendation. If there are, I am rather curious to know them because the views of the present Government appear to be opposed to the views held by the Bombay Government only seven years ago. The Bombay Government of 1901 felt so much convinced at the disparity between the Mahomedan population of this Presidency and their elected representatives on the District Municipalities that at the time of amending the District Municipal Act in that year they deliberately introduced on their own initiative a section in the Act taking power to frame regulations to empower sections of inhabitants to elect Municipal Councillors. After much opposition the section was

passed by this Council and it stands on the statute book. The one thing which I wish to pointedly bring out is that although there was apparently no public agitation on the subject, the facts of actual representation which must have been brought to their notice by their own officers were considered of such overwhelming force and cogency that Government essayed on their own initiative to rectify the defects of the prevailing system and concede representation by election on the communal basis. Unfortunately for the minorities the officers responsible for the legislation retired from office and their successors did not take action under the new section. To give effect to it, rules and regulations have to be framed and unless this was done by Government the section must remain inoperative. I thought that the matter was receiving attention and after all the officers concerned were duly consulted the section would be put in operation. Finding that such was not the case, I drew the attention of the Government of Your Excellency's predecessor in one of my Budget speeches and I was told in reply that the matter will be inquired into and carefully considered. In the meantime the present Government intimated to the Government of India in their reply to the Reform Scheme that they did not approve of communal elections and recommended that the Mahomedans should be content with nomination. In the two schemes submitted by them for the future constitution of this Council, no provision was made for the election of Mahomedans on the communal basis. The Government of India appeared convinced by the arguments of this Government and in their Despatch to the Secretary of State recommended that the Mahomedans of Bombay should continue to be represented by nomination. The only alteration they made was to specify the number of special Mahomedan seats to be reserved on this Council. This number was then fixed at three but has since been raised to four, all to be filled up by nomination.

Your Excellency is aware how strongly my community feels on the subject of the method of representation. We have enjoyed representation by nomination all these years and it is against this form of representation that the community has strongly protested. The Secretary of State has, however, since given a clear and definite pledge to the effect—

- (1) that the special seats reserved for the Mahomedans shall be filled by elections by separate electorates on the communal basis; and
- (2) that the Mahomedan representation on the Legislative Council shall be in excess of their numerical strength.

These pledges will have to be fully redeemed and I trust we will not hear any further of representation on this Council by what Lord Morley calls the "dubious method of nomination". In the reply which Your Excellency's Government sent to the Government of India I find that the only reasons advanced against Mahomedan elections are that the members of the Mahomedan community are scattered over large areas, that it would be difficult to have constituencies established for them and that they are at present unorganized for the purpose of common action. They proceed to add that when the Mahomedans become politically consolidated it might be possible to secure representatives nominated by Central associations. Surely these cannot be the only reasons which justified this Government in declaring against Mahomedan elections at present and leaving them to be content with nomination as before. The members of the Mahomedan community are certainly scattered over large areas but they are not singu-

lar in that respect. Take the case of the Bombay University which has enjoyed the privilege of electing a member to the Legislative Council for the last 17 years. Are not the Fellows of the University scattered over the whole Presidency? Has there been any difficulty in holding elections for the University seat? Take the people of the three divisions—the Northern, the Central and the Southern. They are all scattered over large areas and still it has been possible to hold elections for their representation through the Municipalities and the District Local Boards. The same principle can easily be applied for the election of Mahomedans. If it has been possible to hold elections for the representation of a whole Presidency on the Imperial Council I cannot see why they should not be held in the case of the Mahomedans who are certainly not scattered over to the same extent. Take for instance the City of Bombay which will I trust receive the right of electing at least one member to the local Council. They surely cannot be debarred from the privilege of electing a member on the ground that they are scattered over large areas. It is quite easy to form a separate electorate for Bombay City consisting of such Mahomedans as

- (1) pay a certain amount of income-tax,
- (2) hold University degrees of certain standing, and
- (3) are holders of Government distinctions and decorations.

All Mahomedans answering to one or more of these qualifications and residing in the City may well be invited to elect a representative. As regards the representation of the Divisions of the Presidency some such system as noted below may well be applied without any difficulty. Let a list be prepared in each of the areas to which Municipal Government has been conceded, of such Mahomedans as

- (1) pay a certain amount of income-tax or land-revenue,
- (2) hold University degrees, and
- (3) are holders of Government distinctions and decorations,

and let each one of these centres be invited to elect a certain number of members to an electoral college for the purpose of electing a member of the Legislative Council.

Take the case of the Northern Division. Let such lists be prepared for Ahmedabad, Dholka, Virangám, Kapadvanj, Nadiád, Umreth, Godhra, Broach, Surat, Thána, Kurla and Bándra and invite those Mahomedans whose names appear in such lists for each town to elect a certain number of men to the electoral college, the number of members to be elected by each being determined by the importance of each town and its Mahomedan population. The electoral college thus formed should be invited to elect a member to represent the community of the Division. The system suggested is the same which has prevailed all these years for the representation of these divisions on the territorial basis. The qualified voters elect a certain number of local residents to the respective municipalities and they in their turn elect the required number of members to the electoral college. The only difference is that in the case of elections on the territorial basis, all the municipalities have been included, while I have restricted my scheme to those towns only which have a total population of 15,000 and over. If Government desire that all municipal areas should be included in the scheme for communal elections also I have not the slightest objection to it. My desire in limiting the towns was to simplify the election proceedings and not to make elections at the first stage too numerous.

The total number of voters for each constituency both in the case of the City of Bombay and in that of the selected towns in each division can easily be regulated by Government by fixing the amount of taxes paid at such a figure as to give the required result. I venture to submit that there can be no difficulty in creating a Mahomedan constituency for the City of Bombay on the lines indicated by me. As regards the districts, if it appears to Government that it is not possible within the time at their disposal to prepare lists of voters as suggested by me and to hold elections even in the case of towns with a population of 15,000 and over, then I would submit that the first elections be confined to the elected Mahomedan members of the Municipalities and District Local Boards combined. This procedure will ensure the return of a Mahomedan to the Legislative Council elected by the representatives of the community on the public bodies in each division. If it is considered necessary, these voters may be debarred from participating in the mixed elections for returning members from that division. I am offering this suggestion merely as a temporary measure only to be resorted to in the event of any serious difficulties in the way of complying with the previous suggestion. Before the next elections come round there will be ample time to frame a separate Mahomedan electorate on the lines mentioned by me or such other as may appear to Government to be more suitable. The other objection deals with the want of representative associations amongst the Mahomedans. At the time when this reply was sent it was probably contemplated that the best form of communal electorates was Central associations. I earnestly hope that such is not now the intention of Government.

In my reply on the Reform Proposals I have dealt fully with this question and have pointed out the reasons why in most cases such a right will lead to mischievous results. I am glad both the Government of India and the Secretary of State have taken the same view. In paragraph 29 of the Despatch of the Government of India of the 1st October last, they say: "There are however certain possibilities connected with it which may become serious if the expansion of the Councils and the enlargement of their powers should stimulate the electioneering spirit in India. If election by associations is admitted as the standard means of giving representation to classes it seems probable that rival associations may claim recognition and that it may be difficult to decide between them. There is also the danger that an association may be captured by a small ring of Politicians; that its original character may be transformed by changing the conditions of membership or by manipulating admissions; or again that the whole organization may exist as the Honourable Malik Umar Hyatkhan has suggested 'more on paper than in practice'. Lastly where parties are formed within an association with the result that the validity of an election is disputed and each party charges the other with fraud, it is obvious that the Government would find some difficulty in determining which of two rival candidates should be held to have been elected. For these reasons we consider that the recognition of associations as electoral agencies should be regarded as a provisional arrangement to be maintained only until the interests which they propose to represent demand the formation of a regular electorate and succeed in satisfying the Government that this step in advance is possible."

The Secretary of State confirms this view in the following words: "And you point out with much force the objections to election by voluntary associations. In these observations I agree and especially in your remark that the recognition of associations as electoral

agencies should be regarded as a provisional arrangement to be maintained only until some regular electorate can be formed."

I do not know the special circumstances prevailing in the different Provinces of India and cannot therefore say whether it would be necessary to recognise as an electoral agency any voluntary association existing there but I am in entire agreement with the views so ably expressed in the Despatch and trust that no such procedure will be adopted in this Presidency.

I do not see any difficulty in the formation of separate Mahomedan electorates in this Province and if my suggestion is adopted with such modifications as may appear necessary to Government separate Mahomedan electorates can easily be formed and the election proceedings conducted on a satisfactory basis. I earnestly trust that some such means will be found to grant the right of election to the members of my community for all the Mahomedan seats reserved for them and that it will no longer be suggested that we should depend upon the "dubious method of nomination". Nothing short of the due fulfilment of the pledge of separate electorates for Mahomedans will satisfy the community.

I should like to add that if Government decide in spite of what I have urged to retain the number of special Mahomedan seats at 4, I trust that in apportioning them they will bear in mind that Sind will secure 2 seats out of the mixed electorates. It will therefore be necessary to set aside a sufficient portion of the four special seats if not all of them for the adequate representation of the Mahomedans of the Presidency proper.

I do not wish to conclude my remarks on this subject without saying that His Excellency Lord Minto in pressing for Mahomedan representation by election on the communal basis and Lord Morley in accepting it have both shewn far-sighted statesmanship. I think the recognition of this principle was necessary both in the interests of good Government and those of the country. It is to my mind very necessary that the British Government should be in a position to know at first hand the views and sentiments of all the important sections of the people over whom they are called upon to exercise authority and no better means can be found of ascertaining such views than through their elected representatives on the Legislative Councils. It is equally necessary in the interests of the country's political advancement that the views of the educated Hindoos and educated Mahomedans should be expressed freely and independently. No real political progress is possible until the two important communities inhabiting this land work conjointly and in co-operation. Such co-operation does not require fighting elections. It is easier to secure it through their elected representatives. By the means of elections held on the communal basis it would be easy to ascertain in regard to every important question whether the two communities are at one or are divided. If they hold identical views the path of progress will become smooth and easy. If they are divided the grounds for such division will be authoritatively known and remedies applied. It is to my mind clearly necessary both in the interests of good Government and in those of India that the Mahomedan representatives on the Legislative Councils should be free from the taint of Government patronage as well as dependence upon the vote of the Hindoo majority. I feel confident that when in the near future the clouds of dust raised by misunderstanding and misapprehensions become dispelled, my Hindoo friends will be the first to recognise that the principle of communal representation by election has done and will continue to

do immense amount of good to the cause of political advancement and progress of our motherland.

The Honourable *Shán Bahádúr NAVROJI PESTANJI VAKIL* said:—I thank Your Excellency very sincerely for the liberal manner in which Your Excellency has been pleased to provide for the pressing needs of primary education in this Presidency. I had submitted facts and figures in my last Budget speech to show among other things that of the agricultural classes proper only one per cent. can read and write and that out of 100 villages only three happen to have girls' schools and I am glad to see the matter has received Your Excellency's most considerate attention. The case of the Gujarát College is also one deserving of Your Excellency's powerful help and support. It is struggling hard for want of means and it is the only college in the whole of Gujarát. Attempts have lately been made to raise funds for its use but hitherto without success. Ahmedabad where the college is located is a very large centre of trade and is the junction of several railways, and it is necessary that such a big city and such an important Province like Gujarát should have a Government college. And I therefore join my honourable friends Sir *PHEROZESHAH MEHTA* and Mr. *SETALVAD* in asking Government to take up that Institution. Should Government however be unable to take up the Institution I hope they will at least see their way to increase the grant and thus enable it to do more effective work. I am further to thank Your Excellency for your kindness in assuring me that my suggestion regarding the canning of food in this Province after the improved and scientific methods adopted in Europe will receive Your Excellency's consideration. India abounds largely in fish, flesh and fowl, also in vegetables and fruits, and could these be preserved for internal use as well as for Europe and for the large supply of Bombay it would add much to the resources of the country and give increased occupation to the agriculturists and others. I have now to bring to Your Excellency's notice the fact that there are no asylums for helpless paupers in this Presidency maintained by Government, Municipalities, Local Funds or Boards, and that for the want of this many poor people pass their lives in and die miserably in the streets. I humbly beg that this painful circumstance may receive Your Excellency's kind and sympathetic consideration and some small beginning may in future be made in this direction.

The Honourable Mr. *M. DE P. WEBB* said:—Your Excellency,—There are one or two matters to which I should like to make brief reference. On some of these I should like to say a word because they do not appear in the Budget statement though I should like to see them there, and the other points I wish to refer to because we do see them there though I think we should all be very glad to see them omitted. The first reference is to the matter of the improvement of Karáchi. For some years past, much inconvenience has been caused owing to the various public offices in Karáchi being scattered over various parts of the town and there have been frequent expressions of the great desirability of concentrating all these offices on one site and that Government recognised this is shown by the fact that seven years ago they wrote "that it may reasonably be expected that a new cutcherry on the old jail site might be completed in four years' time." That implies that it is on Government's own showing three years overdue. Two representations were made on the subject last year and we were in hopes that it had sufficiently matured to allow of provision being made for it in the present Budget. The second point to which I wish to refer is with regard to the improvement of the Province of Sind. We are very anxious to know what

progress has been made with the dam at Sukkur and the irrigation works which are to be carried out in connection with it. The whole of the progress of Sind is bound up with the continued activity of Government in the Irrigation department and we are anxious to know when the dam at Sukkur and the irrigation works on the banks of the Indus are likely to be begun.

The third matter not mentioned in the Budget is with regard to the approach to Sind, by sea. For several years representations have been made to me by mariners with regard to the want of a light at the Hajamrao mouth of the Indus. I believe that for about Rs. 30,000 or Rs. 40,000 a floating light could be provided to serve to direct mariners as to their exact location. Between Cutch-Mándvi and Bombay I believe there are 34 lights and there are 4 to Bombay harbour but between Cutch-Mándvi and Karáchi there are no lights at all.

The matters which are to be found mentioned on nearly every page of the Financial Statement but which all would be very happy to see omitted are those of plague expenditure and allowances. What the expenditure under these headings comes to I do not know but inasmuch as they are mentioned on nearly every page of the Budget statement it must be considerable. But what I want to draw attention to is not the amount of money but the state of affairs which renders its expenditure necessary. Are we to take it that the plague cannot be stamped out? Have the medical experts given up hope of solving the problem and is the disease to go on unchecked? If Government could give us a statement in which this item did not appear everybody would be highly satisfied. With regard to the grant of compensation allowances, have Government yet instituted any inquiries to discover what is the cause of these increases? The increase in the price of food-stuffs, I take it, Government do not take to be permanent. It has been noticed not only in food-grains but other commodities have also increased in price. In other words the spending power of the rupee has diminished. Have Government, who are the manufacturers of rupees, taken steps to prevent that which makes compensation to minor servants necessary?

Government have recognised that there is injustice and hardship for their servants. Have they realised that there are many thousands and millions of people in the country on whom a similar hardship presses if there is any diminution of the spending power of the rupee brought about by the action of Government? I think an inquiry is urgently called for and even if we assume that the depreciation in the purchasing power of the rupee has been caused by some lack of a definite currency policy on the part of the Government—and I am one of those who think that it has been so caused—I think we should be told whether any attempt has been made to find the reason of this increase in prices.

I cannot sit down without expressing satisfaction at the provision for the encouragement of agriculture, especially that for the purpose of experimenting on the salt lands of Sind.

I only hope it will be successful and that we shall be able to do more in the future.

The Finance Minister of the Government of India described the compilation of estimates as "a gamble in rain". I think the assertion is roughly correct and inasmuch as we are provincially dependent upon the gamble in rain, I only hope that this

monsoon will be of such a character that in this Presidency we shall not have to make any corrections in the Budget on account of famine.

His Excellency the PRESIDENT :—I now adjourn the Council until 11-30 a.m. on Monday. Upon its resumption items No. 4 and 5 in the Agenda will be proceeded with, after which the debate on the Budget will be continued.

By order of His Excellency the Honourable the Governor,

G. D. FRENCH,

Secretary to the Council of the Governor of Bombay
for making Laws and Regulations.

Poona, 19th June 1909.

Abstract of the Proceedings of the Council of the Governor of Bombay assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 and 25 Vict., c. 67, and 55 and 56 Vict., c. 14.)

The Council met at Poona on Monday the 21st June 1909, at 11-30 a. m.

P R E S E N T :

- His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E., Governor of Bombay, *presiding*.
- The Honourable Sir JOHN W. P. MUIR MACKENZIE, K.C.S.I., M.R.A.C., I.C.S., J.P.
- The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I. C. S.
- The Honourable Mr. CHIMANLAL HARILAL SETALVAD, B.A., LL.B., J.P.
- The Honourable Mr. GOKULDAS KAHANDAS PAREKH, B.A., LL.B., J.P.
- The Honourable Mr. DAJI ABADI KHARE, B.A., LL.B., J.P.
- The Honourable Sir VITHALDAS DAMODHER THACKERSEY, Kt., J.P.
- The Honourable Meherbān NARAYANRAO GOVIND *alias* BABA SAHEB GHORPADE, Jāghirdār of Ichalkaranji.
- The Honourable Mr. HARI SITARAM DIKSHIT, B.A., LL.B., J.P.
- The Honourable Mr. IBRAHIM BAHIMTOOLA, C.I.E., J.P.
- The Honourable Mr. RICHARD AMPHLETT LAMB, C.I.E., I. C. S.
- The Honourable Sir PHEROZESHAH M. MEHTA, K.C.I.E., M.A., J.P.
- The Honourable Khān Bahādur NAVROJI PESTANJI VAKIL, C.I.E.
- The Honourable Mr. MONTAGU DE POMEROY WEBB, C.I.E.
- The Honourable Sardār Meherbān LAKHANGAUDA BASAVPRABHU, Sar Desāi of Vantmuri.
- The Honourable SYED ZAIN EL EDRUS.
- The Honourable Mr. THOMAS JOSEPH STRANGMAN, Advocate General.
- The Honourable Mr. WILLIAM HASTINGS SHARP, M.A.
- The Honourable Mr. CHARLES HERBERT ARMSTRONG.
- The Honourable Mr. W. L. S. L. CAMERON, C.S.I., A.M.I.C.E., J.P.
- The Honourable Mr. HUGH MURRAY.
- The Honourable Mr. GHULAM MUHAMMAD KHAN *walad* Khān Bahādur WALI MUHAMMAD KHAN BEURGRI.

BILL NO. IV OF 1903 (A BILL TO PROVIDE FOR THE ERECTION AND MANAGEMENT OF THE PRINCE OF WALES MUSEUM OF WESTERN INDIA).

His Excellency the PRESIDENT :—I call upon the Honourable Mr. JENKINS to move the second reading of the Bill to provide for the erection and management of the Prince of Wales Museum of Western India.

The Honourable Mr. JENKINS :—Your Excellency,—The Select Committee has only

The Honourable Mr. J. L. JENKINS moves the second reading of a Bill to provide for the erection and management of the Prince of Wales Museum of Western India.

made one alteration in the Bill and that alteration is made for the purpose of making the method of appointment of representatives of the Bombay Corporation to different public bodies as uniform as possible. The alteration will be found in the third clause of the Bill. The amendment to clause five is purely consequential. I move that the Bill be read a second time.

The second reading was carried and after the clauses had been considered and passed *seriatim* the Honourable Mr. JENKINS in moving the third

Bill read a second time.
Consideration of the Bill in detail.

reading said :—Your Excellency,—I think I shall be expressing the feeling of Government and of the whole Council when I say that thanks are due to the gentlemen who as members of the Committee have worked in the interest of the Museum up to this point and whose duties will cease when the Bill becomes law. As long as we have in Bombay able and experienced men who are willing to devote time and ability to the service of the public, we shall do very well. We flatter ourselves that we have in Bombay a greater number of such men than is to be found in other parts of India.

Bill read a third time and passed.

The third reading was carried and the Bill was passed.

W BILL No. I OF 1909 (A BILL TO AMEND CERTAIN ENACTMENTS AND TO REPEAL CERTAIN OTHER ENACTMENTS).

The Honourable Sir JOHN MUIR MACKENZIE :—With your Excellency's permission I now propose to move the second reading of

The Honourable Sir JOHN W. P. MUIR MACKENZIE moves the second reading of a Bill to amend certain enactments and to repeal certain other enactments.

Bill No. I of 1909, a Bill to amend certain enactments and to repeal certain other enactments, as amended by the Select Committee. At the present stage I propose to say nothing more than to give expression to my regret that the Bill should have turned out so much more controversial a measure than I anticipated. If we could have foreseen this we might have taken another line. But such having been the case we felt that it would be better to go on and make the best of the Bill in the form in which it had been originally presented, and I hope the Council will make no difficulty in disposing of it in this form. For Bills of this kind, it is generally customary to ask the Council to pass the second reading without discussion and to take the discussion when the clauses are considered in detail. I will, therefore, make no further remarks at the present stage. I shall have some things to say when the clauses are considered in detail. I now ask the Council to pass the second reading of the Bill.

His Excellency the PRESIDENT :—The motion is that the second reading of the Bill be passed.

The Honourable the JA'GHIEDA'B OF ICHALKARANJI :—I should like to speak on the second reading of the Bill.

The Honourable Sir JOHN MUIR MACKENZIE :—The Honourable Member will have an opportunity of speaking when the Bill is considered in detail.

The Honourable the JA'GHIRDAR OF ICHALKARANJI:—When the motion before the Council is for the reading of a Bill a second time members have an opportunity of speaking on it, and it is customary for the President to ask each member if he has anything to say.

His Excellency the PRESIDENT:—Do you want to speak on the motion for the second reading of the Bill?

The Honourable the JA'GHIRDAR OF ICHALKARANJI.—Yes, Your Excellency.

His Excellency the PRESIDENT:—Very well.

The Honourable the JA'GHIRDAR OF ICHALKARANJI said:—Your Excellency, the Bill as amended by the Select Committee is a marked improvement on the original Bill. I am especially thankful to Government for keeping the old provision of the law enabling the Collector to allow the inámdár to collect his own dues when the village officers fail to do so. No doubt the original change was a distinct deprivation of the rights of the holders of an alienated village and I am glad the law is kept as it is. I earnestly hope that these powers would in future be more freely availed of. During these long years this important provision has simply remained a dead letter.

I should have very much wished that the Select Committee should have gone further and entirely removed this disability imposed on the inámdár by section 85. I have already said so in my dissenting minute and may have to refer to it again in detail when I move the amendments that stand in my name. But I may be permitted to say one word with regard to some misconceptions on this matter that perhaps prevail in and out of this Council. This question of realisation of his dues from the ryot by the dumáldár is not a question between the landlord and the tenant. The ryots have to pay the assessment for their lands and the inámdár has the right to receive it. The only question is whether he is to receive it direct from the tenant or through the intervention of the village-officers. It is not a question of how much the tenant has to pay or when he is to pay. It is simply a question of the agency that is to be employed in the recovery of their dues. So this matter is simply a question between the dumáldár and the village-officers. It is only to be decided which of these is a more efficacious and rightful and on the whole better agency and not a matter concerning the rights of the tenants against the landlord. Then again another misconception regarding this subject is that the removal of this disability will enable the inámdár to rack-rent his ryots. With respect to this I have to observe that the removal of section 85 does not confer any right on the holders of alienated villages. It simply removes a disability. Supposing this is done what would happen is that the inámdár would be at liberty to ask for his land-revenue to his ryots and receive it if the ryot chooses to give it after passing a receipt for the same. If the ryot does not pay the dumáldár can take no forcible measure but must proceed like an ordinary subject to the courts of law either civil or revenue, prove his case, get a decree and then have it executed. He on his own authority can do nothing. It is another thing if an inámdár is invested under section 88 of the Land-Revenue Code. But that would be owing to those powers under section 88 conferred upon him by Government and not owing to the repeal of section 85. When the repeal of the present law is effected the dumáldár would only get the status of an ordinary person. He would have no more power to harass his tenants than what a shop-keeper or the owner of a chawl has to harass his customers or his tenants.

Before resuming my seat I would like to take the liberty of thanking Government for allotting a seat in this Council to the representative of the Sardárs in the Deccan. This has enabled them all these years to bring their wants and wishes to the kind notice of Government and I venture to hope that if the disability imposed by this section which is now under revision is removed their representative in this Council may I think have few further occasions of troubling the Council with the grievances of his constituents. Political matters cannot be dealt with by this body and in revenue matters this disability of the inámdár to recover his dues punctually from his tenants is an all-important question. With these remarks I beg to support the second reading of the Bill.

The Honourable Mr. HARI SITARAM DIKSHIT said :—Your Excellency, I should like to say a few words on this occasion. The Bill is mostly of a non-contentious character; but there are a few items about which there is some contention and which are all of an important character. There is one item among them on which there was some discussion in the Select Committee, but as it was not of sufficient importance I only contented myself with making a minute on it. It is the first item in paragraph 2 which provides that in the City of Bombay Government may levy in cases where the assessment leviable does not exceed one rupee per annum, a lump sum which would not exceed thirty times the assessment. I thought twenty-five would be quite enough, considering that the Government never lends money at a rate of interest above four per cent. The feeling was that "thirty" may be put as maximum. I did not think the matter of sufficient importance for sending a notice of amendment. The other matters are of some importance. My honourable friend the Jághirdár of Ichalkaranji has dealt with the amendment of section 85 of the Bombay Land-Revenue Code, and I have nothing to add to what he has said beyond saying that I support him.

With reference to the Bombay Port Trust Act the matter will be discussed when the Honourable Mr. IBRAHIM'S amendments are placed before the Council. I have stated in my minute of dissent that the time has arrived when the number of the trustees ought to be increased and that there should be an extension of the elective element. At present members are only elected by the Bombay Chamber of Commerce which is virtually composed of European members of the mercantile community. The Indian mercantile community has hardly any representative in the Bombay Chamber of Commerce, and I think the Indian Merchants Chamber and Bureau should also have their representatives on the Board of the Port Trust.

The other matters relate to the amendment of the Gujarát Tálúqdárs' Act and the Court of Wards Act. The particular amendment to which I take exception is the amendment which says that even when one member of an undivided Hindu family is disqualified, or applies that the estate be given in charge of the Court of Wards or the Tálúqdári Settlement Officer, as the case may be, the latter may assume superintendence of the undivided share of such disqualified land-holder. Under the existing Act in a case like that what the Court of Wards would do is that it would get a partition of the share of the man who is disqualified or who applies for his share to be taken charge of by the Court of Wards. The proposal now is that the Court of Wards may assume superintendence of the whole property even though one co-sharer applies for it. The difficulty would be this. In the event of partition, that is, in the event of that man's share being separated, the Court of Wards would manage that only. But when the management is of property in which so many persons have shares, who is to manage it? Whether the

Court of Wards is to manage, or whether it should be done by the vote of the majority of the coparceners? The Court of Wards has summary powers of evicting tenants, etc. It may be that the Court of Wards and the other coparceners may not agree, and then there would be constant friction between them. I submit it would not be right to give the management of the property to the Court of Wards when there is only one co-sharer under disability, whether he is a coparcener in the joint family or whether he holds his share in severalty, unless his share is separated by partition. In the Statement of Objects and Reasons, the reason given is that a coparcener can sell his share to a stranger, and if a stranger can take his share, why should the Court of Wards not take charge of it. These reasons were given on page 14 of the Bill when it was introduced at the first reading. Of course, if the Court of Wards was in the position of an ordinary stranger, then I would not object to that. But considering that the Court of Wards has summary powers—and generally its superintendent is an officer of Government—there might be constant conflicts between him and the other co-sharers. I think even now there are constant complaints about friction, and when the section in question is amended the friction would be increased considerably. That was why when the Act was originally framed it was clearly provided that in the case of only one coparcener asking his share to be taken charge of by the Court of Wards, his share is to be separated by partition before the Court of Wards takes charge of it. I submit that if this amendment is passed it would be defeating the policy that underlies the Act. I think there is no difference for the purposes of this Act between coparceners in an undivided Hindu family and tenants-in-common, because the management remains the same. In the case of coparceners, when one of them dies the others will take over his share; in the case of a tenant-in-common dying his share goes to his heir but all the same the estate is managed jointly, whether the shares of the parties are in severalty or not. The result is that if the amendment is carried and the Court of Wards gets the management of the property in a case like this, it would give rise to a great deal of complication. I am therefore opposed to this amendment and ask that it might be rejected.

The Honourable Sir PHEROZESHAH M. MEHTA said :—I should like to say one word in support of the appeal made by my honourable friend the Jágírdár of Ichalkaranji for the repeal of section 85 of the Bombay Land-Revenue Code. He has been hammering on the subject for some years past in the hope of effecting some change. Indeed, the grievance appears to be real. One does not see why the inámdárs of the Deccan should not have the same right of recovering their dues as the inámdárs in other parts of the country. There may be some special reasons which the Revenue Member may have to give. It seems to me that the inámdárs' grievance is a genuine one. One cannot imagine why they should be made dependent upon the activity or inaction of the village-officers for the recovery of their dues. If in other parts of the Presidency it is possible to do this work without the interference of the village-officers, why should these inámdárs not be allowed to act in the same way. If my honourable friend Sir John Muir Mackenzie will see his way in some way or other to meet this grievance which my honourable friend the Jágírdár of Ichalkaranji has placed before the Council from time to time, he will be doing some act of justice to the inámdárs.

The Honourable Khán Bahádúr NAVROJI PESTANJI VAKIL said :—Your Excellency, I agree to all the amendments made by the Select Committee in the Gujarát Tálúqdárs' Act, and the Bombay Court of Wards Act, except one, *i. e.*, in sub-section (1) of

section 28 of the Gujarát Tálúqdárs' Act. In this section it is stated that (1) with the sanction of Government, the Tálúqdári Settlement Officer, or any other officer appointed by Government for this purpose may, upon the written application of a Tálúqdár in this behalf, take charge of such Tálúqdár's estate and keep the same under his management for such period as may be agreed upon.

It is now proposed to make the following addition to this section :—

"(1A) Any co-sharer of a tálúqdári estate, other than a co-sharer in a family undivided according to Hindu law, may make an application under sub-section (1) in respect of his own share in such estate."

I think that such an application should be entertained, only when the applicant is disqualified to manage his own estate, owing to minority or to any physical or mental defect or infirmity or when his share amounts to one half or more, in the estate, but not otherwise, as it is possible the arrangement may not suit the other co-sharers, and they may resent it.

The Honourable Sirdár Meherbán LAKHAMGAUDA BASAVPRABHU, SAR DESAI OF VANTMURI, said :—Your Excellency, I quite agree with the views of the Honourable the Jághirdár of Ichalkaranjí with regard to grievances of inámdárs in the revenue collections of the inám villages through the village-officers. I myself being an inámdár reasonably know the grievances and inconvenience the inámdár is put to by this process. The inámdár will be completely relieved of such troubles if power is given to him to collect his dues direct from the ryots instead of appealing to the mercies of the village-officers. Memoranda have to be always written to the village-officers for collections as invariably delay is caused by them as they are in a way independent to carry on this business indifferently and so the inámdárs' business is naturally delayed by him especially as there is no direct and speedy check and penalty to work on him. He is hard-hearted and does not mind nominal checks. I hope Government will really confer a great boon on the inámdárs by reinstating him in the same position as before to collect directly. In the giving of this power I beg Government should not place on the inámdár the restriction of collecting only according to the scale of revenue assessment. He may be at a liberty to enhance or reduce or to collect the same scales that he now collects.

If this liberty is not given to him the inámdár's position will be that of a person getting only cash allowance from the Government and the word "inám village" will have no significant meaning. Of course the Government has to watch the interests of the ryots in case of hardness by the inámdár. In such cases the power may be withheld. The inámdár must be liberal and kind to his ryots by all means. Here I will draw the attention of Government and say that the inámdár cannot be expected to be as liberal as Government in collecting the revenue according to the assessment scales only as he has a limited income to live on and no other resources of income left to his choice. For these reasons I pray Government will kindly give power to inámdárs to collect their dues directly from the ryots as they always enjoyed this right in former times. The power is withheld from them only recently.

The Honourable Mr. DAJI ABAJI KHARE said :—I heartily endorse all that has been said by my honourable friend the Jághirdár of Ichalkaranjí as regards section 28 of the Land-Revenue Code. It is not a sectional grievance. It is not the grievance of the inámdárs of the Deccán alone, but it is the grievance of the inámdárs of the whole

Presidency where the Land-Revenue Code is in force. Every inámdár by virtue of that section is prevented from collecting his dues from his tenants directly, but has to recover them through the village patel and kulkarni. This section was introduced by the Act of 1879, and has been allowed to remain on the statute book so long. The experience which one has in respect of all inámdárs is this, that ever since the introduction of this section the inámdárs have been reduced to a condition of indebtedness. Your Excellency will scarcely find a single inámdár in the whole of the Presidency who is without debt. Then, it is said, that their indebtedness is due to their extravagance and to their habit of spending large sums of money on certain occasions. But those who have watched litigation in the Presidency will be able to say that the indebtedness of the inámdárs is due to the way in which the patels and kulkarnis perform their duties under the Code. In the Government villages there are always very few outstandings. The patels and kulkarnis are there prompt in collecting dues, because they are afraid of being taken to task by their superior officers if they are negligent. The village-officers in the inám villages consider themselves (in fact, Government have considered them) as servants of Government and not of inámdárs. So year after year the revenue is running into arrears and I know of cases in which some inámdárs have not received their dues for ten years together. Thus the inámdárs cannot maintain themselves and their families without incurring debts. There are cases in which relief was sought even from the High Court, but the Judges said they were powerless in the face of the condition imposed upon the inámdárs under the Act. The invariable excuse put forward by the village-officers for their failure to recover revenue for the inámdárs is that they cannot help it, because the ryots do not pay. In contrast to this we find that in Government villages the patels and kulkarnis take active steps to recover the dues. In my opinion this section 85 is responsible for the great loss of position and dignity which the inámdárs throughout the Presidency have suffered. On the other hand, it is said that if power is given to them to collect their revenue directly they would be hard upon their tenants and will resort to all sorts of extortion and other measures. Now, I myself was struck with that point, but on further consideration I thought there was no reason why any weight should be attached to that argument. We know that besides inámdárs, there are large landlords who own vast areas of land and who get them cultivated through their tenants, and yet these people can make recoveries of their dues directly from their tenants. Now, if such large landlords are allowed to collect their dues from their tenants, why should the inámdárs not have the same privilege. The position is this. If I am in a Government village I can recover my dues from my tenants; but if I am an holder of an alienated village or an inámdár I cannot do so; and this difference has resulted in the great disaster to which almost every inámdár has become a victim. Again, the evil is all the greater when the whole village is not held by one inámdár, but is jointly held by many sharers in the family. In such a case the patel and the kulkarni are placed in the position of favouring particular sharer or sharers to the detriment of the rights and claims of other sharers. They pay the sharer whom they favour his share of the dues, and evade the others; and this sort of thing goes on from year to year. I have no hesitation in saying that this section has resulted in great damage to the inámdárs. As regards other matters I have touched upon them in my minute of dissent to the report of the Select Committee. As my honourable friend Mr. Dikshit has said we have not given notice of amendments with regard to the Court of Wards Act and the Gujarát Táluqdárs' Act, for the reasons

which he has given and which I fully endorse. I further say that the difficulty in giving effect to the proposed amendments would be really great. Suppose, there is a joint Hindu family in which there are undivided sharers. The present amendment allows the Court of Wards to take possession of the land and the management of the undivided share of a co-sharer who applies for the same. With strengthened hands the Court of Wards will always compel some sharer to go to a court for partition. Now, there are large families where it is not desirable to break up a joint estate by going to a court for partition. This power was not given to the Court of Wards by the substantive Act which was passed only recently. I submit no sufficient ground is given to show why that power should be given now. I think, Your Excellency's Government will really confer a boon upon the inámdárs of the whole Presidency if they will withdraw section 85 from the Land-Revenue Code and if they omit clause (6) to the new Bill to which we have taken exception in the Select Committee.

The Honourable Sir JOHN MUIR MACKENZIE said :—Your Excellency,—I venture to express my respectful regret that my honourable friend (the Honourable Mr. DIXSHIT) did not see fit to confine a considerable proportion of his remarks to the time when we considered the clauses in detail. I think his remarks about co-sharers and the breaking up of undivided estates, for instance, might have waited till then. As it is I am just a little afraid that we may have some of the speeches which we have heard twice over. I do not propose to make many remarks at present but will reserve what I have to say till we consider the Bill in detail. There is one subject, however, I must refer to : that is the amendment for the repeal of section 85 of the Bombay Land-Revenue Code. I am afraid that this amendment, which is down in the name of my honourable friend the Jágírdár of Ichalkaranji, is likely to be ruled out of order as it would raise the question of making a substantial amendment in the law, which it was not intended to raise when we brought forward this amending Bill. Our primary object was to make provision for receipts to be given to tenants by the village-officers. The proposal to repeal section 85 raises a question which bristles with difficulties and on which a great deal might be said. But I cannot conceal from the Council that as long as I am a member of the Government I should strenuously oppose any proposal for the repeal of that section. All the evidence of district officers and all the information we have is most solidly against such a step, and it has been shown by experience not to be required. The position of tenants in inám villages as compared with those in Government villages is a question which has come very much to the front during recent years. That of course is on account of the bad seasons. Like rayats in Government villages tenants in inám villages have found considerable difficulty in paying their dues, but I observe that although honourable members have taken up the case of the ryot as against the Government they have not said one word in the discussion upon the side of the tenant. I confess I wish that something had been said for the tenant. I am somewhat distressed at the attitude of the inámdárs as it has been represented to me. There is no desire on their part to give even those suspensions and remissions which the Government are anxious to give in the Government villages. I am bound to say that until I see some evidence of a more liberal policy in the matter of remissions and suspensions on the part of inámdárs—I do not refer to all inámdárs of course, but those who come into difficulty with their tenants—I cannot hold out any hope that I shall be willing to recommend the Council to repeal section 85 of the Land-Revenue Code in order to increase the

facilities the inámdárs have for the recovery of their rent. With regard to the other points I do not propose to trouble the Council at present. I shall discuss them when we come to the various clauses.

His Excellency the PRESIDENT put the motion for the second reading of the Bill, which was carried.

Bill read a second time.

The Bill was accordingly read a second time.

Consideration of the Bill in detail.

The Council then proceeded to consider the Bill in detail.

His Excellency the PRESIDENT put the motion that the first item of the first part of the first schedule stand part of the Bill.

The Honourable Mr. DIKSHIT:—As I have already stated I do not consider this clause of such importance as to trouble the Council with any amendment.

The Honourable Sir JOHN MUIR MACKENZIE:—There is no notice of amendment with regard to this clause.

The first item was passed.

His Excellency the PRESIDENT then moved that items 2, 3 and 4 of the first part stand part of the Bill and the motion was carried.

His Excellency the PRESIDENT then put the motion that serial number 5 stand part of the Bill.

The Honourable Mr. LAMB:—Your Excellency,—This is a consequential amendment depending upon other amendments which come later in the Bill.

His Excellency the PRESIDENT:—How is it a consequential amendment?

The Honourable Mr. LAMB:—It is consequential upon the amendment of section 59 of the Bombay Land-Revenue Code—item 3 of part II of the first schedule.

The motion was then postponed.

His Excellency the PRESIDENT then put the motion that item 1 of part II stand part of the Bill.

The Honourable Sir JOHN MUIR MACKENZIE:—Your Excellency,—With regard to this the Honourable Mr. DIKSHIT has mentioned that he does not desire to move an amendment. Under those circumstances, I do not think that the Government should accept his proposal that the limit of the lump sum composition should be 25 per cent. He gives as his reason that we do not lend money at a rate lower than four per cent. On the other hand we borrow at $3\frac{1}{2}$ per cent. I do not think the limit will make any material difference. It is a matter of arrangement with the person who compounds. I think we should leave it as it is.

The motion was then carried.

His Excellency the PRESIDENT then put the motion that items 2 and 3 of part II stand part of the Bill and they were carried.

His Excellency the PRESIDENT then put the motion that serial number 5 of part I stand part of the Bill and the motion was carried.

His Excellency the PRESIDENT then moved that item 4 of part II stand part of the Bill.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI said :—It does not appear from the report of the Select Committee whether this section will apply to the inámdárs. I have not quite ascertained what the state of things would be. What I learn is that rules have been made by Government under the old section empowering the Collector to levy building fines and allot plots of land to people who want to use them for non-agricultural purposes. In those rules, if I remember rightly, it is laid down that the application is to be made to the Collector when a person wants to appropriate for a non-agricultural purpose any arable land; the Collector has to send it on to the inámdár, and if the latter approves of the idea he has to write back within a certain time. The Collector then decides how much rent is to be realised and what fine should be levied. If the inámdár fails to send in a written answer the Collector is to presume that the inámdár is willing to give the land and the applicant gets it. Now, the opinion of lawyers is that this section does not apply to inámdárs, but it affects Government villages. I do not know whether this will not have some effect upon the rules that have been framed under this section for guidance in cases relating to inám villages. According to the amendment if the Collector fails to answer within three months from the time he receives application, the applicant can take it for granted that he may go on with the construction of the building. In the case of inám villages the effect of these rules would be this. Suppose a person would send an application to the Collector; the Collector would receive it and send a written acknowledgment to the applicant. Afterwards the Collector may fail to send that application to the inámdár or may send it too late to enable him to give his reply in time. Then the inámdár would have no remedy and would not be able to prevent the applicant from entering his land. I therefore want to know what the effect of this amendment would be.

The Honourable Mr. SETALVAD :—I am afraid there is some misapprehension on the part of my honourable friend the Jágírdár of Ichalkaranji with regard to this section. He asks whether this section will apply to the inámdárs or not. I may point out that the amendment now proposed has nothing whatever to do with the point which my honourable friend has raised. All that is sought to be done by this section is to make it incumbent upon the Collector on receiving an application to give a written acknowledgment of its receipt to the applicant, and to provide that in the case of the Collector's failure to communicate his decision to the applicant the latter may go on with the construction of the building at the end of three months from the date of receipt of the application. The amendment was rendered necessary owing to difficulties arising in cases where the Collector fails to give an acknowledgment altogether. The whole object of the present amendment is to remedy that flaw in the section, and it does not concern the larger question which my honourable friend has raised as to whether it will apply to inámdárs. The law as regards that matter remains exactly what it was.

The Honourable Mr. LAMB :—I am unable to understand to what rules the Honourable the JA'GHIRDA'R OF ICHALKARANJI refers.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI :—The rules that are published in the Government Gazette.

The Honourable Mr. KHARE :—The latest official communication to the inámdárs contains a proposal as to whether they would like to have powers of imposing increased assessments on lands applied to non-agricultural purposes. I think it will depend upon each individual inámdár to say whether he would consent to that.

The Honourable Mr. LAMB :—The rules referred to by the Honourable the JA'GHIRDA'R OF ICHALKARANJI have been found, and they are rules that were made under the Land-Revenue Code. But as the Honourable Mr. SETALVAD points out the amendment of section 65 does not introduce any substantial change in the law under which the rules were framed. The law is exactly the same as it was.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI :—What will be its effect upon the inámdárs ?

The Honourable Mr. LAMB :—It will not affect them one way or the other.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI :—If that is what the Government say I have nothing further to urge. I only want an assurance.

Serial No. 4 was then passed.

His Excellency the PRESIDENT then moved that serial No. 5 of part II stand part of the Bill and it was passed.

His Excellency the PRESIDENT moved that serial No. 6 of part II stand part of the Bill.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI said :—I rise to a point of order. My honourable friend Sir JOHN MUIR MACKENZIE has said that there is some fear of my amendments being held out of order. With respect to this I should like to make a few observations. The amendments which stand in my name were sent by me by wire, and do not contain the words "Bombay Land-Revenue Code." I drafted them rather hurriedly and I would only say that I would make my first amendment read thus : "Delete section 85." I think the practice in this Council is to move one's amendment to the Bill as amended by the Select Committee and not to the original Code itself. May I proceed ?

His Excellency the PRESIDENT :—You, I understand, are speaking on the question of the point of order and explaining the nature of your amendments.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI :—Yes. The Honourable Sir JOHN MUIR MACKENZIE said that certain honourable members at the second reading touched upon points which strictly speaking ought to have been reserved till the consideration of the Bill in detail. The honourable member has a larger experience methods of business than I, but at the same time I have been in the Council for the last thirteen years and I know that members can address the Council both when the first reading of a Bill is moved, and at the second reading. No doubt some of the remarks have to be made again when the Bill is considered section by section.

His Excellency the PRESIDENT :—You have to speak to the question of the point of order whether it is proper or not to rule your amendment out of order.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI :—I thought it was settled that it was in order.

His Excellency the PRESIDENT :—If you are speaking to the point of order whether this amendment can be rightly rejected or not, you would be quite right in doing so. Do you wish to explain what your telegram was?

The Honourable the JA'GHIRDA'R OF ICHALKARANJI :—I would submit that there may have been some irregularity in drafting the amendment and I ask Your Excellency to allow me to remove it. The point is this. I objected to the section at the time of the first reading of the Bill, and I again protested against its being retained when the Bill was considered in the Select Committee. Also when the report of the Select Committee was drafted I put in a protest. I have recorded a minute of dissent in which I distinctly say : " I only wish to add that the Legislature should remove the disability imposed by section 85 of the Land-Revenue Code upon holders of alienated villages to demand and receive their dues direct from the inferior holders." Then after all this I sent in my telegram saying : " Serial No. 6, delete section 85." My impression is that generally amendments are moved to the Bill as sent in by the Select Committee and not to the substantive law, or to the law on the statute book. In that way my amendment is quite correct. Supposing, if Your Excellency thinks there is some irregularity, I will request Your Excellency to exercise your powers and allow me to move the amendment.

The Honourable Mr. DIKSHIT :—The question of the point of order is that the amendment of the Honourable the JA'GHIRDA'R OF ICHALKARANJI is of a very substantial character, namely, that it wants to repeal the whole of section 85 ; and that it is not one of those informal amendments which are intended to be given effect to by passing the present Bill. My submission on the point of order is that having regard to the fact that section 85 is one of the sections which this Bill seeks to amend—for Your Excellency will remember that in the Bill originally introduced section 85 was mentioned as one of the sections to be amended—the motion to delete it is in order. That section was discussed in the Select Committee, and it was discussed by the Honourable the JA'GHIRDA'R OF ICHALKARANJI at the first reading of the Bill. I submit that section is certainly before the Council, and any amendment, which seeks to repeal it would be perfectly in order. If that is the only point of order I submit the amendment is in order.

The Honourable Mr. JENKINS :—It appears to me, Your Excellency, that the amendment is out of order for two reasons. In the first place it proposes a radical alteration in the existing law which was never contemplated when the amending Bill was introduced. Such proposals should be carried through the regular course of legislation, submitted to a first reading in Council, referred to a Select Committee, come up for second reading and afterwards for consideration in detail before they are passed. If we are to make radical alterations in the law it should not be on the third reading of the Bill. In the second place even, if that were not so, it is the direct negative of the motion which will be before Council, and cannot, on that ground, be admitted.

The Honourable Mr. KHARE :—Of course, the difficulty that has just now been pointed out by the Honourable Mr. JENKINS is a real one, but I wish to submit that this amendment is in order. One of my reasons is that this will give us an opportunity of saying in defence of what we said in regard to the section at the time of the second reading of the Bill and of putting forward some arguments against the arguments advanced by the Honourable Sir JOHN MUIR MACKENZIE in contending why it will

never do to repeal section 85. If Your Excellency holds that the amendment is out of order then we would be deprived of our opportunity.

The Honourable Sir JOHN MUIR MACKENZIE:—I think this is out of order.

His Excellency the PRESIDENT (to Mr. KHARE):—You should speak to the propriety or otherwise of ruling the amendment out of order.

The Honourable Mr. KHARE:—As far as the reasons now given for holding the amendment out of order I should submit that although the reasons given by the Honourable Mr. JENKINS are very cogent, yet, as has been already submitted, section 85 being embodied in the amendments that are before the Council and some amendment to the section having been already proposed it would not be quite improper to allow an amendment which suggests that the whole section be deleted, original as well as amended. No doubt there are arguments on both sides, but taking expediency into consideration I would request Your Excellency to rule that the amendment is in order.

His Excellency the PRESIDENT:—The question as to whether this amendment is in order has been discussed at great length, and I decide that it should be ruled out of order for the reasons given by the Honourable Mr. JENKINS. To accept an amendment of this kind would be to introduce an undesirable precedent in the proceedings of this Council. I now ask the Honourable the JA'GHIRDA' OF ICHALKARANJI to move his second amendment.

The Honourable the JA'GHIRDA' OF ICHALKARANJI said:—My second amendment reads thus: "To substitute for the word 'and' where it occurs for the second time in sub-section (2) of section 85 of the Bombay Land-Revenue Code, 1879, the word 'or'." My reasons for moving this amendment are these. Every village has a patel; whereas for every two or three villages there is only one kulkarni. So that in making revenue collections a kulkarni cannot be in three different places at one and the same time. What generally happens is that if he has Government villages along with inám villages to look after, he attends to Government villages in preference to inám villages. If he has more than one inám village, he attends only to one of them. Every year the instalment falls due in all the villages at the same time, and the kulkarni spends a larger number of the ten days fixed for the collection of revenue in one village, and only one or two days in the rest of the villages. The result is that the inámdárs cannot make realizations in the latter villages after the time expires. Now, it has been arranged that the kulkarni should collect revenues in the presence of the patel, who is a hereditary patel, in order to facilitate the work of collection. I submit that the proper arrangement would be that either of these two officers should collect the dues. This is the practice in Government villages, where the revenue collection is made either by a patel or a kulkarni. It would be said that as the patel is often a man who cannot read and write, he cannot be entrusted with the work. I submit this difficulty will gradually be removed with the spread of education in villages. In my opinion this section should be brought into line with section 58, which says: [Reads the section.] In this section the word "or" appears and the wording is "every revenue patel or kulkarni." But I am sorry to say that in the Select Committee the wording in that section has also been changed. I submit this arrangement will cause great hardship to the inámdárs. As I

have already indicated it is very difficult to secure the attendance of the kulkarni. He comes whenever he chooses to come, and it is solely owing to his absence that the revenue is not collected and falls into arrears: I suggest that the patel is better fitted to do this work. He knows all the tenants in the village, he has better relations with the inámdárs, and they are of the same caste, being Maharáttas or Lingáyats. A kulkarni is of the Bráhmín caste, and the inámdár generally fares better at the hands of a patel than at the hands of a kulkarni, who is disposed to lord over the inámdárs.

The Honourable Sir JOHN MUIR MACKENZIE :—The object of this amendment seems to be to get rid of the kulkarni. I cannot see how this could be done in an inám village any more than in a Government village and I am afraid I cannot accept the amendment. It is part of the original wording in section 83, to which we adhere generally, and I am afraid Government cannot accept the amendment.

The amendment was then put to the vote and rejected.

The Honourable the JA'GHIRDA'R of ICHALKARANJI said :—My next amendment is to substitute for the word "may" in sub-section (3) of the same section the word "shall". I only wish to say that under the proposed amendment if the village-officers fail to make good to the inámdárs the revenue recovered by them, the superior holder can, instead of going to a Civil Court for damages, apply to the Collector, and the Collector *may* on a written application of the superior holder recover from patel or kulkarni the sum due as an arrear of land-revenue. I submit that it should be made incumbent upon the Collector to make the realizations. It is only when there is a point of law that the applicant might be referred to the Civil Court. I do not think it should be left to the entire discretion of the Collector to decide whether such application should be granted or not, because we sometimes find that Collectors and Mámlatdárs are apt to back up the village-officers.

The Honourable Mr. DIKSHIT said :—I support this amendment, because it contemplates a case in which the village-officers have already made recoveries and have failed to account for the same to the superior holders. Instead of compelling the superior holder to go to a court of law, this amendment suggests a summary remedy, the same remedy by which the Government recover their dues in a summary way. The original amendment leaves it to the Collector to decide whether in such a case he should recover the dues in a summary way or not. As admittedly the village-officer has recovered the dues and failed to account for them, I do not see why it should not be made incumbent upon the Collector to recover the same from the village-officer.

The Honourable Sir JOHN MUIR MACKENZIE :—We agree to accede to this amendment.

His Excellency the PRESIDENT put the amendment to the vote and it was agreed to.

The Honourable the JA'GHIRDA'R of ICHALKARANJI said :—My last amendment is to delete the words "demands or" and the words "so demanded or" in sub-section (4) of the same section. I may say at the outset that the amendment I intended to move was for deleting this whole sub-section, and in my telegram to the Secretary I omitted to mention that. I had no idea that I had left it out. Subsequently I spoke to the Honourable Sir JOHN MUIR MACKENZIE about it, and I do not know whether I would be allowed to move that as an amendment.

The Honourable Mr. DIKSHIT:—I understand that the Honourable the JA'GHIRDA' of ICHALKARANJI has not moved his amendment. What he said was that he had written to the Secretary that his amendment would be that sub-section (4) should be deleted. But in his telegram that was not mentioned and the Secretary did not see his way to put that in the notices of amendments. The Honourable the JA'GHIRDA' of ICHALKARANJI therefore spoke to the Honourable Sir JOHN MUIE MACKENZIE, and he wishes to know whether this would be allowed. He has not moved his amendment.

The Honourable Sir JOHN MUIE MACKENZIE:—I am afraid I cannot advise his Excellency the PRESIDENT to allow this amendment to the amendment.

The Honourable the JA'GHIRDA' of ICHALKARANJI:—I will then move the amendment in the list of business. In support of my amendment I do not want to go into the reasons for holding that the inámdár should be allowed to recover his own dues. I will confine myself to the word "demand" and put it to the Council whether it is fair that a man to whom money is due should be debarred on the pain of a fine from making demands for his lawful dues. As has been pointed out there is a distinction between an ordinary tenant and the tenant of an inámdár. So also there is a distinction between an inámdár landlord and an ordinary landlord. The position of the inámdár landlord, who holds an entire village or entire villages, is quite different from that of an ordinary landlord who holds a number of plots of land. Under the Code the holder of an entire village cannot demand his dues from an inferior holder without becoming liable to pay a fine. A merchant or a trader, who has some money to recover, can send a notice to his debtor asking him to pay up promptly. Government do exactly the same thing. When their tenants prove defaulters, they issue notice and impose a fine to compensate themselves for the cost incurred in issuing notice. The inámdár cannot inflict such fines. He does not claim that right. His appeal is that he should be allowed at least to make demands for his dues. He asks that when the kulkarni is not in the village let him go round the village and ask his tenant to go with him to the chávdi with the rent or mamul-akar and pay it to him there. I do not see why it should be considered an offence for a man to ask his tenant if he happens to meet him in the street whether he has paid his dues, and if not, to pay them. We were told in the Select Committee when I objected to the whole of this section, that all these long years this power of inflicting fine for demanding dues has hardly ever been used by Government. I know of a case where an inámdár recovered his dues through the patel, and when the kulkarni came to know of it afterwards he was hauled up before the Collector. A notice was issued against him asking him to show cause why he should not be fined. He apologised to the Collector and was let off. The inámdár is put to a great inconvenience owing to this restriction. The mercantile members can well imagine what the position of an inámdár is. Suppose a merchant is prohibited from asking his customer to pay his dues on the pain of being mulcted in a sum three times as much as the amount due, what would be his feelings? It is not all the inámdárs, but all the superior holders who are inámdárs holding entire villages that suffer under this disability. The inámdár is generally a person who has done service to the former Government, and I earnestly request Your Excellency's Government to accept this amendment.

The Honourable Mr. DIKSHIT said:—I beg to support this amendment. I do not quite agree with all that has been said by the Honourable the JA'GHIRDA' OF ICHAL-

KARANJI. The case of the inámdár unfortunately is on a different footing from the rest of the world. I do not however see what objection there can be to the amendment proposed by the Honourable the JA'GHIRDA'R OF ICHALKARANJI. If the rent or assessment is to be paid to the proper authorities, namely the kulkarni and the patel, it is very difficult to understand why he should be liable to pay a fine three times the amount of assessment if he merely makes a demand. Would it not be hard, simply because he sends a message to his tenant asking him to go and pay his dues to the village accountant, that he should be fined for this? I think the amendment should be accepted.

The Honourable Sir PHEROZESHAH M. MEHTA said :—I should also like to support the amendment for much the same reasons as those urged by the Honourable Mr. DIKSHIT. I also say I support the amendment without agreeing with all the reasons advanced by the Honourable the JA'GHIRDA'R OF ICHALKARANJI. I quite agree with his remark that the inámdárs are an exceptional class of landlords. But they were rack-rent landlords, who tried to squeeze as much rent as they could from their tenants and in a way to which Government never resorted to. I may be permitted to say that I have always admitted that Government when the rights of the ryots are concerned who are not their own tenants are their protectors and defenders. The question only arises when they are themselves the direct landlords. But that is a question into which we need not go at present. But I do not see why a mere demand should be punishable. If the man receives his dues directly then it might be made punishable. It seems to me that the amendment urged by the Honourable the JA'GHIRDA'R OF ICHALKARANJI is a very reasonable one. I do not think the inámdár should be mulcted in fine simply because he demands a rent which is due and not paid.

The Honourable Mr. LAMB said that the word "demand" did not include or cover the case of an inámdár making a merely casual verbal request to the tenant to pay his rent. The object of the clause was to prevent the inámdár from making a formal requisition on the tenant for payment without the intervention of the village-officers. There was no objection to the inámdár informally reminding his tenants, and he was sure that no district officer would regard such informal reminders as "demands" within the meaning of the clause. But it was necessary that the inámdár should be effectively prevented from making any direct formal calls on the tenants for payment. He thought therefore that the amendment should not be accepted.

The Honourable Mr. KHARU said :—I beg to support the amendment. I really wish that the words "so demanded" may be deleted. The Honourable Mr. LAMB said that what he thought was meant by the word "demand" was something of a more peremptory nature than what was implied in "asking." Whatever may be the real meaning of the word, I think the whole mischief which it is intended to prevent lies in the receipt by the inámdár of his dues direct from his tenant. I think punishment for mere demand is a mere superfluity and an unnecessary hardship. Sometimes a friendly hint may be construed into a demand or a threat and may put the inámdár in trouble. He may escape punishment ultimately; but all the same, the tenant may go to the Collector and say that the asking was not a friendly hint, but the inámdár asked the rent as a right. I think expediency requires that this amendment should be adopted. It would not do any harm to the tenants and would not give the inámdárs any greater liberty than what Government is prepared to give them under the Code. I do not agree with

all that was said by the Honourable the JA'GHIRDA'E OF ICHALKARANJI, nor do I agree with the Honourable Sir PHEROZESHAH when he said that the inámdárs are rack-renting landlords. I do not think—at all events the experience I have got of inámdárs does not justify me in adopting that description of the inámdárs. Ever since the Act of 1879 all their powers of rack-renting their tenants have been taken away from them. I think Government ought not to object to this amendment.

The Honourable Sir JOHN MUIR MACKENZIE:—I think perhaps the Maráthi equivalent for the word "demand" in this section would be the word "tagáda". I am afraid the relaxation of these restrictions would be to favour those inámdárs who do not act up to their duties. We are not discussing the repeal of section 85 but we are going to amend 85. To repeal it we should have to go through the stages of first reading and second reading and consideration in detail. If my honourable friend likes to bring in a Bill to effect this we can then discuss it.

The Honourable the JA'GHIRDA'E OF ICHALKARANJI said:—I am not going to say anything in reply. But I want to ask whether, supposing an inámdár sends round a written notice to his tenants calling upon them to pay off their assessment or mámulakar at the chávdi when the instalments fall due, and if it is held by Government that the issue of such notice or friendly hint does not come within this category of "demand," would Government issue a circular to all Collectors and other officers concerned that such demands are not demands within the meaning of the section, but they are a sort of mild request and may be allowed?

The Honourable Sir JOHN MUIR MACKENZIE:—We cannot commit ourselves to this in Council. But if the Honourable the JA'GHIRDA'E OF ICHALKARANJI likes to send a representation on the subject we shall of course very carefully consider the suggestion and see what can be done.

The amendment was put to the vote and lost.

The Honourable the JA'GHIRDA'E OF ICHALKARANJI demanded a division, but immediately afterwards withdrew his application.

His Excellency the PRESIDENT then moved that serial No. 6 of part II as amended by the Honourable the JA'GHIRDA'E OF ICHALKARANJI's amendment stand part of the Bill, and it was passed.

His Excellency the PRESIDENT moved that serial No. 7 of part II stand part of the Bill and called upon the Honourable Sir JOHN MUIR MACKENZIE to speak.

The Honourable Sir JOHN MUIR MACKENZIE:—I am obliged to Your Excellency for allowing me to make this statement. I think this important matter requires some explanation, and I shall find it necessary to go a little into past history. First of all, the reason why the Government are desirous of having a railway representative on the Port Trust may be briefly explained. There has always been either a representative of the railways themselves or a railway expert on the Trust. We first of all had an Agent of one of the railways; then the point was raised that it would not do to have only one railway represented and so the Consulting Engineer for Railways was appointed to represent railway opinion on the Board. Though he performed his

duties very well I am afraid that did not always give satisfaction to the railways, because he was not a representative or advocate of their interests. Now, however, there is a still more important reason why he cannot be put upon the Board. The reason is that the Consulting Engineer no longer exists. The Government of India have abolished the post, and we only have a Government Inspector who owes no allegiance to the Local Government, but is a servant of the Railway Board. But even in the days when the Consulting Engineer was on the Port Trust, the railways expressed discontent and asked each for a representative on the Board. That they should have such representation seemed to us reasonable at the time, for we considered that they should be represented in the same way as the great steamship companies, the Peninsular and Oriental and British India Companies. We also looked round the rest of India and found that railways had representation on the Boards of all the other Port Trusts of India. We also received requests from the Chamber of Commerce that railways should be given representation, and they were supported by the Railway Board and the Government of India. In those circumstances we felt that a strong case had been made out, even though we differed from Sir Walter Hughes, who opposed the idea root and branch, principally on the ground that from most of the recent Port Trust undertakings in Europe railway men were very carefully excluded. As already remarked, however, we found that in India there were railway representatives on all the Port Trusts. As a result of personal inquiries in Calcutta and subsequently by correspondence as to the working of the Trust there, we learnt that the railway representatives were most useful members of the Trust and worked in the greatest harmony with their colleagues and in the best interests of the port. For all these reasons then Government were convinced that it was desirable to add to the Port Trust Board another member who should be the second representative of the Railways. This decision having been come to Sir Walter Hughes said he wanted two more members as a makeweight. We as a Government saw no necessity for this, but as Sir Walter desired it and we also found considerable pressure on the part of Indian opinion for additional representation, it seemed to us at the time right that we should endeavour to frame some practicable scheme which would meet the views of both Sir Walter Hughes and of our Indian friends. This was the state of things when we came to the Select Committee of which Sir Walter Hughes was a member. He presented to the Committee a note embodying his views which as I have said were that no additional member was necessary for railway purposes, but that if one were appointed, two others should be added as counterpoises. As a result of the discussion the Select Committee amended the Bill in its present form, which provides for three additional nominated members—one for railways and two as counterpoises from Sir Walter Hughes' point of view. During the passage of the Bill through Committee Sir Walter appears to have changed his mind—since he has appended to the report a dissenting note in which he entirely deprecates any addition to the Board whatever, and makes no allusion to his willingness to accept an addition of three, if the Government insisted on their addition of one for railways. This change of mind certainly has perplexed me. In any case we decided to adhere to the proposals of the Select Committee. But since we have seen the amendments proposed by Mr. IBRAHIM, we have considered the matter afresh and we have determined to make a further concession. We are willing that the two additional members should be made elective trustees, instead of nominated trustees, and have prepared the following redraft of sections 5 and 6 to give effect to these intentions.

- “ 5. The Board shall consist of sixteen members, that is to say, of—
 seven elective-trustees,
 eight nominee-trustees, and
 a Chairman ;

and not less than three of the nominee-trustees shall be natives of India, residing in the City of Bombay.

6. (1) Of the elective trustees five shall be elected by the members for the time being of the Bombay Chamber of Commerce, and two by such body or bodies as Government shall from time to time select as best representing the interests of the Native mercantile community.

(2) The election shall be held in such manner as shall from time to time be determined by the electing bodies convened in accordance with the rules at the time in force in this behalf.

(3) The Secretary of every electing body shall make a return to Government of the name of every person so elected by such body and his return shall be published in the *Bombay Government Gazette*.

(4) In the event of default being made by any electing body in electing a trustee under the foregoing provisions within the period hereinafter prescribed in this behalf it shall be lawful for Government by notification in the *Bombay Government Gazette* to nominate a person, and the person so nominated shall be deemed to be a trustee as if he had been duly elected.”

In section 13 for the words “ the Chamber of Commerce ” it is proposed to substitute the words “ the electing body concerned.”

This redraft is proposed in order to give effect to the method of election and we have modelled it upon the corresponding section in the Calcutta Port Trust Act. It is, I need hardly say, something in the nature of a compromise with the suggestions of the Honourable Mr. IBRAHIM. We propose that now there should be five Indian Trustees instead of three, and of these five two shall be elected and three nominated, and I am in hopes that my honourable friend will be disposed to accept the compromise. I think the Indian nominated Trustees have always given satisfaction and have most adequately represented the interests they were charged with. No injury to Indian interests is likely to result from their continuing to be nominated as before. But there is no good reason in our opinion why the two additional non-railway members should not be Indians or why they should not be elected. Such a scheme is fully justified by the increasing growth and development of Indian trade. We do not give them all to the Indian Merchant Chamber as Mr. IBRAHIM suggested, because we think that other bodies besides that Chamber might be fitted to elect representatives of Indian Trade interests to a seat on the Board. I need hardly point out that as the result of our amendment, Bombay will have five Indians on the Board as compared with only one at Calcutta. Of course we all know that the proportion of trade dealt with by Indians in Bombay is very much larger than in Calcutta. At the same time I might also point out that the Bombay Chamber of Commerce has five representatives as against six in Calcutta, and in Bombay two of the seats are practically

mortgaged to representatives from the B. I. and P. & O. Companies. It cannot be denied that the European element upon the Trust has never failed to safeguard the interests of everybody, whether European or Indian. The total representation which is now being given to Indians on the Trust is, therefore, liberal. I think everybody has worked whole-heartedly on the Trust for the interests of the public and I am quite sure that the same spirit will prevail when the railway representative is added and the Board is enlarged.

The Honourable Mr. IBRAHIM RAHIMTOOLA said :—Will Your Excellency permit me to make a few general observations? I intend to accept the compromise which the Honourable Sir JOHN MUIR MACKENZIE has offered and do not therefore propose to move any of the amendments which stand in my name. I should however like to say a few words. The members of the Indian Mercantile Community of Bombay are much indebted to the Honourable Sir JOHN MUIR MACKENZIE for the words of appreciation to which he has given expression and to Government for the recognition of their claims to have increased representation on the Port Trust. As regards the views expressed about the representation of the Chamber of Commerce Your Excellency will observe that except on the questions of principle whether there should be separate representation of the European and Indian Mercantile Communities and whether the elective representation should be by associations, dealt with in my first amendment, I have provided in all the other three amendments that the Chamber of Commerce should continue to get their five members by election. I was very pleased to hear from Sir JOHN MUIR MACKENZIE of the services which the representatives of the European Mercantile Community on the Port Trust render to the general trade of the City. My regret has been—and the regret of the Indian public men in Bombay has been—that the members of the European Mercantile Community do not care to give a little more of their valuable time to the public work of the City. We would all most heartily welcome the representatives of the European non-official Community if they would more largely associate themselves with the Indian public men in the work they try to do. We are thankful to the Honourable Mr. JENKINS for the appreciative reference he made to our work only a few minutes before. In former times European residents of Bombay felt that they owed a duty to the City in which their lot was cast and took a leading part in its public work. I trust that in addition to the work they do on the Port Trust, they will see their way to devote a portion of their time to other public duties in which their co-operation will be of valuable assistance.

I should like to say that I recognise the hesitation of the Honourable Sir JOHN MUIR MACKENZIE in allotting the two elective seats to the Indian Merchants' Chamber and Bureau. The advantage which he pointed out in favour of leaving the matter open is quite obvious, but there are certain reasons which I should like to bring to the notice of Government before this matter takes a final shape. I have already said that I am prepared to accept the compromise because it secures to the Indian Mercantile Community the maximum representation which I have asked for in my amendments and secondly because it recognises the principle of election to the Port Trust by the Indian merchants on the same basis as the European merchants. If the right of election is to be conferred on associations, I think the Indian Merchants' Chamber is the only body which can be called upon to exercise this right. There are other associations in Bombay, for instance the Grain Dealers' Association, the Piece Goods Merchants' Association, the

Indian Cotton Merchants' Association and one or two others. But all these Associations deal with special trade interests only. Each Association is formed for the purpose of protecting and promoting their special interests and do not concern themselves with the general interests of the trade of the City. It would hardly be right under the circumstances to recognise any one of them for the purposes of electing representatives to the Port Trust. Such representation should be conceded to a body which represents not merely any particular or special interest but the general interests of the trade as a whole. The only association in Bombay which fulfils these requirements is the Indian Merchants' Chamber and they should be invited to elect the two members to the Port Trust. If Government feel that this association is a new one and should work for a few years more to justify their recognition as an electorate body for this purpose then and in that event I would venture to submit a suggestion which will remove the present difficulty. Until such time as Government may be prepared to confer the right of election upon the Indian Merchants' Chamber, the Bombay Municipal Corporation should be invited to elect two members of the Indian Mercantile Community to the Board of the Port Trustees. The suggestion is not a new one. It has been in actual practice in Karáchi for a number of years and has worked very well. In the Karáchi Port Trust Act the right of electing Indian members to the Port Trust is conferred upon the Karáchi Municipality. The section of the Act to which I refer runs thus : "Of the rest of the trustees, three shall be elected by the members for the time being of the Karáchi Chamber of Commerce and two shall be elected by the Municipality of Karáchi."

It will therefore be seen that my suggestion is not a novel one. The principle of election by a Municipality is recognized by law in the case of Karáchi and I do not see why the same should not be applied in Bombay even temporarily. If Your Excellency looks into the constitution of the Bombay Municipal Corporation you will find that it has a large representation of the leading trades and industries of the City. I think the present difficulty can be easily solved by so amending the proposed section as to enable Government, if they are so inclined, to invite the Bombay Municipal Corporation to elect the two representatives of the Indian Mercantile Community on the Port Trust for such time as they may consider it desirable. I venture to submit that there are only two alternatives open to Government. The one is to recognise the Indian Merchants' Chamber as an electoral body to elect the two members to the Port Trust and the other is to call upon the Bombay Corporation to do so, until such time as a representative body of Indian merchants representing the general interests of Indian trade is recognised by Government to be sufficiently representative to exercise this right. I earnestly hope that Government will not confer the right upon any association which merely represents some special or particular trade or industry.

I am inclined to urge that the Indian Merchants' Chamber be recognised for this purpose but if Government do not feel disposed to do so, then the only other alternative open to them is to recognise the Bombay Corporation. The Karáchi Municipality has enjoyed this right for years and I do not see why the same right should not be conferred, only temporarily, upon the Bombay Corporation, with the necessary restriction that the men elected should belong to the Indian Mercantile Community.

In concluding my observations I wish to repeat our sense of appreciation and thankfulness for the kind consideration which the interests of the Indian Mercantile Community have received at the hands of Your Excellency's Government.

The Honourable Mr. ARMSTRONG :—The alterations just announced by the Honourable Sir JOHN MUIR MACKENZIE have taken me by surprise. But I should like as a representative of the Bombay Chamber of Commerce to point out the view which was before us when the matter was last under consideration. If the Honourable Mr. IBRAHIM RAHIMTOOLA had proceeded to move his amendments I should have said that I did not agree with any of them and I should have gone further and said I did not agree with the report of the Select Committee. What I would ask is that the report be recorded and that only one additional railway representative be added to the Board as originally suggested by the Chamber of Commerce, or failing this that the matter be held over for further consideration, and one of my reasons for objecting to three additional members is that the Port Trust is a business concern and in company management it is well-known that a small Board is much better than a large one. The reasons given in the report for the proposed increase are that another nominated member to represent the railways would result in a preponderance of railway interests and that other trading interests not directly represented on the Board now desire to be represented. I agree however with a remark by Sir WALTER HUGHES in his minute of dissent that the present Board is a thoroughly representative body and that it can claim to have been successful in its work, and that it has gained the confidence of the public—a confidence which this Council should be very careful not to impair—is evident from the fact that only the other day a loan of half a million sterling was successfully floated in the London market, and it is well-known that Trust debentures are the most favoured security amongst local investors. It is evident, however, from other minutes of dissent that the proposed increase to sixteen is not approved and that seventeen would be a more acceptable number, but the reasons given for suggesting this further increase are not very clear. It appears however to be desired that the minimum number of Indian members should be fixed with a due regard to the importance of the Indian mercantile community, but why the number should be five is not clearly stated. I gather however from a recent letter from the President of the Indian Merchants' Chamber and Bureau to Government that this number is desired because the Chamber of Commerce representing "European Trade interests only"—I do not at all agree with this remark—elects five members to the Board. Now I do not wish in any way to deal with this question controversially or in a spirit of rivalry, but this line of argument is surely based on a misconception. It is of course a fact that the Chamber of Commerce does elect five members of the Board, but two of these are always representatives of the two largest shipping Companies in Bombay—the P. & O., and the British India Co., and the presence of these gentlemen on the Board is absolutely necessary, not in the interests of any one particular section, but in the interests of the whole trade and shipping of the Port. The knowledge which these gentlemen have and can command regarding pilotage and anchorage matters, the docking and undocking of vessels and so forth is absolutely necessary at the Board for the successful working of the Trust, and if Government were to come to the Chamber tomorrow to say that they desired in future to nominate the representatives of these companies themselves I feel sure the Chamber would not object. The Chamber is therefore left with three commercial members only, and there are also on the Board three Indian commercial members—a Hindu, a Mahomedan and a Parsee—an excellent division which should be maintained—gentlemen of wealth and position with wide experience and thoroughly representative,

one in fact at the present time being the Chairman of the Indian Merchants' Chamber and Bureau which shows I think how very carefully Government select their nominees. On the point of numbers there is therefore nothing to choose between the two sections of commerce apart from shipping, but as regards the trade itself it must be borne in mind that to a considerable extent Indian merchants are distributors whilst members of the Chamber of Commerce—European and Indian—are mainly receivers and despatchers of goods and they have therefore a vital interest in the successful administration of the Docks. Let me give you a few figures in support of what I say. Of the exports of raw cotton members of the Chamber and Japanese firms handle about 74 per cent., of Produce *s. e.* wheat and seeds, over 92½ per cent., or excluding certain consignments about 85 per cent., of Piece-goods about 75 per cent., and large percentages also of Coal, Sugar, Timber, Metals and many other articles. I give these figures not from the point of view of rivalry for the different classes of traders in Bombay are necessary, the one to the other, but to show that each section of the commercial community has its particular interests and the efficient management of the Docks must always be a matter of great concern to those whose trade is with oversea countries.

It is also necessary to bear in mind that in administering a large business concern such as the Port Trust, quick despatch of work without undue controversy is very necessary and so long as we are satisfied—as many undoubtedly are—that the Board as at present constituted fairly represents the general interests of the trading communities—several additional members should not I submit be added without the very strongest reasons which are not apparent in the proposals now before this Council. To facilitate the despatch of business—for owing to its increasing responsibilities the work of administering the Trust had become too much for any one man, however able he might be—the Chamber of Commerce and the Trustees asked a short time ago for a Deputy Chairman which Government were pleased to grant and for this I desire to express our obligations, but now it is feared that the larger Board we are asked to create may delay matters, and further it does not appear that three additional members will in any way make for greater efficiency. The question of railway representation is really at the bottom of the proposed change and if the Agent of one of the railways serving Bombay is on the Board the other railway may fairly claim to be represented and as this view has been supported or more correctly put forward by the Chamber I now ask that it should be adopted. Failing its adoption my Committee consider that the present Board fairly represents all interests and is large enough. I submit therefore that a strong case for adding three new members to the Board has not been made out and as any alteration of the present Board over and above an additional railway representative is a matter of great importance from various points of view I would ask, failing an acceptance of my view, that the report be either recorded or that time be given for further consideration of the many issues involved.

The Honourable the JA'GHIRDA'E of ICHALKARANJI:—I rise to a point of order. I am very glad that a compromise has been arrived at between the Honourable Mr. IBRAHIM RAHIMTOOLA and the Honourable Sir JOHN MUIR MACKENZIE. I was prepared to support the Honourable Mr. IBRAHIM's amendments, but I fail to see how they are in order and how this compromise is in order.

The Honourable Mr. IBRAHIM RAHIMTOOLA:—I should like to say one word on the point of order. I am sorry the Honourable the JA'GHIRDA'E OF ICHALKARANJI has raised

the point of order. The section which is proposed to be amended is section 5. At the first reading of the Bill the Government fixed the number of trustees at fourteen, the Select Committee made it sixteen, and I wanted to make it seventeen. Under the compromise it still remains at sixteen. That being so the amendments are perfectly in order. The Honourable Sir WALTER HUGHES had agreed with the remarks that I had offered on the occasion of the First Reading and the Honourable Sir JOHN MUIR MACKENZIE had assured us that Government would be able to meet the demands of the Indian mercantile community. The Select Committee recommend that the total number of Trustees should be raised to sixteen and that the number of Indian members should be four. The compromise maintains the total number at 16 and raises the Indian representation to five members. Under the circumstances I do not see how the point of order arises.

The Honourable Mr. ARMSTRONG:—It seems to me that there is a very radical change in the alterations announced by the Honourable Sir JOHN MUIR MACKENZIE.

The Honourable Mr. WEBB:—The amendment put forward by the Honourable Sir JOHN MUIR MACKENZIE involves very radical changes which require more consideration and should not be disposed of by this Council without being adequately discussed. We have not before us the actual wording of this amendment and I am not quite clear of how the amendment will affect us. I think we should have copies of the amendment given to us and be allowed some days to consider the matter in detail.

His Excellency the PRESIDENT:—Government considered this point when they received the amendments proposed by the Honourable Mr. IBRAHIM and we decided after consideration of those amendments that those amendments were in order and that our compromise was therefore equally in order.

The Honourable Sir VITHALDAS THACKERSEY.—I entirely agree with the compromise suggested by the Honourable Sir JOHN MUIR MACKENZIE. I think the time has come—nay, I think the time had come long ago—when the Indian mercantile community ought to have been represented on the Bombay Port Trust. I do not agree with the Honourable Mr. IBRAHIM RAHIMTOOLA that the right of election should be given to the Bombay Municipal Corporation. I think the Bombay mercantile community is strong enough in every respect to choose members from amongst themselves and has no desire whatever to delegate their power to elect to somebody else. It has no objection to the Corporation electing trustees if they get a right to do so. It is said that in Bombay there are class representations and specialised associations, such as Cotton Trades Association, etc. But fortunately now a central association in the name of the Indian Merchants' Chamber and Bureau has been formed, and although it is now only eighteen months since it has been started it gives promise of becoming an excellent central institution representing all trades and industries, and I am sure after a little consideration it would be easy for Government to frame rules under which proper representatives of the Indian mercantile community can be elected. I therefore support the amendment put forward by the Honourable Sir JOHN MUIR MACKENZIE.

The Honourable Mr. DIKSHIT:—I do not wish to go into the question whether the Corporation or any other body should get the right of electing trustees. I leave the Honourable Mr. IBRAHIM and the Honourable Sir VITHALDAS to settle their differences

on the point. The one thing I should like to point out is that the words used in the Calcutta Act, namely, the "Native mercantile community," have been reproduced in the Act under consideration. We have been in the habit of using the word "Indian" instead of "Native," and I should like to have the words "Indian mercantile community" substituted for "Native mercantile community."

Clk. The Honourable Sir JOHN MUIR MACKENZIE :—Certainly, that will be done.

Doc. The Honourable Sir JOHN MUIR MACKENZIE :—Your Excellency,—I am very much distressed that the Chamber of Commerce should regard with so much apprehension what *i. e.* not help thinking is a most legitimate extension of the elective principle and one which cannot believe will detract in the slightest degree from the efficiency of the Port Trust. Timbarse I am in very great sympathy with all persons who express a preference for small or rivy, small councils or small anything else. I listened with great admiration on Friday other, PHEROZESHAH MEHTA's remarks on the achievements of the Legislative Council. interest wonder was that in spite of the splendid things that honourable members had concerney should want any change in it! In the same way with the Port Trust, ing as Sir WALTER HUGHES was there, if it had been a Trust of only one it surght have been a most excellent institution. But when various people have interests, be served they are not generally satisfied unless they are represented, and although I am not prepared to say that the Port Trust as at present constituted does not represent everybody's interests, the Indian Merchants' Chamber and the Corporation have not thought so, and I cannot complain that they should seek to get representation. Mr. ARMSTRONG seemed to fear that when we bring the Trust up to sixteen and have two additional elected and one nominated representatives it might impair the credit of the Port Trust. I really cannot believe that the Honourable Member can seriously contemplate such a lamentable result. As regards the effect of the enlargement of the Board on the despatch of business I understand that in Calcutta there is no delay whatever. The whole thing works smoothly and well. At present in view of the recent acute differences between the G. I. P. Railway and the Port Trust I can well imagine that, the Agent of the G. I. P. being on the Port Trust, there would be some rather long dissenting notes upon the proceedings. That is not to be wondered at. But I believe that if the Agent had been on the Trust from the first though there might have been minutes of dissent upon the proceedings there would have been fewer recriminations and discussions and delays outside the Board. I cannot believe that an increase from thirteen to sixteen members will have a detrimental effect upon its work. I must again remind the Honourable Mr. ARMSTRONG that one of the reasons for the extra members was the suggestion of Sir WALTER HUGHES himself. It may not have been fully supported by the Board of Trustees but in fairness to the Council I must state that it came from him and that if he had been content to accept the original proposal, we should probably have stuck to it. I am afraid we cannot postpone the settlement of the question which has been long pending, and I must ask Your Excellency to proceed with this amendment which is accepted as a compromise by the Honourable Mr. IBRAHIM RAHIMTOOLA.

The Honourable Mr. IBRAHIM RAHIMTOOLA :—May I inquire whether the section could be so amended as to enable Government to invite the Corporation to elect two members, if Government are so inclined. Of course, it should not be binding upon Government to do so.

The Honourable Mr. ARMSTRONG :—I think we ought to have a notice of motion for a suggestion of that kind. The change is of a very radical character, and ample notice should be given. I think there should be a notice of motion for the point put forward by the Honourable Mr. IBRAHIM.

The Honourable Mr. IBRAHIM RAHIMTOOLA :—It is a part and parcel of my amendment.

His Excellency the PRESIDENT :—I have already ruled that the compromise which is really a modification of Mr. IBRAHIM RAHIMTOOLA's amendments is in order. The Government considered the point before they met in the Council. As regards the remarks Mr. IBRAHIM RAHIMTOOLA has made about the method of election the Government will consider that, but I am bound to say that if I were a member of one of the Indian Chambers I should very much prefer to exercise the vote myself instead of relegating it to another body.

The Honourable Mr. WEBB :—Your Excellency,—We have not copies of the amendment before us and I think an important amendment which is going to result in a modification of an Act should be before us. Might I suggest that the amendment proposed by the Honourable Sir JOHN MUIR MACKENZIE should be typed, duplicated and circulated during the tiffin interval in order that we might have an opportunity of reading it when we come back.

His Excellency the PRESIDENT accepted the suggestion. The Council was then adjourned for luncheon.

After luncheon, the Honourable Mr. WEBB said :—I now have before me a copy of the amendment or compromise as proposed by the honourable member in charge of this Bill, and I am able to see exactly the effect of the changes proposed. From the figures quoted by my honourable friend Mr. ARMSTRONG I gather that the members of the Bombay Chamber of Commerce with 75 per cent. or more of the trade representation in their hands were before represented by 45 per cent. of the representation. Now, the effect of the amendment on that would be to reduce that percentage of representation to about 30. I must confess that I have not heard anything which would lead me to believe that this increase in the number of trustees will add anything to the efficiency of the Port Trust Board. The honourable member in charge of the Bill explained the reasons which induced Government to propose the addition of the railway representation to the Board of the Port Trust. I may say with the experience of Karachi in my mind that the representation of the railways on the Karachi Board has been of very great assistance indeed, and I can well understand that the addition of another railway representation to the Board of the Port Trust of Bombay will be for their advantage and will save time. But I must confess that I have not heard any reason which would support the contention that the efficiency of the Board would be in any way increased by the augmentation of the number of trustees from 13 to 16. I should be glad to see an addition of railway representation on the Board; but I confess there is no necessity whatever to add to the Board in any other respect.

The Honourable Mr. ARMSTRONG :—I should just like to ask what is covered by the words "best representing the interests of the Indian mercantile community,"—whether it is intended *e.g.*, that the Bombay Cotton Trades Association should not be allowed to have a representative as it has a great many European members, and at the same time there

are also a great many natives of India in it. What does the word "Indian" mean? This brings me back to what I said before and it is that the change which is now being made is very important and requires consideration, and I think it would be very much better if, instead of pushing—I will not say, rushing—the matter through the Council, the various matters that will crop up might be duly considered.

The Honourable Mr. IBRAHIM :—I do not quite understand the objection that has been made by the Honourable Mr. ARMSTRONG and the Honourable Mr. WEBB. The Report of the Select Committee is before the Council and in this report the number put down is sixteen. The members of this Council have had ample opportunity to consider whether under the new constitution of the Port Trust the number of members should be sixteen or should not be sixteen. That is the most important point and about that full notice has been given. There is nothing new in the amendment so far as the number of the trustees is concerned. How the constitution is to be formed is a matter which requires to be considered by the Council. I do not see why so much is being made of this matter by the Chairman of the Bombay Chamber of Commerce and the Honourable Mr. WEBB. They say they have had no time to consider the proposal. But what is there for consideration which has not already been before the Council? The number 16 is there, and the only point that has arisen is whether the Indian mercantile community should receive representation partially by election and partially by nomination. This point has also been before the Council by means of my amendments. These contemplate elections by the Indian Merchants' Chamber and the Bombay Municipal Corporation. This Council has had ample notice on the subject as my amendments were sent in in time and have been printed and circulated amongst Councillors in strict conformity with the rules of procedure. Under the circumstances it is idle to say that this Council has not received due notice of the subject-matter which we have discussed and upon which we have now to give our votes.

The Honourable Mr. ARMSTRONG :—I think the Chamber of Commerce are fairly entitled to one of these three seats that are to be added. The Chamber of Commerce represents a very large trade and it is certainly expected that at any rate one of these additional members will represent a trade with which the members of the Chamber of Commerce have to deal.

The Honourable Mr. WEBB :—The point might be met by omitting the word "Indian". That will leave it to the discretion of Government to give the representation to the mercantile community, whether Indian or European, as might be thought advisable.

The Honourable Mr. IBRAHIM RAHIMTOOLA :—I would perfectly agree to the suggestion if the whole representation of the Chamber of Commerce is also removed, and my first amendment which does away with all such distinctions was acceptable to this Council.

His Excellency the PRESIDENT :—Before putting this matter to the Council I should like to say one word which may alleviate the apprehension of want of order or improper procedure which is rather suggested by the Honourable Mr. WEBB and the Honourable Mr. ARMSTRONG. From the time from which this clause of the Bill was discussed in the Committee it became evident that the discussion would include certain considerable changes. From the time Government—rightly or wrongly—admitted the

three amendments of the Honourable Mr. IBRAHIM, it became certain that the whole question of the constitution of the Board would be raised in this debate. I cannot, therefore, admit that the action taken by Government comes as a surprise. I may say in the House of Commons it is a very usual thing that quite at the last moment Government should come forward with a compromise, and it is put to the vote and accepted. There is a precedent of the same course being taken on the records of this Council.

The Honourable Mr. IBRAHIM RAHIMTOOLA withdrew his amendments.

His Excellency the PRESIDENT then moved that serial No. 7 of part II as amended stand part of the Bill, and it stood part of the Bill.

His Excellency the PRESIDENT moved that serial No. 8 of part II stand part of the Bill.

The Honourable Mr. WEBB:—I feel that the minute of dissent recorded by Sir WALTER HUGHES in this connection has very considerable force. The argument put forward by Sir WALTER was that railway property in the case of Bombay is not wholly Government property but has certain private interests and that these private interests should not be allowed to have a vote in matter in which they are concerned any more than the P. & O. and British India Companies should be allowed to have a vote. But if I understand the effect of the amendments correctly the railways would be allowed to vote upon matters in which they are directly concerned. In the Karáchi Port Trust Act and the Calcutta Port Trust Act the clauses are so worded as to prevent those personally interested from having a direct vote and it seems to me that it is undesirable that they should be allowed to have a vote in matters in which they are personally interested.

The Honourable Mr. ARMSTRONG:—There is no doubt a great deal in what the Honourable Mr. WEBB says but at the same time the Chamber of Commerce and the Trustees elected by them, feel that if the Railway Companies are on the Trust they should have a vote. Therefore I support this amendment.

The Honourable Sir JOHN MUIR MACKENZIE:—I need only say one or two words. I am unable to agree with the Honourable Mr. WEBB. The railways in this country are not exactly on a par with the great steamship companies. They are very largely Government institutions and to give them the opportunity of voting is merely like giving a vote to a local Government. In the next place the honourable member is under a complete misapprehension with regard to the Karáchi and Calcutta Trusts when he says that upon them railway representatives are prevented from voting in matters in which they are directly interested; as a matter of fact they have no restrictions at all. Section 14B was inserted in the Bombay Port Trust Act seven years ago and it has since actually been proposed that we should delete that section altogether and leave the propriety of voting upon matters in which they were interested to the representatives themselves. Without going so far as that, I am bound to say it seems absolutely necessary to accept the amendment entered in the Bill. As matters stand, it would be possible for a strong Chairman to rule that all sorts of questions which it is essential that the railway representatives should discuss and vote upon were matters in which the representatives were interested. For instance, as honourable members know, we desire that the railway representative should be able to vote particularly in the matter of railway facilities in the docks. That is one of the most contentious points between the Railways and the Port

Trust, and a representative might be simply excluded from giving his opinion at all by the ruling of the Chairman. The above will sufficiently indicate the reasons which have led to this amendment.

Serial No. 8 was then put and carried.

His Excellency the PRESIDENT:—I believe there is nothing contentious in serial Nos. 9 to 14. If the honourable members have no objection I will put them *en bloc*.

His Excellency the PRESIDENT moved that serial Nos. 9 to 14 of part II stand part of the Bill, and they were passed.

His Excellency the PRESIDENT then moved that serial No. 15 stand part of the Bill.

The Honourable Mr. KHARE:—At the time of the second reading of the Bill I said what I had to say in connection with this as well as other amended sections of the Bombay Court of Wards Act. It is unnecessary for me now to again repeat the same thing. For the reasons I have already given these amendments ought to be omitted.

The Honourable Mr. DIXSHIT:—I am in the same position. The remarks which I made about the Court of Wards Act apply to this proposed amendment here, and I submit this ought not to be passed.

The Honourable Khán Bahádur NAVROJI PESTANJI VAKIL said:—Your Excellency,—I am respectfully of opinion that the amendment to sub-section (1) of section 28 will, if carried out, cause much inconvenience and irritation to the other co-sharers in the estate. The amendment proposes that any co-sharer may make an application under the section in respect of his own share in such estate.

Now, Your Excellency, this share may be $\frac{1}{4}$ only and still the Tálukdári Officer may take charge of the share, and manage the estate. A similar alteration in the Court of Wards Act may not be objectionable because there, under sub-section (1) of section 9, it is especially provided that "any land-holder may apply in writing to the Governor in Council to have his property placed under the superintendence of the Court of Wards, and the Governor in Council may on such application where he is of opinion that it is expedient, in the public interests, to preserve the property of such land-holder, for the benefit of his family and the said property is of such value, that economical management by the Court of Wards is practicable, order the Court of Wards to assume the superintendence of the property."

But no such safeguards are provided in the case of this amendment. I am humbly of opinion that such an application should not be entertained except in case the applicant is disqualified to manage his own estate, owing to minority—or to any physical or mental defect or infirmity or in case his share amounts to one-half or more in the estate, but not otherwise.

The Honourable Sir JOHN MUIR MACKENZIE:—I confess I am unable to understand the apprehension the amendments in the Gujarát Tálukdárs and Court of Wards Acts have created in the minds of some honourable members. I think the proposals regarding tálukdárs and the Court of Wards must have been misunderstood, because the proposals in this Bill do not affect undivided families. They apply to the case where a family is divided, but where the members of the family own shares in some portion of the estate of which no actual partition has been made. I am quite unable to understand what is the

objection to parties having to deal with a Court of Wards instead of the *tálukdár*. Instead of the *tálukdár*, who is often in a miserable condition, and without any knowledge of affairs they will have to deal with a man of business. I do not think there is any idea that the officer who is discharging duties as the Court of Wards or *Tálukdári Settlement Officer* will endeavour to appropriate more than a proper share of the undivided portion of the estate or the land to the injury of his fellow co-sharers. On the other hand, he, having had many years' experience in such management, is very likely to help the co-sharers in the management of the joint estate to their advantage. I think it is quite possible that the Court of Wards and the *Tálukdári Settlement Officer* might possibly check a tendency on the part of evilly disposed persons to allow the ward or incompetent *tálukdár* less than his share. I believe their being associated in the administration of the undivided share will lead to the more thorough management of the estates as a whole and will certainly be a help to the incapable or insolvent *tálukdár* who is unable to manage his estates. For these reasons I think the Government certainly ought to adhere to their decision in this matter.

The motion was then carried.

His Excellency the PRESIDENT then moved that serial Nos. 16 to 21 of part II stand part of the Bill and they were passed.

His Excellency the PRESIDENT :—I now move that Serial No. 22 stand part of the Bill.

The Honourable Mr. KHARB :—I will not give the same reasons again which I advanced at the time of the second reading of the Bill. I have only one remark to make with reference to the argument advanced by the honourable member in charge of the Bill while we were on clause 15. The honourable member tried to show the advantage that would result if the *Tálukdári Settlement Officer* took charge of an undivided share; but the same advantage would exist even if those sections were extended to a joint Hindu family. If we are to accept the argument of the honourable member in charge of the Bill, the same argument would apply to the Hindu undivided family also. I submit that whatever may have been the advantage of the arrangement in particular cases, in regard to the general rights of property—whether it is an undivided property according to Hindu law or not—such property ought not to be interfered with by an outsider. When the Court of Wards Act of 1905 was passed this point was discussed and it was pointed out that Government was not going to authorise any officer of the Court of Wards to take charge of an undivided share one way or the other. I am afraid some time hereafter this step may lead to a further step for giving powers to the Court of Wards even in the case of an undivided Hindu family. I ask the Council not to allow the present amendment to be passed, but to stick to the provisions made in the Act of 1905 and not to interfere with private family rights. This amendment ought not to form part of the Bill.

The Honourable Mr. DIKSHIT :—I endorse all that the Honourable Mr. KHARB has said.

His Excellency the PRESIDENT then put the motion that serial No. 22 of part II stand part of the Bill and it was passed.

His Excellency the PRESIDENT :—Serial No. 23.

The Honourable Mr. KHARE :—This clause exemplifies what I said on clause 22. Here a clause is sought to be added to sub-section (1) of section 9, and taken with the rest it would give the Court of Wards power to take charge of the whole family estate on an application made by one of the co-sharers. I think that is a distinct danger, particularly in a case where a troublesome co-sharer tries to put all sorts of difficulty in the way of proper management of the family property. In such a case the refractory member of the family would apply under the section, get the whole family property vested in a Court of Wards, and deprive elderly members of the family of their right to manage the property though they may be better fitted for the management of such property. I think a result like this would be certainly undesirable and would be fraught not only with trouble and discomfort to the whole family, but would prove dangerous to the peace as well as prosperity of that family. I would therefore request the members of this Council not to give further powers to the Court of Wards.

The Honourable Mr. DIKSHIT :—Apart from the reasons given by the Honourable Mr. KHARE one serious objection to the amendment is that practically it must remain nugatory if it is carried. Let us suppose this amendment is passed and a co-sharer applies that his share be taken over by the Court of Wards. Then the matter would go to the Governor in Council and the Governor in Council is to be satisfied that it is not only expedient to preserve the applicant's undivided share, but that there should be an economical management of the undivided share. Now, it is meaningless to say that an undivided share of joint family can be economically managed by the Court of Wards. It is impracticable. If it is meant that only the proceeds of the share of the applicant in the joint family estate should be taken charge of by the Court of Wards and then dealt with, I would not object to it. But in that case the wording of the section would have to be made clear.

The Honourable Sir JOHN MUIR MACKENZIE :—The words "in respect of his own share" clearly limit the meaning. As regards the Honourable Mr. DIKSHIT's suggestion that economical management cannot be possible in an undivided share, it seems to me that in any case a shareholder has to look after his interests in the undivided portion of the estate and see that the profits of that share are properly recovered and handed over to him. These objections therefore appear to me to have no very great substance in them and I think we should adhere to our original proposal.

The motion that Serial No. 24 stand part of the Bill was put and carried.

The Honourable Mr. KHARE :—Your Excellency,—I may mention here on Serial No. 24 that I really do not understand how you can measure or predicate that a particular share belongs to a particular man in an undivided family. It has been held that so long as the family is undivided you cannot predicate that a particular share belongs to a particular sharer. It may be that in the case of a divided family you may predicate that a particular share belongs to a particular man, but until you arrive at such a partition the words would have no meaning in law. I would therefore object to this clause also.

The Honourable Sir JOHN MUIR MACKENZIE :—The honourable member is under a misapprehension. The clause applies only to divided families.

His Excellency the PRESIDENT then moved that Serial Nos. 25, 26 and 27 of part II stand part of the Bill, and they were passed.

His Excellency the PRESIDENT :—The second schedule is not contentious, and I will put it as a whole. The motion is that the second schedule stand part of the Bill.

The motion was agreed to.

His Excellency the PRESIDENT :—I move that clauses 1 to 3 stand part of the Bill. This was agreed to.

His Excellency the PRESIDENT :—I move that the preamble stand part of the Bill. The motion was carried.

The Honourable Sir JOHN MUIR MACKENZIE :—I have now to request Your Excellency's permission to move the third reading of the Bill. Further remarks are unnecessary as the questions have all been sufficiently discussed. I formally move the third reading of the Bill.

His Excellency the PRESIDENT put the motion and it was carried.
Bill read a third time and passed.

The Honourable Sir JOHN MUIR MACKENZIE :—I find that I have also to move that as in the report of the proceedings when the Bill was referred to a Select Committee my name was omitted from the Committee, it be inserted.

The motion was agreed to. //

BILL No. II OF 1907 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY IMPROVEMENT ACT, 1893).

The Honourable Mr. J. L. JENKINS, in moving to withdraw Bill No. II of 1907, a Bill further to amend the City of Bombay Improvement Act, 1898, said :—Your Excellency,—this Bill was introduced in April 1908 and was in the usual course referred to a Select Committee. In the course of the discussions in the Select Committee, many radical alterations were made; fresh provisions were introduced and the Bill became to all intents and purposes a new measure, which, if it were proceeded with, ought properly to be re-introduced in the Council and submitted for a first reading. There were many differences of opinion which at first appeared irreconcilable in spite of the strenuous efforts of Sir STEYNING EDGERLEY to arrive at an understanding but finally the majority of the Committee gave their adhesion to a draft upon the condition that this Government would obtain or seek to obtain from the Government of India a subvention to the Trust amounting in one way and another to a crore of rupees. Even so one member of the Committee dissented strongly from the principal provisions of the revised Bill. Before applying to the Government of India for assistance, the Government found it necessary to make an inquiry into the financial position of the Trust and much time was occupied in this investigation, the result of which is shown in the statement which has been placed before the Council. It has now become quite evident that it would be useless in the present circumstances to appeal to the Government of India for assistance and the basis of the agreement with the majority of the Select Committee has therefore broken down. I cannot now expect anything like unanimity among the members of the Select Committee in respect of the principal provisions of the

Bill and we are in fact in the same position as we were before the Bill was referred to the Select Committee. It would of course be possible to take up the Bill again in its original shape, but some of the changes which it was proposed to affect have become unnecessary. Thus it was provided that the Municipal contribution should be a fixed 2 per cent. It is never likely to be less than 2 per cent. in future. We have also been able to interpret the much disputed section 79 and to effect the distribution of profits under the section.

The financial arrangements to be made in future which are the core and kernel of the Bill, the operations to be undertaken by the Trust and the views of the Government upon that subject, have been expressed in a paper which has presumably been published. I may say that the Government are willing and indeed anxious to give all possible assistance to the Trust, provided that they are assured that the money will be laid out in the manner most beneficial to the City. What form that assistance should take, to what extent it should be given and how far the Corporation may be expected to co-operate, are all matters for discussion and, until they have been settled, it will be better not to undertake any general amendment of the Act.

There is one part of the Bill, the disappearance of which I should view with regret were I not assured that it would prove wholly ineffectual. I refer to the provisions for the accommodation of the poorer classes. Apart from the wide differences of opinion which exist regarding the principle of these provisions, the terms prescribed in the Bill are not sufficiently liberal to induce employers of labour to take advantage of them. I believe the Honourable Sir VITHALDAS DAMODHER THACKERSEY, whose interest in the subject is well known, agrees with me that the provisions as they stand, which differ widely from his original proposals, will be useless. The matter will not, however, be lost sight of and will be considered in connection with the proposal that the Trust should spend a large portion of the resources which may be placed at their disposal upon chawls. I move that leave be granted to withdraw the Bill.

The Honourable Sir VITHALDAS D. THACKERSEY said:—Your Excellency,—When I received the papers intimating the intention of Government to withdraw the Improvement Trust Bill it occurred to me that I should oppose it. But after reading the Government Resolution on the development of Bombay recently issued and hearing the very satisfactory explanation given by the Honourable Mr. JENKINS I do not propose to take that course although I feel that it would have been better in the interests of all concerned if the Bill had been proceeded with. Your Excellency will permit me to express the keen satisfaction felt by all sections of the public with the terms of the Government Resolution. If I may say so it is a master-piece of its kind. For a long time past a great deal of confusion and difference of opinion has existed owing to the absence of a settled programme for the organised development of this great and growing city. But Your Excellency's Government have evolved out of this chaos a connected and practical scheme of future development. The resolution puts forward practical solutions of the various problems connected with the improvement of the City. The Government have expressed in emphatic terms their determination to carry out the scheme and have offered the necessary financial and legislative help. Their orders are conveyed in plain and unequivocal language which we all appreciate. I am particularly pleased with the prominent place given in the programme to the question of providing suitable sanitary

accommodation for the poorer classes which, as is well-known, has been discussed since 1900 and, although every one is agreed as to its importance, is after 9 years' discussion still where it was.

Your Excellency, I am not an opponent of the Improvement Trust. I highly appreciate the good work that it has done in many directions and feel much admiration for the manner in which under difficult circumstances it has discharged its responsible functions. But I think that as regards one or two matters the Trust has not adopted the wisest course and that with a little more consideration it might have done much better. I will explain my point in a few words with Your Excellency's permission. The main object with which the Trust was created was the improvement of the health of the City; for that purpose it was necessary that large areas of insanitary land and buildings should be acquired. In acquiring such areas the policy of the Trust has hitherto been as follows. As soon as the areas were purchased they pulled down buildings, sold frontages at the best possible rates and when the rate they thought sufficient was not obtained, they held on large plots of land which had to remain vacant and unbuilt upon. This policy naturally led to what I may call a famine of residential quarters in localities affected by the Trust's operations, increasing over-crowding in existing houses, raising rents and, consequently, the value of property throughout the City. This policy necessarily entailed great hardship to the middle and poorer classes and also compelled the Trust to pay higher value to the acquisition of land in the later schemes and the Municipality for set-backs. In short, the Trust raised the price of land against themselves.

Your Excellency, I need hardly point out to this Council that this is a policy which, if it had been followed by a private individual, would have soon landed him in the Insolvency Court. It is like the Finance Minister of the Government of India going to the market for raising loans in March or April when all the available money is locked up in financing the produce and when Government have withdrawn a considerable portion of money from the agriculturists as land-tax. If he did so it goes without saying that he would have to pay a very high price for the loans. But he does nothing of the kind. He is wise enough to go to the market for loans only in July and August when money is cheap and largely available; and he takes the further precaution of depositing large amounts in the Presidency Banks in order to create a plethora of money. He therefore gets loans at reasonable rates. The same arguments apply in the case of the Trust. If instead of, as I have pointed out, raising prices against themselves the Trust had provided accommodation for the poorer classes at a cost of about Rs. 75 lakhs as originally intended, and as stated in the Government Resolution recently issued, the case would have been very different. Some of the chawls might have been built on the vacant lands vested in the Trust under the Act and others on selected portions of the acquired properties before the houses were pulled down. If they had done this they would have prevented to a considerable extent the large inflation in rents and values, saved much hardship and inconvenience to the poor, and, at the same time, been able to acquire land at normal prices. The Municipality too would not have had to pay higher prices for set-backs.

The Honourable Sir PHEROZESHAH :—Your Excellency,—May I ask whether it is open to us, when leave is asked to withdraw the Bill, to go into the question of the policy of the Improvement Trust?

His Excellency the PRESIDENT:—I think it is hardly in order. I would ask Sir VITHALDAS to confine his remarks to the motion.

The Honourable Sir VITHALDAS:—My object in pointing this out was that this Bill ought not to be withdrawn but should be proceeded with at once. I intended to bring all these arguments before the Select Committee if Government had proceeded with the Bill, and I think if I oppose the motion I have a right to give all these reasons. I only want to point out why the house-accommodation scheme ought to have been taken up first. The other policy of the Trust which, in my opinion, is objectionable, is that of holding on property for an indefinite period of time in the hope of getting fancy prices. I think this action of the Trust, which in the case of an individual might be called speculating in land, is not justified. A public body like the Trust, liberally supported as it is by the Government and by the Municipality, and having practically unlimited resources at its back, can hold on vacant land for an indefinite period of time and thus prevent the building of the houses on them for the accommodation of the general public. No private individual can do so. He will either build on land in order to get a return in the shape of rent or sell it to others to be built upon. The Improvement Trust has large plots of land lying on its hands without bringing in any return. I may mention as instances some plots on Agripada estate and Scheme No 4 in Chawpati where, with the exception of 3 or 4, all the plots are vacant. On the Sandhurst Road up to Two Tanks Road, a number of plots are also vacant. In Scheme No. 2 which has been completed, for the last 3 or 4 years some plots are still tenaciously held on by the Trust and therefore remain vacant. In addition to the great inconvenience to the public occasioned by the prevention of building on these plots there is another risk which a public body has no right to incur. A number of circumstances often rise which change the value of land and that is a risk that a body like the Trust ought not to take. I feel therefore that hereafter at least the Trust should follow a different policy in regard to the provision of accommodation before demolishing houses and in regard to the disposal of vacant lands at the best possible rate ruling at the time, and on the condition that purchasers must build within a reasonable time.

His Excellency the PRESIDENT:—I am not quite sure that you are in order, Sir VITHALDAS. The motion is that permission may be given to withdraw the Bill. Do you intend to say that the Bill should not be withdrawn?

The Honourable Sir VITHALDAS:—That was my object. Either the Bill should not be withdrawn or the Government should declare that they undertake to bring in another Bill in the direction I am pointing out.

His Excellency the PRESIDENT:—Then you propose that the Bill should not be withdrawn.

The Honourable Sir VITHALDAS:—I will confine my remarks to the house-accommodation scheme.

It has been objected that the finances of the Trust will not permit of the expenditure on chawls. A moment's consideration will show that there is not much force in the objection. According to the review of the Trust's operations placed before this Council, nearly 3 crores of rupees would have been spent by the end of 1909. Surely it cannot be said that it would have been difficult for the Trust to spend Rs. 75 lakhs on providing accommodation for the poorer classes. As it is the Trust proposes to spend in all

Rs. 48½ lakhs (including 11 lakhs and ten thousand already spent for constructing chawls) in the near future which will entail an annual loss to the Trust according to their own estimate of Rs. 85,250 or a capitalised value at 4 per cent. of 21 lakhs.

That brings me to my point. The importance of providing chawls being recognised, the next question to consider is whether they should be built and owned by the Trust or by the factory owners co-operating with the Trust. On previous occasions, I had pointed out the advantages of securing the co-operation of Mill-owners. The disadvantages arising from the Trust itself owning the chawls are in addition to the annual loss mentioned above, the impossibility of economical management and the absence of any guarantee that the chawls will be occupied by the classes for whom they are intended because ultimately the management will be left to the hands of small men. There is also the consideration of locking up capital. The alternative scheme that I have put forward has been accepted by the Bombay Mill-owners' Association and also by the Improvement Trust so long ago as 1900; under which the Trust erects chawls and leases them to the factory owners and receives back the total money spent within 28 years by means of a two per cent. sinking fund. It is to my mind the best solution of the problem in the interests of the public. It does not entail any loss of public money; it ensures economical management and a reasonable guarantee that the poorer classes will alone occupy the chawls and under it the Trust has not got to lock up its capital for any length of time as the burden grows less and less every year and is wiped off at the end of 28 years. The saving to the Trust on the basis of an expenditure of 75 lakhs, providing nearly sixty thousand people with accommodation, works out to an annual sum of Rs. 1,32,000 or a capitalised value of 33 lakhs of rupees. Two objections have been urged against my scheme. It has been asked in the first place what need is there to help mill-owners who are wealthy enough? My answer is that as the above figures conclusively prove that it is not a question of helping mill-owners at all; on the contrary, we are inducing them to undertake the responsibility of a loss amounting yearly to 1,32,000 rupees which would otherwise fall upon the Trust. The second objection raised is that a mill may have to go into liquidation in which case the Trust will have to bear the ultimate loss. My reply is that in the history of the mill industry of Bombay for the last half century the cases have been very rare indeed where the mortgagees have lost their money. There might have been instances where the shareholders lost money.

The Honourable Sir PHEROZESHAH :—Even depositors have lost their money.

The Honourable Mr. SETALVAD :—And the debenture-holders too.

The Honourable Sir VITHALDAS :—But in many cases the mortgage holders have not lost their money.

The Honourable Sir PHEROZESHAH :—I am not an opponent of mill-owners; but I own I am not an advocate of mill-agents owing to whom I have lost a good deal of money.

His Excellency the PRESIDENT :—Sir VITHALDAS, your remarks are not quite relevant. You are discussing what should be the future policy of the Improvement Trust. I do not think the future policy of the Improvement Trust is before the Council.

The Honourable Sir VITHALDAS :—I will now conclude. What I submit is that under this scheme the Trust will be the mortgagee of the land and buildings and there is not the slightest danger of its losing money. The amount invested in chawls is repaid

every year at the rate of 2 per cent. so that within a few years the Trust gets a large margin for its own safety. But if the worst comes to the worst the chawl reverts to the Trust and it can let it to whomsoever it likes.

The Honourable Mr. IBRAHIM RAHIMTOOLA :—Your Excellency,—May I rise to a point of order? The Honourable Sir VITHALDAS has gone on attacking the Trust, its policy and its action. The honourable member has been twice ruled out of order by Your Excellency, but he is still proceeding on the same line. These remarks will appear in the proceedings of this Council and as Your Excellency has ruled the subject out of order, we will be debarred from giving an answer. This is manifestly unfair.

The Honourable Sir VITHALDAS :—I am sorry my remarks are not quite agreeable to some members.

The Honourable Mr. IBRAHIM RAHIMTOOLA :—This is a personal reflection and I request Your Excellency to ask the honourable member to withdraw it.

The Honourable Sir VITHALDAS :—I had not the slightest intention of giving pain to the Honourable Mr. IBRAHIM RAHIMTOOLA. What I wish to say is that Government having expressed themselves so clearly, should take early steps for the introduction of a Bill or to allow me to introduce a private Bill when I hope to prove my case before the Council.

Your Excellency, I shall conclude with an earnest appeal that no further delay should be incurred in this all-important matter. The delay that has already been incurred has added immensely to the difficulties of the problem.

The Honourable Sir PHEROZESHAH M. MEHTA said :—Your Excellency,—I do not think this is an occasion when we should go into the consideration and criticism of the past policy of the Improvement Trust. I will content myself with saying that I think the course which Government have adopted is on the whole a wise one. The condition of affairs had become so difficult with regard to this Bill that the Honourable Mr. JENKINS was perfectly right in saying that there was no course open but to withdraw the Bill. This will give us time to consider the various questions which have arisen during the time the Bill was before the Select Committee. I do not think it is at all improbable that the Corporation will take an early opportunity to approach Government in regard to the proposals which have thus arisen. There would be time to bring all these matters before Your Excellency and to point out what are important matters in regard to the operations of the Improvement Trust in which Government should move. I content myself therefore with saying that on the whole I consider that the course adopted by Government is certainly a wise and judicious one.

The Honourable Mr. IBRAHIM RAHIMTOOLA :—Your Excellency,—I quite agree in the view that it is desirable under the circumstances for Government to withdraw the Bill for the time being, but on the clear understanding that in the near future a fresh Bill will be introduced in this Council dealing with the various defects that have been observed in the actual administration of the Improvement Trust for which the Improvement Trust have made representations, and also dealing with the various amendments which the Bombay Municipal Corporation has recommended and which the Government have agreed to insert in the amendment of the Act. Some time must be allowed to the public bodies concerned for carefully considering the various points dealt with in the scheme of improvements which Government have recently published. Government will

have to state more definitely the manner and the extent of the additional financial assistance which they say in the Resolution they are willing to grant. In determining the extent of such financial help I hope it will be borne in mind that as recently announced under the Calcutta Improvement scheme only 25 per cent. of the total cost of improvements in that city is paid by the rate-payers while in Bombay we have been called upon to contribute from 90 to 95 per cent. So far as this city is concerned the general tax-payer has paid practically nothing. All these points have to be taken into consideration before final shape can be given to the legislative action which will become necessary. On these grounds I am agreeable to support the proposition which the Honourable Mr. JENKINS has put forward. I am very pleased to see that Your Excellency ruled the Honourable Sir VITHALDAS out of order. With regard to the extensive criticism which that honourable member has made against the Improvement Trust I will only say that a man in Sir Vithaldas's position ought to have considered it his duty to verify his facts before waxing indignant in this Council.

The motion was then agreed to.

The discussion of the financial statement of the Government of Bombay for the year The Financial Statement resumed. 1909-1910 was resumed.

The Honourable Sirdár Meherbán LAKHANGAUDA BASAVPRABHU, Sar Desai of Vántmuri, said :—Your Excellency,—I wish to say a few words about grazing areas. When originally grazing areas were allotted to different villages the population and cattle-stock were limited. Now they have increased considerably so the ryots necessarily need enlarged areas of grazing. I know Government are kind to ryots. Now I only ask them to be more kind to ryots by making further provisions for grazing in non-forest places.

Wherever there are forests the villagers near them are now allowed to graze their cattle for fixed fees. I recommend Government will kindly reduce the fees to some extent and also relax the forest rules which I hear are a little hard to the ryots at present, and thus more facilities should be given to ryots.

Now about provisions for education of depressed classes and women. At this time I also take liberty to include criminal tribes who are numerous in the districts of Belgaum and who give constant troubles to life and property. To educate such people is one of the best remedies to wean them from bad habits.

To give a better status to depressed classes in society education is quite necessary.

At present generally enlightened class of girls take advantage of schools but the backward class of girls do not go to school much for want of encouragement in the form of scholarships, etc. Till this class of people get a taste for education such encouragement is necessary.

So I beg Government will make provisions with regard to my request in their next Budget.

The Honourable SYED ZAIN EL EDRUS said :—Your Excellency,—On going through the Budget Estimate and the Financial Statement for the year 1909-10 I have been considerably impressed with their lucidity and explanatory character, every single item

of increase or decrease, as compared with previous years being so fully explained as to leave practically no room for question or comment; and I congratulate the Honourable Member in charge of the Budget for the efficiency with which it has been prepared.

It is satisfactory to note that the advancement of primary education continues to receive the earnest attention of Government, and that although the Government of India negatived the proposal of Your Excellency's Government for an increased grant on the ground of retrenchment, nevertheless the requirement has been promised to be met to the full extent of Rs. 1,14,000 by reappropriation from other sources. There can be but little doubt that any impetus offered to primary education cannot fail to ameliorate the condition of the masses of the poorer villagers and cultivators, whose offspring would make better living beings than their predecessors who scarcely knew how to sign their names and were a prey to their relentless Sowkars.

The extension of certain sections of the Dekkhan Agriculturists' Relief Act to Gujarát has indeed proved a great boon to the ryots in this part of the country, and the snares to which their illiteracy had exposed them have been minimized in a measure; but this benefit to them can go no further than the law is competent to allow, and unless personal influence, aided by education of a primary character at least, is brought to bear on them, their condition in life would never be what Government were so benevolent in wishing it should be. I have more than once touched upon the subject in this Council, and I feel sure that the beneficial results of an extended system of primary education will be appreciated by the rural masses of the Presidency with profound gratitude.

In reference to the abolition of tolls on Provincial and Local Fund roads, I would beg leave to propose that the policy be worked with retrospective effect, and that all existing toll-bars on roads constructed from Local Funds before it was initiated be also abolished. The object of the abolition obviously being to facilitate traffic and lessen as far as possible, the burden on rural villagers, it is essential that uniformity be observed in working out the policy, instead of the dual system of allowing existing toll-bars to remain undisturbed and new ones disallowed. As it is, the Northern Division has not received the same patronage as the Southern and Central Divisions in respect of abolition of tolls on Provincial roads, in that, while toll-bars yielding a net revenue of Rs. 24,000 and Rs. 18,000 in the Southern and Central Divisions, respectively, have been abolished with effect from the 1st April 1909, the Northern Division has had toll-bars abolished which yield a net aggregate revenue of Rs. 8,000 only. I am not aware of any Provincial or Local Fund roads in the Northern Division the cost of maintenance of which would fall unduly heavy on the Provincial revenues, and I venture to hope that the propriety of my proposal will meet with Your Excellency's favourable consideration, and the Northern Division admitted to a fair share of the concession graciously made by Government.

A subject of much moment to the Mahomedans, which I venture to submit for Your Excellency's especial consideration, is that which has, of late, elicited considerable discussion in the community, at all events, in the Bombay Presidency, and it is the necessity for a more extended study of Urdu by children of Mahomedans receiving primary education in the Presidency Town and the Mofussil. As it is, the Mahomedans are in the background in point of education, as compared with other denominations, and one of the main causes to which this is attributable is, that treating Urdu as their

mother-tongue and one from which an insight into their religious tenets is derived, while Gujaráti is the language of the country, the study of that language has to be combined with Urdu and much time is consequently absorbed before they are able to take up their studies in English. No doubt, Urdu forms one of the subjects of tuition in primary schools; but the burden thrown on them is two-fold, as compared with boys of other denominations, as, for example, while a Mahomedan boy has to keep pace with both Urdu and Gujaráti at one and the same time, a Pársi or a Hindu boy has to confine himself to Gujaráti alone, with the result that a Mahomedan boy obtaining passable marks in Urdu and, perchance not in Gujaráti, is plucked, whereas a Pársi or a Hindu boy obtaining passable marks in Gujaráti takes precedence over the Mahomedan. This is a serious hardship which can, I think, be avoided by regulating the course of tuition so as to make Mahomedan boys to study Urdu by itself and not Gujaráti, up to the III Standard, as the text books to be studied upto that Standard are also available in the Urdu language, and then combine Urdu with Gujaráti in progressive order; in other words, the study of Gujaráti so far as Mahomedan boys are concerned should be postponed till they have passed the III Standard. In this way the Mahomedan student will be in a position to compete successfully with boys of other denominations without undergoing the disappointment of being plucked in the manner above described. I need scarcely say (and it is the ardent aim of the Mahomedans) that Urdu shall not be allowed to die out or otherwise lose its stand from want of due and opportune remedies for its preservation, more particularly as Urdu is universally adopted in Northern India, and even in Bengal, with the mercantile institutions and establishments whereof the Bombay Presidency is largely associated both in business as well as service connections. If necessary the Director of Public Instruction might appoint a Committee to consider and devise measures for redressing what I conceive to be a real grievance.

Another point is that the Mahomedans have invariably considered the teaching of the Koran to their children their first and paramount obligation. Through the kind exertions of my friend the Honourable Mr. IBRAHIM RAHIMTOOLA the tuition of the Koran, which absorbed three years of the earlier lives of Mahomedan children, has been introduced into Mahomedan Primary Schools in the Presidency Town. I hope that Government will be pleased to extend the tuition of the Koran to Mahomedan Primary Schools in the Mofussil. Religious and secular education would then work hand in hand and much time of the student saved to be turned to good account as regards other studies.

I would, at this stage, draw Your Excellency's attention to a leader in the *Times of India* of the 16th June 1909, which directly treats on the importance of combining religious with secular education as a solid means of rendering education worth its true value.

I beg to tender my warmest thanks and those of my community for the sympathetic treatment afforded by the Home Government and the Government of India, and none the less by Your Excellency's Government, who were doubtless consulted in the matter, to the representations of the community for a separate election for Mahomedans. I support the remarks made by my friend the Honourable Mr. IBRAHIM RAHIMTOOLA with reference to communal election by Mahomedans. We earnestly hope that any hitch which still exists will soon be removed. As an illustration of the grievance of

which the Mahomedans have all along complained, and I venture to think not in vain, I would refer to the recent election by the Surat City Municipality of delegates to vote for a member of the Legislative Council where but one Mahomedan Councillor was elected as against 7 Hindus, 3 Pársis and 1 Christian even though the election was not a contested one.

In conclusion, I thank Your Excellency, on behalf of myself and my community, for the benevolent and generous grant of a suitable site for the construction of a Musafarkhana for Hajis to Mecca and back and for appointing a special Committee to watch over their welfare.

The Honourable Sir VITHALDAS D. THACKERSEY :—Your Excellency,—At this late hour I will only beg Your Excellency's permission to make a reference to a matter which is of much interest to the industrial communities in this Presidency. Government have been pleased to amend the rules under the Boiler Inspection Act in some matters, one of them being inquiry into charges of incompetence, drunkenness, etc., against engineers. Hitherto the Collector was the sole authority in the matter. Under the amended rule, he is required in Bombay to appoint an assessor in such inquiry from among the members of the Local Boiler Commission. The Committee of the Mill-owners' Association recommended that it should be made incumbent on the Collector to appoint a duly qualified engineer, preferably nominated by the Association, to act as co-assessor with the member of the Boiler Commission. Government have replied that they cannot accept it as it is not in harmony with the intention of the Act. This is a simple matter of justice to the engineer and has nothing to do with the administration of the provisions of the Act, and I think Government may well have accorded this modest request.

The Honourable Mr. W. H. SHARP said :—Your Excellency,—The remarks made by Honourable Members on the subject of primary education have related to four heads : the extension of schools, the pay of teachers, the subject of free and compulsory education, and religious teaching. As to the extension of schools, last year the inspecting officers were asked to make a list of all villages of 400 to 500 people where schools could be opened with a reasonable chance of success ; a list of 1,650 such places was sent in, and it was estimated that to open schools in these would cost something over four lákhs. I do not think it was ever contemplated to open all these at once ; at all events, it was hardly to be expected that we should be able to find such a large number of teachers in one year, but it was believed that we should be able to open about a third of the number this year. Honourable Members have suggested that a definite scheme should be prepared to work up to year by year. That is exactly what has been done. A definite list has been made and if funds are forthcoming it will be possible to carry it out in three years or so. I must remind Honourable Members that the success or failure of the scheme will depend very largely upon the masters who are to be put in charge of the schools, and therefore it is necessary for us to be careful in selecting such teachers, but I think we have every prospect of being able to find 500 or 600 men in each year for three years. The Honourable Mr. PAREKH suggested that not only should there be a comprehensive scheme but that preparations should be made, such as the collection of furniture, in advance, but I must remind him that I cannot incur expenditure without sanction, or at any rate knowing that it is going to be sanctioned. In the present case I have not received sanction as yet, but I can say that some of these schools can be opened

a week after the receipt of definite orders, and I hope that most of them will be opened from August 1st, except where it is necessary to wait until the end of the monsoon. The schools proposed include girls' schools, Urdu schools, and schools for the depressed classes, though I am afraid the criminal tribes have not been included as yet. With regard to the pay of teachers, Rs. 2,42,000 have been included in the Budget, including Rs. 98,000 for the reform introduced last year by which the minimum salary was raised from Rs. 7 to Rs. 9 a month, leaving Rs. 1,44,000 to distribute now. At the beginning of this month I sent in proposals for the utilisation of this sum and am awaiting further orders. In this connection the Honourable Mr. SETALVAD raised the very important question of the extent to which trained teachers fail to obtain the pay of which a promise is held out to them. In this matter there are two distinct stages. In the first place a trained teacher when he leaves college is given a certificate which entitles him to receive a minimum initial rate of pay. This may not be a legal contract but it seems to me very much like one, and I am very sorry that it is not always carried out. The Honourable Mr. SETALVAD spoke on behalf of the teachers in Gujarát, but if it is any consolation to him I may state that in the Southern Division the state of affairs is even worse. The amount of money required to give trained teachers the initial value of their certificates is Rs. 55,000 per annum, and I have proposed an increase under this head out of the sum to which I referred just now. Secondly, after the initial stage a promise of rising to a certain maximum in proportion to length of service is held out that is not always carried out. This promise is rather different. In any service in the world because certain men are eligible for a certain degree of pay, it does not follow that every man of that grade is entitled to receive that pay. That depends upon circumstances, upon the number of vacancies in the higher ranks and so on. I admit freely that they ought to receive a great deal more of what they are promised than they actually do receive. The difficulty is just one of funds. I cannot give the exact figures, but it is obvious that if it will take more than half a lakh to pay the initial value of the certificates it would take a good many lakhs to give them the full promises held out to them. The Honourable Mr. SETALVAD is Chairman of the Schools Committee in Bombay. I see that the Corporation is proposing to train teachers of its own. When they are trained they will want a great deal more pay than when they were untrained. I hope the Schools Committee will see that they get the full initial value of their certificates and the promises as they become due.

The Honourable Mr. SETALVAD :—It will be so. The Corporation has sanctioned a large grant for the purpose.

The Honourable Mr. SHARP, continuing :—Then there is the subject of free and compulsory education, which was exhaustively discussed last year, and as it is now before the Government of India I do not wish to say anything on the general question. But if the Bombay Corporation are prepared to make an experiment in Bombay, and are successful we shall congratulate them very heartily. The Honourable the JA'GHIEDAZ OF ICHALKABANJI has suggested that we should excuse the payment of fees in the Government's own primary schools. Although there are said to be 17 of these, 2 are dependent upon imperial funds, 3 are at Aden, 2 are Police schools and as far as my Budget is concerned there are only ten, of which three being girls' schools are already free. The total fees in the other seven amount to only Rs. 1,800 and Government might be disposed

to waive that amount of money by way of setting an example. At all events I am willing to take the orders of Government on the point. With regard to religious instruction I remain unconvinced that every village school master should give religious teaching, if by that is meant sectarian teaching. But if the honourable member meant moral teaching I agree that we should have as much in the schools as we can get. But I should like to protest against people speaking and writing as if we gave none in the schools at all, whereas you will find moral lessons in all our primary reading books. Of course the effect of such lessons depends entirely upon the teacher. One man will go through with it as if it were an ordinary lesson, while another man can produce quite a different effect with it. You cannot control this, as it depends entirely upon the personality of the teacher, and no amount of rules, codes or systems will affect it. The Honourable Member said that the religious difficulty had been solved in Mysore. I have read in the papers that Mysore has introduced moral instruction into the schools, but I do not remember seeing that the same had been done with definite religious instruction. If it has been done I should like to have further details. Connected with this matter is the subject of the Koran teaching. This is done in Bombay schools, and I do not know any *a priori* reason why it should not be taught in Mofussil schools.

On the subject of secondary education I need only refer to the question of hostels. Last year the sum of 2 lakhs was included for the purpose, including Rs. 30,000 granted for the extension of the hostel at Nariád; the rest could not be spent, as it often takes much time to get out plans. Work is being carried on at Nariád; a site has been selected at Ahmedabad; plans are being prepared for Bijápur, and plans have been sent in for Sátára, so that if the money becomes again available I hope we shall be in a position to make use of it. Coming to University matters the Honourable Mr. SETALVAD relieved himself of his usual strictures about the state of the Elphinstone College, which do not altogether harmonise with the eulogies he gives Government when he comes to the Gujarát College. With regard to the Elphinstone College hostel I do not know whether he has seen it this year, but I have been struck with its almost pretty aspect. The surroundings are not altogether good, even though one building is a Cathedral and one a palace, but I think there is exaggeration in the remarks about the hostel. It is true that some of the lower rooms are dark and ill-ventilated, but Government have recently spent money to improve defects, and will no doubt spend more when funds are available. The honourable member says it is a waste of money to spend it upon the present building and that the hostel should be rebuilt, but will he tell us where it should be rebuilt? The proposal to remove the College to a more open site broke down because there was no site available, and if you took the hostel to any great distance from the College the students would complain at having to walk so far. I only see one chance. I read that Back Bay is to be reclaimed, and I will beg of Your Excellency that if that is so you will consider the possibility of reserving some site which will give a quiet and open space for the College. The Honourable Mr. SETALVAD and others repeated the plea about the Gujarát College. I do not think they said anything new on the subject and I do not know that I have anything new either. Sometimes people speaking on this subject represent it as if it were a case of favouritism to the Deccan. It is true that another College exists at Poona, but the Deccan College is far older than the other. Government did not create the second, and there was no reason why Government should abandon a long established College simply because it had been supplemented.

The Honourable Mr. SETALVAD :—We do not want it to be abandoned.

The Honourable Sir PHEROZESHAH M. MEHTA :—We never meant that it should be.

The Honourable Mr. SHARP, continuing :—The Government of the Peshwas extended their patronage to learning which was continued by the British, so that there was a historical reason for the maintenance of the Deccan College which did not exist in the case of Ahmedabad or Karáchi. Then there is also a movement for the creation of a Kárnatic College at Dhárwár, and whatever Government do for one of these Colleges they would be morally bound to do for the others, so that when members ask for the taking over of the Gujarát College they imply taking over two other Colleges. I do not think Government could contemplate that from a financial point of view. I have often thought that if the time which the Honourable Mr. SETALVAD has devoted to the subject in Council had been devoted to worrying rich men in Gujarát, there might have been a much better result to show for it. One rich man is going to endow science teaching at Ahmedabad, and I do not see why other rich Gujarát men should not endow professorships in the Gujarát College. If three or four men could be found to do this they could obtain a competent staff. If the people of the Deccan have been able to equip and administer a College like the Fergusson College I cannot see why the people of prosperous and businesslike Gujarát should not do the same.

The Honourable Mr. HUGH MURRAY said :—Your Excellency,—The Forest Department has learnt with great concern that in consequence of the reductions ordered by the Government of India the provision made in the Budget proposals of this Government for the reorganization of the subordinate forest establishment has been omitted from the final estimates. For many years past it has been fully recognized that the pay of the lower ranks was miserably inadequate considering the arduous nature of their duties, the unhealthy conditions under which many of them serve, and the great temptations to which they are exposed. Scheme after scheme has been submitted for improving the pay and prospects of the men, but for one reason or another they have never received sanction. The consequence is that the men are now thoroughly discontented, recruitment does not touch the class required for our work, and the standard of morality is deplorably low. Speaking on behalf of the Forest Department, I venture to express the hope that your Excellency will urge upon the Government of India the immediate acceptance of the latest revised scheme and provide the necessary funds by re-appropriation from some other sources.

In his speech before this Council, on Saturday afternoon, the Honourable Mr. DIKSHIT criticised somewhat severely the policy of this Government in connection with forest grazing, alleging that the payment of grazing fees was a burden on the people and that the working of the present system entailed an excessive number of impoundings and prosecutions, more especially in the Central Circle. With the exception of three districts in the Southern Circle the grazing fee for cattle belonging to the agriculturists is everywhere 2 annas per head per annum. It could not very well be less, and I feel quite sure that in no civilised country in the world is grazing provided for the people at anything like so cheap a rate. The Honourable Member suggests, however, that it should be given entirely free, though there would appear to be no more reason why Government should provide free grazing than free cattle or free anything else. Moreover, the abandonment of the grazing fees, amounting to something over 5 lákhs of rupees, would entail a con-

siderable loss of revenue, necessitating a curtailment of expenditure on other measures to which this Council attaches great importance.

With regard to professional graziers, it is true that the fees are much higher—Re. 1 per head—but considering the fact that their cattle do more harm to the forest, and graze over much larger areas of forest, than the ordinary village cattle; that this is the only item of expenditure incurred by the grazier in the exercise of his profession, and that in no other way does he contribute to the general revenue—considering all this—the fees cannot be regarded as excessive. Possibly there may be individual cases of hardship, and no doubt Your Excellency's Government will take this possibility into consideration and authorise the Collectors to make reductions where necessary.

With regard to the impounding of cattle in closed areas of the Central Circle, the matter is, I understand, engaging the attention of Government at the present moment, but I would like to point out here that whatever is done in the way of closure is done solely in the interests of the people themselves. In many cases the Forest Department does not hope ever to derive revenue from the sale of timber or even of firewood; its one idea being to protect the soil, to prevent its being washed away, and thereby to maintain and possibly to improve the pasturage. It is impossible to maintain forest in any shape or form in this country without imposing some restrictions including periodic closure against excessive grazing. Such measures may cause temporary inconvenience, but surely this is much better than permanent deprivation in consequence of reckless want of foresight. Turn where you will nowadays you will find all the great States of the world taking stock of their natural resources, and more particularly their forests, some regretting past extravagance and waste, others seeking to replace by artificial means what Nature gave them originally to be intelligently used for the public benefit.

The Forest Department may be, as the Honourable Mr. DIXSHIT says it is, unpopular with the uneducated masses, but if this is so, there is all the more reason why the educated members of the community both inside and outside this Council room should extend their sympathy to it and endeavour to make its aims and objects better understood. Doubtless there have been and still are abuses, but with a better paid and better trained establishment the standard of official morality will be raised and most of the present abuses will vanish.

The Honourable Mr. W. L. S. L. CAMERON said :—Your Excellency,—It was not my intention to address the Council on this occasion, but some remarks that have been made seem to call for a few observations. The Honourable Mr. DIXSHIT, who I am glad to see has lost none of his interest in irrigation, drew attention to the fact that the average gross revenue per acre derived from productive works in the Deccan and Gujarát—Rs. 15·30—is considerably higher than that in other parts of India, and I understood him to say that he had heard complaints that the Government took advantage of the necessities of the people to exact the highest possible rates. If my honourable friend will visit, in a season of deficient rainfall, any tract of country under command of a canal he will find that, so far from the rates being considered excessive, the people are clamouring for water : that the demand far exceeds the supply. He will hear complaints that persons are ready to pay the full rate—more if required—for a single watering of their fields; that they are prepared to accept all responsibility and to undertake to ask for no remission

in the event of a failure, but the hard-hearted irrigation officers will not grant their prayer.

The Honourable Mr. DIXSHIT:—Your Excellency,—May I explain, as my remarks were not perhaps quite clear? The point I wished to make is that admittedly the rates were increased at a time when people badly wanted water. Does that not mean that advantage was taken of their need to increase the revenue?

The Honourable Mr. CAMERON, continuing:—If the detailed tables of productive works are examined, figures of gross revenue per acre irrigated will be found like Rs. 2.38 in the case of the Hathmati canal and Rs. 2.12 in the case of the Pravara River works, and it will be seen that what causes the average rate to rise is the figure for the Mutha canals—Rs. 22.47 per acre. On the Mutha Right Bank canal the crop of first importance is sugarcane, on which the rate is Rs. 40 per acre. At first sight this may seem enormous, but I am confident that if the Government were to notify to-morrow that in future the rate would be doubled the sugarcane area would not be reduced by a single acre. On a former occasion I instanced a case where land suitable for sugarcane was leased for three years at Rs. 100 an acre. The lessor was able to obtain this sum for merely the use of the land; the lessee had to pay in addition the canal rate of Rs. 40 per acre for water.

On the Deccan and Gujarát productive works the not inconsiderable sum of over 217 lákhs is locked up as capital. Honourable Members are aware that irrigation is now a divided head, that is to say, while Government receive half the revenue they have to bear half the cost of working expenses and half the interest. During the last triennium the net revenue from all Productive Works (including Sind) was equivalent to a return of only 2.6 per cent. The difference between that and the sanctioned rate must come from somewhere. Government own no inexhaustible well of riches into which they can dip and deficits must be made up out of the general revenues. This is quite right, for, though the direct loss is large, the indirect benefits to the country generally derived from irrigation are great. But at the same time it seems to me that it is the duty of Government, as trustees of revenue they receive, to see that rates are charged which are fairly commensurate with the value of the water, that if possible the works should be made self-supporting, or at all events that the direct loss is reduced to a minimum.

The Honourable Mr. IBRAHIM RAHIMTOOLA referred to the large increase of expenditure in the last ten years on both irrigation works and civil works. In both respects, Sir, the public are to be congratulated. With regard to the irrigation works, I can only say that the expenditure is not large enough. One would like to see 30, 40, perhaps 50 lákhs spent every year on the great scheme of protective works alone that Government have caused to be prepared. The sooner they can be brought into operation the better for the country. In the case of civil works it is to be hoped that Government will be able at least to maintain the rate of expenditure they have sanctioned in the past few years. In all directions demands exist for improvements of existing roads, construction of new roads, culverts and bridges and erection of hospitals and dispensaries, kacheris, public offices, hostels, etc.,—all matters in which the public are interested: and even now with increased grants the expenditure falls very far short of the demand.

The Honourable Mr. WEBB commented on the necessity, for the convenience of the public, of having the various courts and offices in Karáchi housed in a great central block

of buildings, and he asked for information regarding the Sukkur weir and the great canals proposed on the two sides of the river. The Government have decided that the central offices must be built in Karáchi and they have approved of the site mentioned by the Honourable Member, namely, the site of the old jail. Details regarding the accommodation necessary have been called for and when they have been received the Consulting Architect to Government will undertake the design. It is impossible to say when work on them will be commenced for, probably, the estimates will require the sanction of the Secretary of State. The plans for the Sukkur weir are, I have heard privately, practically ready and will probably be before Government within the next fortnight. The Right Bank canal is nearing completion and a Superintending Engineer has been appointed on special duty to push on the project. The Left Bank canal and other projects will be submitted before the end of the year. The advisers to the Government of India have been freely consulted at all stages of the projects and therefore, as they know exactly what is proposed, but little time will be necessary for examination of details and of final financial forecasts before submission to the Secretary of State. The Honourable Member will be glad to know that once the projects are sanctioned there will be no stealing of money. The Government of India are fully aware that true economy demands that the works should be brought to completion with the utmost possible speed. We may look for grants to the full extent that the officers of Government can spend, and figures have already been mentioned of expenditure on the new works alone of 100 lákhs a year in the first years followed probably with 100 lákhs a year in the succeeding ten years.

The Honourable SYED ZAIN EL EDRUS expressed a wish to know why the amount of toll revenue remitted in the Northern Division was comparatively so small. The explanation is that, when Government decided to remit toll revenue to the extent of Rs. 50,000, the amount was distributed among the three Divisions in proportion, approximately, to the total toll revenue in each. Thus it came about that the largest share fell to the Southern Division, and the smallest to the Northern.

The Honourable Mr. C. H. ARMSTRONG said :—Your Excellency,—With you, Sir, and with other members of the Council I trust this monsoon will be a satisfactory one for, as the Honourable Mr. WEBB has pointed out, it is evident from the figures now before us that the high cost of food is a tax upon Government in the same way as it is a serious tax upon all employers of labour and on the people generally. Whether the increased cost of living is due to an excessive coinage of rupees or to shortage of food crops or partly to one and partly to the other I am not prepared to say but the fact remains that the high prices which have now prevailed for so long have seriously interfered with the distributing branches of trade during the past twelve months. I trust therefore that this monsoon will give abundant supplies of food, and that prices later in the year will decline materially, and further I support Mr. WEBB's suggestion that there should be an inquiry into this question of high prices. I am under the impression that in a letter some little time ago to the Chamber Government promised that this should be done if high prices continued. I am glad to see from the figures now before us that increased grants have been provided for the Agricultural Department for demonstration farms and agricultural shows and for an increased number of scholarships at the Agricultural College. I look upon all work of this kind as most beneficial and likely to be of the greatest value and we are I think much indebted to Sir JOHN MUIR MACKENZIE for the great interest he has taken in work of this nature the last few

years. I am also glad to see that provision has been made to carry on the enquiry into the outbreak of malaria which occurred in Bombay last year. The epidemic at one time seemed likely to interfere very seriously with the shipping of the Port and the movements of steamers and many mercantile offices were much inconvenienced by the absence of their clerks owing to severe sickness. The Commercial Community are much indebted to Government for the appointment of this Committee whose investigations will I trust be of use to the Community generally.

A question to which I desire to call attention is the present position of European and English teaching schools in the City of Bombay. I have been connected for some years with one of the largest and most important of these and its position today is typical, I believe, of many others in that at the end of every year, the position financially is worse than it was at the end of the year preceding. These schools are worked by those in charge with the most rigid economy and it is a great pity that revenue, including the grant from Government, is not sufficient to meet expenditure. By the sale of funds accumulated some years ago the school I refer to manages to pull along, but every sale of securities means a loss of interest and consequently of revenue and the position therefore gets steadily worse. I remember a few years ago discussing this question in this hall with the Honourable Mr. GILES, who was then Director of Public Instruction. Mr. GILES promised to look into the matter and later on—and more than once—he told me that a scheme for increased grants was before the Government of India and that the question was bound to be settled at an early date. From that day to this however I have never heard anything more of this scheme and no additional money has come to the schools. In the past in their teaching these schools have done very well, but I fear in future it may be different if there is not sufficient money to adequately remunerate the teaching staff, and the men and women teachers—the latter especially—are hardly earning a living wage and no real increase in their salaries is possible to compensate for the higher cost of living. To turn out good scholars, good teaching is essential, and good teaching in my opinion can only be obtained by proper pay and reasonable prospects. These teachers do not qualify for pension and they have really no prospects beyond what chance may throw in their way. I fear from the figures now before us that increased grants to these schools may be a somewhat difficult matter to arrange, but I trust the point will not be lost sight of, for if these schools are not put shortly into a satisfactory financial position, they will have in the end I imagine to be taken over by Government; and this for various reasons might not be advisable, for they would lose their individuality and the special teaching and training which in many cases have made them so very successful. I should like to see some better prospects in life in the Public Services for the pupils in these schools. If this could be arranged the number of scholars would probably increase and this would help to improve the financial position. At present without good prospects for the scholars the schools are perhaps apt to become unpopular; but these schools are necessary and should in my opinion be put on a sound basis financially and otherwise.

The only other point I desire to refer to is one which comes under the head of "Political" and has reference to a commercial matter on which the Chamber of Commerce a short time ago addressed Your Excellency's Government. I refer to the action of certain Chiefs in Káthiáwár in imposing, in effect, a penalty duty on cultivators and traders in their respective territories who do not pass their cotton through the Gins and Presses belonging to the State. It seems to me impossible that a Native Chief at one and

the same time can be a ruling Prince and a merchant, for as a ruling Prince he must do the best he can for his subjects generally and as a merchant he is forced to do the best he can for himself. The two positions therefore clash and are impossible. I refer to this question particularly with reference to the investment of money—European and Indian capital in enterprises pressing, ginning and so forth—in British Territory adjacent to Native States. The wish or desire to employ money and labour in such enterprises is undoubtedly a very valuable asset to Government, but if Native Chiefs—and there are many scattered about in this Presidency—are to be allowed to dictate to the cultivators in their States and to act altogether contrary to the principle of free trade which allows a man to buy in the cheapest market the employment of European and Indian capital in such works is bound to be prejudiced. This is a point which needs I think the serious consideration of Government, and I trust an announcement may shortly be possible that satisfactory arrangements for the future have been made with the two States to which I allude and that works and enterprises in British Territory will not be hampered in the future by such arbitrary methods as the one to which I have made allusion.

Before sitting down I would refer for one moment to two important matters which have been dealt with by Your Excellency during the last year, in fact just lately. The first is the settlement of difficulties which had arisen between the Port Trust and the G. I. P. Railway Company. This matter was dealt with by Your Excellency in a thoroughly businesslike manner, and I would express the thanks of the commercial community at the satisfactory arrangement arrived at. The second matter is the scheme for the development of Bombay which has just been published. The promptness with which this matter has been dealt with is most satisfactory and we are much indebted to Your Excellency for the time and thought you have given to this important question. Whether there are criticisms or whether there are not, the scheme is a comprehensive one and worthy of the most careful consideration by all who are interested in the future development of Bombay.

The Honourable Mr. GHULAM MUHAMMAD KHAN *walad* KHAN BAHADUR WALI MUHAMMAD KHAN BHUGRI said :—Your Excellency,—I do not propose to detain Your Excellency and this Council at this late hour of the day. I will therefore cut short my speech and bring to Your Excellency's notice those points which I am entrusted by my constituency to put forward before the Council. With regard to the revenue administration of Sind, first of all, I shall draw the attention of Your Excellency to the charges levied under rule 4 of Sind Fallow Rules. Under the rules if a Zamindár does not cultivate any portion of his holding for five years he has either to pay the full assessment on that portion or he must forfeit that to the Government. The object of this rule, I believe is to prevent the Zamindár from keeping his land uncultivated and to secure the assessment at the rate of one-fifth of the entire holding per year for the Government. I assure Your Excellency, that no Zamindár will leave his land to lie uncultivated if he can possibly help it as his living depends on cultivation alone. He cannot leave any portion of his land vacant without losing his own income. If the land lies vacant there must be some other causes beyond his control compelling him to let it lie so, causes such as the scarcity of water or the nature of the soil to which no tenant will venture to invest his labour readily. With all that, I believe a Zamindár in Sind cultivates more than $\frac{1}{4}$ or $\frac{1}{3}$ of his entire holding every year. Still if he does not cultivate a certain survey number for five years it is attributed to his negligence and he is either to pay

full assessment of that number or is forced to forego it. This is the most unpopular rule in the eye of the Zamindár and I will earnestly press for the total abolition of this rule. I am told that at one time not very far, the then Commissioner in Sind contemplated to abolish this rule and had actually called the opinions of the District Officers upon it. But since that the matter seems to have been dropped for reasons best known to themselves. I ask Government for its total abolition, because it will not affect the Provincial exchequer materially as the revenue under this head is very small. If the Government does not contemplate to abolish this rule altogether, I will then suggest a modification, that is, Government should not insist on the cultivation of the specific portion which is left uncultivated for the space of five years but should leave the Zamindár free to cultivate any portion of his holding, provided he cultivates in five years an area equal to the area of his entire holding. I hope the Government will see their way to abolish this most hated rule.

I pass on to another matter which has caused a great deal of discontent among the Zamindárs of the Upper Sind Frontier. I mean the recent forcible reduction of the sluices at the heads of the water-courses of the Zamindárs. The Begari is a canal which, as Your Excellency is aware, existed (and with it the water-courses of the Zamindárs) long before the British conquest. The Zamindárs of that part had no cause for complaint for many years, till recently the Quetta Agency acquired a lease of the portion of the Kelat territory from the Khan of Kelat. To irrigate this part of the country it was necessary to take water from the Begari, the only nearest canal. In order to meet this new demand on the resources of the Begari the authorities in charge reduced the usual supply of the Zamindárs by forcible reduction of the sluices at the heads of their water-courses and thus have forced them to cultivate less than they used to do.

I hope this matter will receive due consideration at the hands of Your Excellency's Government.

Turning to the Local Boards of Sind, I ask the Government to extend the election system to two districts of Sind, namely, Thar and Párkar and Upper Sind Frontier, where all the seats on the District as well as the Táluká Local Boards are filled by nominations only.

Why should this be so? I am told that these two districts were non-regulated districts containing sixteen talukás. In one of these talukás, namely, Mirpur Khás, the elective system has been introduced, but the other five are still without it. I hope Government will see their way to grant these two districts the right of election which they so much desire.

Turning to the Judicial Department, I will make a few remarks with regard to the unreasonable costs of litigation in the Judicial Commissioner's Court. Under the rules now prevalent in that Court, a litigant has to pay the costs of copying of the depositions and other papers in a case by typewriting. Even the true copy of the judgment of the Lower Court attached to the memorandum of appeal has to be re-typed into two copies for the two Judges of the Bench which really is the work of the office establishment of that Court. Why should a poor litigant be made to pay it who has already paid full *ad valorem* Court-fee on his appeal? I hope the Government will remedy this also.

I also endorse all what has been said by my colleague, the Honourable Mr. IBRAHIM RAHIMTOOLA, while commenting on the Despatch of this Government to the Government

of India in connection with the reform of this Council. These are the views not only of my colleagues, but, as Your Excellency is aware, they are the outcome of deliberations of the entire enlightened Moslim world of India and are unanimously accepted by them. The Moslim community of this Presidency is anxiously awaiting to hear about their lot from Your Excellency. I have every confidence that the interests of the minorities will not be overlooked by Your Excellency's Government.

The Honourable Mr. R. A. LAMB said :—Your Excellency,—There are a few remarks which I should like to make. I do not desire to follow the Honourable Sir PHEROZESHAN M. MEHTA in his historical retrospect of the achievements of Your Excellency's Council as at present constituted, regarding which the honourable member might—if he indulged in Latin quotations—say with just pride “*quorum pars magna fui*,” nor do I wish to imitate the young man in “Locksley Hall” and “dip into the future far as human eye can see” and see visions of all the wonders that will be when this Council is reconstituted. I would make only one observation; and that is that it will be wise to be not over-sanguine regarding the effects on the Budget provisions of the year of the discussions which will take place in the enlarged Council under new rules of procedure. So long as the existing relations of the Government of Your Excellency in Council with the Government of India in respect to the framing of the Budget remain unaltered, the financial arrangements of the Presidency must, as it seems to me, continue to be settled by that Government, and the discussions in this Council will not, as some honourable members seem to anticipate, result in decisions as to the sums to be allotted, but only in recommendations on which the decisions will be passed by the Supreme Government. I have also no wish to go with the Honourable Mr. IBRAHIM and the Honourable Mr. WEBB along or perhaps over, the border which divides subjects proper for debate in this Council from those reserved for the Government of India, such as the method of constituting the revised Councils or of regulating the output of rupees. My task is to offer a few comments on matters mentioned by honourable members which concern the Departments of Government more immediately within my cognizance—the Financial and Revenue Departments. The Honourable Mr. SETALVAD confined his remarks chiefly to education; and in that connection I think I may—without unduly revealing the secrets of our financial prison-house,—state exactly what occurred regarding the provision for the year, under the major head Educational, as I gather from the addresses of some honourable members that the position is not exactly understood. Your Excellency's Government at first proposed a gross provision of Rs. 47,44,000, which is represented by the letter G, subject to a lump deduction of Rs. 1,50,000, leaving a net provision of Rs. 45,94,000, which is represented by the letter E. As a result of the conference with the non-official members early in February last, both G and E were raised by Rs. 13,000; and, on the other hand, as a result of the later revised estimate of the opening balance for the current year being much less than the earlier one, reductions had to be made under various major heads, that under Educational amounting to Rs. 80,000. The figure G would then have stood at Rs. 46,77,000, and the figure E at Rs. 45,27,000. Meanwhile, however, the Government of India had directed that the lump deduction of Rs. 1,50,000 should be increased by Rs. 54,000. This left G intact at Rs. 44,73,000. But in their final orders on the Budget the Government of India reduced G to Rs. 45,27,000 while leaving E at Rs. 44,73,000. It would take too long to explain exactly the effect of retaining G at a figure appreciably in excess of E; but the practical result of reducing

it to a figure exceeding E by little more than half a l khs was to necessitate the striking out of the Budget of a number of specific items which would otherwise have remained in the Civil Budget Estimate, amounting in all to Rs. 1,50,000. The Honourable Mr. DIXSHIR inquired why items should be cut out at all when the closing balance budgeted for exceeds Rs. 64,00,000. I would ask the honourable member to consider the rate at which our balances are, as it is, being reduced. He will see that while the accounts of 1907-08 closed with a balance of over 96 l khs the revised estimate for 1908-09 shows a closing balance of under 70 l khs; and the Budget of 1909-10 one of under 64½ l khs. At the same time expenditure has risen from 5 crores 60 l khs to 6 crores 13½ l khs and 6 crores 28 l khs respectively. Most of this expenditure is recurring. In view of this marked depletion of balances and increase of expenditure from the greater portion of which there is no withdrawing—and of the further increases in recurring expenditure which are inevitable—*e. g.*, Police re-organisation, Subordinate Revenue Service, Subordinate Forest Establishment, extension of primary education—an inexhaustible demand—and pay of school-masters, development of the Agriculture Department, abolition of tolls and others too numerous to mention in detail, I would ask the honourable member, and others who may like him think the balance budgeted for to be excessive, to put it to themselves whether sound finance does not call for the provision by Government of a balance much in excess of the prescribed minimum of 20 l khs. I would remind them that while the Government of India have taken on Imperial revenues the burden of direct famine expenditure up to a certain point, they have not taken it over altogether and a large responsibility still rests on Your Excellency's Government; and further, that the whole of the indirect charges on account of famine are still to be borne by Provincial revenues. What that would mean in the case of a severe famine like that of 1889-1900 the honourable member will readily understand if he has studied in detail the distribution of famine charges between "direct" and "indirect". The Honourable Mr. DIXSHIR referred to the United Provinces and Bengal having received subsidies from Imperial revenues. He doubtless has not forgotten that we also in our time have been saved from provincial bankruptcy only by liberal allotments from the Supreme Government. Under the more favourable settlement which was arrived at in 1904-05, we are in a position to avoid such a humiliating experience in future provided we manage our finances with sound prudence and are not overtaken by the overwhelming disaster of a general famine. My honourable friend referred to the grant of Rs. 65,000 for University education. The non-inclusion of the item in the provincial budget is explained in the following passage from the speech of the Honourable the Finance Member of the Government of India :—

"The grants will not be found in provincial budgets because I had not received the Secretary of State's sanction to them in time to do more than show them as a lump provision in the India Estimates."

				Rs.
Central Provinces	...	...	...	10,000
Eastern Bengal and Assam	...	...	...	20,000
Bengal	...	...	...	1,60,000
Punjab	...	...	...	60,000
Bombay	...	...	...	65,000
				3,15,000

Madras and the United Provinces have received their grants through their provincial settlements. The subsidies are for one year only, and the necessity for further Imperial assistance will have to be reconsidered before next year."

The matter is alluded to in paragraph 47 (b) of the portion of our Financial Statement which appears above my signature. The Honourable Mr. IBRAHIM, in his comparison between 1899-1900 and 1909-10, did not omit to refer to the alteration effected by the settlement just mentioned. I do not wish to go into that comparison in detail. There is just one point, however, to which I should like to refer—the expenditure under civil works. The figure taken in the settlement as a proper standard of expenditure under that head in this Presidency was 40 lakhs. Actually we have spent 73½ lakhs in 1907-08, nearly 71½ lakhs in 1908-09 and are providing for nearly 70 lakhs in 1909-10. It will be seen how much beyond the settlement figure we have been able to go. My friend the Honourable Mr. CAMERON could spend up to 75 lakhs, if we could give it him—and I wish we could—for the improvement of the material condition of the Presidency. While the expenditure is so great under this head, Your Excellency's Government are deliberately reducing the receipts. Not only are tolls on provincial roads being abolished at a rapid pace, but Government have undertaken to compensate Local Boards for the non-imposition of tolls in places in which, but for the policy of abolishing tolls, the placing of a toll-bar on a Local Board road would have been permitted. The removal of existing Local Board tolls has not been undertaken by Government, as my honourable friend SYED ZAIN EL EDRUS seems to suggest it should be; but the District Local Board of East Khándesh has distinguished itself by voluntarily abolishing all the tolls within its area.

Turning to agricultural subjects, the Honourable Mr. GOKULDAS presented the Council with perhaps somewhat fewer items than usual in his annual tale of woe. This year, however, the honourable member did not afford, as he did last year, some relief to the seriousness of the proceedings of this Council by reading to us a few fairy tales for children, and enabling some of us at least to relax a little of our usual gravity while he solemnly condemned the foisting of such fiction on juvenile minds. My honourable friend can, however, have been hardly serious himself when he suggested that all arrears of revenue should be treated exactly like suspended revenue. That briefly is what I understood him to propose. Stated thus baldly the proposal is one which, if it should be examined by Your Excellency's Government, I could not possibly support. On the subject of suspensions and remissions to non-agriculturist landlords, which depend, in accordance with the rules, on the relief which the landlords give to their tenants, my honourable friend has doubtless seen the orders which were recently issued and published in a Press note. If he has not seen them, I beg to refer him to that note. The revenue settlement of the Dohad taluká, to which the honourable member referred, was not brought into force in 1908-09, as I understood him to say it had been. The levy of the revised assessments has been postponed until 1910-11; the Government Resolution* has been laid on the Table at this meeting. In settling the revised rates Government took full account of the fact that the taluká had large *takávi* arrears to discharge. From my honourable friend's previous pronouncements on the non-transferable tenure, I little expected that he would advocate the imposition of that condition on any of the talukdárs of Gujarát. And the proposal seems to me to be somewhat superfluous.

*No. 4523, dated the 10th May 1909.

It presupposes that the smaller talukdars have been reduced to their present state of possessing exceedingly restricted holdings by the process of alienating these talukdari lands and that the remedy is to prevent them alienating them. But surely the honourable member is aware that under section 31 of the Gujarat Talukdars' Act alienation without the previous sanction of Government is already rendered invalid, and not even an incumbrance can be created beyond the talukdar's life without the previous consent of the Talukdari Settlement Officer.

The Honourable Mr. PAREKH:—My suggestion referred to the relinquishment of management of the smaller estates (by the Talukdari Settlement Officer) of which the alienation is practically restricted so that the Talukdari Settlement Officer might be able to devote more continuous attention to the large estates.

The Honourable Mr. LAMB:—The suggestion, as now explained by my honourable friend, has formed the subject of a question to which the answer is laid on the Table today. The causes of the reduced condition of some talukdars are not in all cases such as that which is suggested. In many cases the holdings of individual talukdars are now very small because talukdars are prolific, and because in coparcenary estates the lands are divided amongst all the branches of the family. The area of the estate is limited, the members of the family are not. Necessarily the holding of each member must be small. The remedy would seem to be the adoption of primogeniture as the rule of succession and the recognition by the younger members of the family of the fact that the estate cannot support them all and that they must make their way in the world elsewhere.

Next I have to refer to the honourable member's mention of classes exempted from the restriction on alienation in certain tracts of West Khándesh. The latest orders on the subject exempt—under section 73A (2) of the Bombay Land-Revenue Code—Márwadis, Kshatris, Parbhus, Kayasths, Bhorás and Párisis from the operation of section 73A (1) in seventeen villages of the Shirpur taluká which have been notified under the latter clause. The Commissioner, C. D., has been requested to report whether these classes should be exempted in other notified areas of West Khándesh in addition to the Bráhmíns and Baniás who are already exempted. I understood my honourable friend to suggest that Gujars and Vanjárs should be exempted. I do not know exactly who are meant by Gujars. If they include Bráhmíns and Vánis from Gujarát—

The Honourable Mr. PAREKH:—No, Kunbi cultivators.

The Honourable Mr. LAMB:—They are already exempted; if they include others of the classes mentioned above, their exemption is under consideration. Otherwise they are entitled—as are Vanjárs—only to personal exemption if found fitted for it. On this point and on the effect of notification under the two clauses of section 73A precise instructions have been issued.

The Honourable Mr. DAJI ABAJI and others have advocated free compulsory education and my friend the Honourable Mr. DAJI thought that it should be provided whatever the expenditure. The prospect of embarking on any large measure regardless of the cost is to one charged with the preparation of the budget for the consideration of Your Excellency's Government simply appalling. To the Financial Department the first question is how much can be found. With regard to this matter I should ask permission to point out that Your Excellency's Government are already affording a considerable and increasing quantity of education free of charge. I do not refer to the

numerous free scholars in primary schools, though that is not a small item, nor to the scholarships granted in other schools or for training in special subjects. The Honourable Mr. IBRAHIM and the Honourable Mr. WEBB and the Honourable Mr. ARMSTRONG adverted with gratification to the advance made in expenditure in the Agricultural Department; and my point is that this expenditure is now resulting in free education being given in the most important industry in the Presidency and in its being availed of by the most numerous class in the Presidency. At demonstrations and at agricultural shows the officers of the Department from the Director of Agriculture, Mr. Keatinge, downwards, are getting into touch with the cultivator and with the land-holder, and the farmers are recognising that the instruction there given free is worth having. Not a few non-official gentlemen are rendering valuable assistance in spreading agricultural education; and this true patriotism is worthy of the highest praise. I do not think, Your Excellency, that this Council should overlook, in the much talk of free primary education, the steady and unobtrusive work which Your Excellency's Government is doing in imparting free instruction in the primary industry of the country. It does not, it is true, teach the masses to read and write; but it teaches them how to get better results from their land and from their labour and contributes, I venture to think, more directly to their prosperity than an ability to read "good books about London and the world before they were born," if I may quote from Sir Alfred Lyall. The Forest Department, too, is taking its share in giving free education. In the Konkan, where *ráb is* in a double sense a burning question, free teaching is given in sound and thrifty methods of lopping trees and the teaching has not been without fruit. For my own part I look forward to these methods of free education helping towards the solution of what in the metaphorical sense only is another burning question: that of grazing. My friend the Honourable Mr. DIXSHIT had much to say on this subject. I will not attempt—what he did not expect—to discuss his essay on this and other forest matters; but the subject of fodder for the cattle, its production and storage, the proper treatment of grazing grounds so as to get out of them the greatest possible supply of grass, the treatment and care of the cattle themselves—these are things on which the Agricultural Department recognises that it has much to do in imparting free education to the people, without any compulsion. Perhaps I may say that I am personally fully in sympathy with my honourable friend's suggestion relating to the management of village forests by village pancháyats. But in this, as in all other matters innovations should be introduced with caution, and a new institution should be planted only after preparation of the ground for its reception. Perhaps also I may add that the question of grazing and that of village pancháyats are alike engaging the close consideration of Your Excellency's Government. A point of detail in the Honourable Mr. DIXSHIT's remarks on grazing I can explain. He compared the number of cattle given free grazing in the Northern Circle with the absence of such cattle in the Central Circle. The difference is due to difference of system. In the Thána and Panoh Maháls districts of the Northern Circle the grazing rules of 1890 are in force; under these, as the honourable member is, of course, well aware, there is a complicated system of dividing cattle into agricultural, non-agricultural and outside, and of villages into forest and non-forest; agricultural cattle of forest villages pay no fees. That accounts for the number of cattle grazed free in the Northern Circle. In the Central Circle the orders of 1890 have been superseded by a simpler form of management under which all cattle from all villages pay a small fee per head for grazing in forests, *viz.*, two

annas for horned beasts. That accounts for the absence of free grazed cattle in the Central Circle. My honourable friend also compared grazing receipts in the Northern Circle with those in the Central Circle indicating that they are much larger in the latter than in the former. In making this comparison he has presumably not omitted to bear in mind that the forest area in the Central Circle is more than double that in the Northern Circle, *viz.*, 6,363 square miles against 3,039; and that the character of the Central Circle forests differs widely from that of the forests in the Northern Circle. Regarding the subordinate forest staff, to which my honourable friend referred, it is not permissible to go into details as the matter is still under correspondence with the Government of India; but this much perhaps I may say, that the latest proposals provide for a considerable reduction in the numbers of the lower subordinate staff, and rates of pay for them and for the upper subordinates which are calculated to effect a distinct improvement in all ranks of the service. The proposals are on the point of being submitted to the Government of India, and I join my honourable friend Mr. MURRAY in hoping that funds will be provided for introducing the scheme as soon as it is sanctioned. The Subordinate Revenue Service attracted the attention of my honourable friend Mr. DAJI ABAJI, as it has done for some time past that of Government. I may, without indiscretion, state that the question of the *Mámlatdárs* is under correspondence with the Government of India and that of the rest of the service has been considered by the Commissioners whose report is now in my hands and will shortly be submitted to Your Excellency's Government. My honourable friend is not quite accurate in saying that the scale of pay has remained unchanged for 20 years. It has remained practically unchanged for over forty years, the only modification being that the lowest rate of pay, which used to be Rs. 12, has been raised to Rs. 15. I should like to join with honourable members in expressing satisfaction that for the Taláti has at last, after more than one unsuccessful attempt, been secured by Your Excellency's Government the grant of pensions on the superior scale.

My honourable friends Mr. WEBB and Mr. ARMSTRONG referred to the need for an inquiry into the causes of the high prices prevailing. As the latter honourable member mentioned, the Revenue Department did commence such an inquiry and addressed the Chamber of Commerce on the subject; but it has discontinued its examination of the question in view of the references which have been made public to the possibility of the matter being investigated by the Government of India.

Passing over a number of other questions which have been mentioned in the addresses of honourable members I would wish finally to offer a few remarks on Excise. My honourable friend Sir PHEROZESHAN MEHTA I understood to say that a large majority of Hindus and Musalmáns regard drink as prohibited. That is a statement from which personally I must express my dissent. The term Hindu is applied in a general way to castes as far apart as the Konkanasth Bráhmaṇ and the Mbár and the Máṅg, and covers aboriginal tribes such as the Bhils and the Kátkaris. Without examining in detail the 646 specified castes, sub-castes and divisions of sub-castes, plus a few unspecified, which are ranged in the census tables under the term Hindu, I hold for my part, definitely and decidedly, that the great majority of these people do not regard the consumption of drink as prohibited. In my judgment it is contrary to fact to state that the drinking of intoxicants is repellant to the sentiment or forbidden by the religious tenets actually observed by the great majority of the heterogeneous tribes, races and castes which are

covered by the comprehensive term Hindu. Any argument or contention which is based on such a statement is to my mind vitiated by the unsoundness of the premiss—such a contention as, for instance, that which is urged in favour of absolute prohibition. Another point which I think prohibitionists should consider more than from their public utterances they appear to have done is the extreme danger of those who indulge in intoxicants being driven by the difficulty of obtaining liquor to the use of more deleterious substances. Already the high price of liquor has induced resort to the most noxious drug, cocaine; and hardly a day passes without my noticing in the papers reports of cases of illicit dealing in this stuff. If the prohibitionists weighed well the question they would rather see a man permitted to drink in moderation than ruining his physical and moral fibres by intoxication with cocaine.

The Honourable Mr. PAREKH complained of liquor-shops being placed on sites contrary to the standing orders and instructions. A question has also been asked on a specific instance of such alleged infringement of rule. I would venture to suggest that the simple way to get such errors remedied when they occur is to apply direct to the local authorities.

Your Excellency's Government has recently issued a resolution dealing with the subject of toddy. I am glad to observe that the orders have called forth no questions and no remarks from honourable members. In the newspapers I have seen a few letters on the subject, but none containing any substantial comment which calls for notice.

The Honourable Mr. J. L. JENKINS said:—Your Excellency,—On this occasion the discussion has been wide to the point of bewilderment. It has not only ranged over the events of the past and the arrangements for the present year, but has also extended to the history of the Legislative Council during the past sixteen years. All history is of course coloured by the opinion of those who compose it, sometimes to such an extent that it may be called romance; and if the incidents which the Honourable Sir PHEROZESHAH MEHTA has described were subjected to critical examination it is possible that they might appear in a different light. There is, however, nothing to be gained by resuscitating the controversies of the past, or by recalling the part played by members of the Council; and I leave the distribution of praise and blame to those who have the courage to attempt it. I will address myself to a few matters of practical importance which are more immediately within my cognisance.

We have lately given a greater liberty to Municipalities and propose to deal in a similar manner with Local Boards. I do not think that these measures will result in an immediate increase in efficiency; rather the contrary. Apart, however, from all other considerations we have no choice in the matter. The daily increasing burden of administration renders it impossible that Government officers should devote so much time to purely local matters. Those institutions were kept for some time in swaddling clothes; they have been for a further period in leading strings; and as they must, sooner or later, learn to walk alone, they may as well do so at once. If they fall and hurt themselves, or tumble into the mire, or stray into prohibited limits and eat forbidden fruit, they must learn by experience. The greater the liberty accorded to them the greater will be their responsibility, and the greater will be the obligation upon Government, which is finally responsible for good administration throughout the country, to prevent malfeasance, corruption, and tyranny. We know how rankly such noxious weeds have grown, even

in countries in which self-government has been the heritage of the people from a remote past. Government must have authority to uproot them unsparingly where they appear, and must use that authority. The Honourable Mr. PAREKH's apology for the Kaira Municipality is not quite satisfactory, and it seemed to me to lack that tone of conviction which marks his utterances where he thinks he has a really good case. The argument amounts to this. If a Municipality misbehaves, it may do so with impunity, provided a new committee comes into office before the default is dealt with. In that case it is evident that a continuous system of misrule might be maintained, each committee repudiating responsibility for the action of its predecessor. I need hardly say that Government make an order for the suspension of a Municipality with regret; regret not for the issue of the order, which is a matter of public duty, but for the circumstances which make the order necessary. I sincerely hope that the cases in which it is necessary to take such action will be few and far between.

The Honourable Mr. SHARP has dealt fully and lucidly with the policy of Government in educational matters, and the measures which have recently been adopted or are contemplated. The question of free and compulsory education was fully debated last year and little that is new has been brought forward on this occasion. I have no quarrel with enthusiasts. Most of the good that has been done in the world has been due to them; but men concerned with practical administration must consider what is possible now and with the resources at their disposal. It is useless to talk of compulsion in Bombay City as long as the schools provide accommodation for only a fraction of the children. In the districts a demand for compulsory education is illusory as long as the children of the lower castes are not admitted to the schools. From every point of view, financial, administrative, and social, we have a long way to go before we reach the goal of free and compulsory primary education.

I am afraid I can hold out no hope of the conversion of the Gujarát College into a Government institution. If the people of Gujarát are really anxious to have an efficient college they can have one. It is merely a question of funds. When one sees what the poor Deccan has done and contrast it with what rich Gujarát has failed to do, the comparison is not favourable to Gujarát.

It is gratifying that the increase of the pay of primary teachers and the scheme for the extension of primary education have been so well received. The course suggested by more than one honourable member for the carrying out of the scheme is undoubtedly the right one. The Director of Public Instruction ought to know with reasonable certainty some time before the beginning of the financial year what funds will be at his disposal, in order that he may lay his plans and be ready to carry them into execution at once. Under the present arrangements which, I am afraid, cause some waste, and certainly cause much delay, this is impossible, but we hope before long to be in a better position. Reference has been made to the inspection of Colleges in the Native States by representatives of the University, and objection has been taken to the stipulation that the States should be consulted before inspections take place. It is argued that the University has a legal right to make the inspections. If all men stood on their strict legal rights the world would be a poor sort of place even for the lawyers. It seems to me that the matter is merely one of courtesy towards the States, in which I am sure the University will not be wanting.

The policy of Government with reference to Excise has recently been so fully explained that there is little to be said upon it. I may remark, however, that the very large increase of revenue to which the Honourable Mr. **IBRAHIM RAHIMTOOLA** has called attention is mainly due to the fact that the first year which he has taken for the purpose of comparison was a year of unexampled famine. During recent years, however, there has been an increase of consumption. The causes which influence increased consumption are many, such as improvements in the preventive system which check illicit practices, the nature of the seasons, the growth of an industrial population, the rates of duty, the number of shops, and the system of retail sale. As is usual when many causes are at work, it is difficult to estimate the precise influence of any one cause; and the extent to which the new system of sanctioning shops may have stimulated consumption is an interesting question. The matter is now under discussion between this Government and the Government of India, and I am therefore precluded from dealing with it; but the views of this Government on the subject are sufficiently well-known. This will be the last Budget meeting of the Council as at present constituted, and if it should be the last for any purpose, I hope we may all meet again under the new conditions and that this Council may be the nucleus of the enlarged Council. The best work of the Council has been done not in public but in the committee room, where definite and practical issues are discussed and settled, and the services of the non-official members have been of the greatest value. That this should be so appears to me to be of happy augury for the future when the attention of the Council will be concentrated upon definite and practical issues, instead of being dissipated upon empty and fruitless discussion.

The Honourable Sir **JOHN W. P. MUIR MACKENZIE** said —Your Excellency,—In spite of what fell from my honourable friend Sir **PHEROZESHAH MEHTA**, I intend as usual to confine my remarks almost entirely to the points relating to the Budget Statement and the Departments under my charge. This is not out of a desire to grudge the non-official members of this Council any credit that is due to them for the part which they have taken in its business since the year 1893, when it was constituted on its present basis. I heartily acknowledge that good work has been done, and valuable suggestions have been received, though perhaps I might find it hard to go so far as my honourable friend from whose observations I should gather that he believes every good deed which the Government has done during the last sixteen years is due to the initiation of the unofficial members. There are several important and beneficial measures which were passed not only on the initiation of official members but in spite of opposition from the elected Indian members. I shall only allude to one of these the Land-Revenue Code Amendment Act of 1901 regarding the opposition to which Sir **PHEROZESHAH** gives special credit to himself and his friends. Now I am not going to revive the ashes of ancient controversies, and I shall dwell on the subject only to correct a misapprehension which I fear still prevails and to which currency is widely given in the Press,—I mean the idea that the “restricted” tenure, or “new” tenure as it is often called, signifies any interference with permanency of tenure. The view expressed when the Act of 1901 was being debated, and which Government still hold, is that the great menace which hangs over the permanency of the ryot's tenure lies not in anything which Government does or is likely to do, but in the dispossession of the ryot from his holding by the money-lending and other classes who invest in land, seldom with a view to cultivate themselves— and to these I fear I must add, in places at least, inámdárs who fear the enjoyment and still more the acquirement by the ryot of the mirasi

tenure, that permanent heritable occupancy which it is the principal object of Government that the ryot should enjoy undisturbed. It was against disturbance in the enjoyment of that tenure that that bitterly opposed measure was directed, and I am proud to say that wherever it has been applied it has been largely effectual in its object. It is true that at the time the ryots at large exhibited great fear of the measure—a fear most natural—as they foresaw the diminution of those borrowing facilities which have in the case of the careless and imprudent been fatal to the retention of their land, except in the position of a rack-rented tenant at the will of landlords far less merciful than Government. As my honourable friend has not failed to notice, the figures show that the areas given on temporary leases have been trifling. Such leases have been given only under very special circumstances, *e. g.*, in forests or woodlands where it has been necessary to impose and enforce special conditions—such as lopping for rāb in the prescribed manner, the planting of a certain area with seedlings, and so forth. The vast bulk of the area has been given out on tenure no less permanent in relation to Government than that of the old unrestricted tenure, and far more permanent in relation to the savkār or investor who is effectually prevented from disturbing that ryot who knowing himself weak is wise enough to accept the new tenure. There are signs, I am glad to say, that the ryot's fear of the new tenure is diminishing and that in some places a preference is being expressed for it.

What we claim for the tenure is this that it gives to every ryot who will accept it the same security as the vatandār has for his ancestral land, which, as my honourable friends are aware, is inalienable without the sanction of Government. Only a few months ago I asked an Indian gentleman who was a vatandār what he thought of the new tenure—and to my great gratification he replied “Of course it is splendid. It makes a man's land his vatan. Where would the vatan lands of my family have been if they had not been inalienable.” I would ask the same question with confidence as to the reply of half the desmukhs and patels, even the deshpanthes and kulkarnis of the country side.

Now, Sir PHEROZESHAH has suggested that the fact of the great bulk of the land having been given on permanent tenure is due to a change of intention. This suggestion is wholly unfounded. It was expressly stated by Sir JAMES MONTEATH (and I think myself) in the debates of 1901 that the tenure was to be permanent. Sir JAMES stated that he could not understand how the opposite impression had arisen. I myself aroused much indignation by attributing the creation of the impression to perverse misrepresentation. I confess to the fear that the misunderstanding, however produced, was largely responsible for the alarm with which the tenure was regarded. I trust now at any rate wide publicity will be given to the fact that the tenure is intended to be as permanent as we can make it.

I must apologise for the length at which I have dealt with this subject. My excuse is the extreme importance of removing, if it be possible, the extraordinary misapprehension to which currency has so long been given. I shall be much briefer on other points.

The Honourable Mr. PAREKH proposes that we should place unauthorised arrears on the same footing as suspensions and remit those which are three years old. It is quite impossible I fear to give any promise of the kind. Suspensions and remissions have been given, as is admitted, on a liberal scale. Orders have long ago been issued that sums which were due before the issue of the suspension and remission rules and which would have been suspended if those rules had been in force should be treated as if those rules

were applicable to them. There are sums which could not have been suspended under the existing rules, and the general rule must be that they should be recovered unless they can be shown to be irrecoverable. I must join issue with the honourable member as regards contumacy. Some of our most sympathetic officers are emphatic as to its existence. Orders have however been issued directing active measures to be taken to get those unauthorised arrears off our books. The state of adjoining districts similarly conditioned differs extraordinarily. For instance, in Broach the arrears are now insignificant, in Ahmedabad they are high. In Ahmednagar and Bijápúr they are moderate, while in Poona they are enormous, and in Dhárwár unaccountably high. I hope that next year's Budget will show very different figures. The case of the Kaira non-agriculturists who were not given the remissions allowed to agriculturists has been fully dealt with in a published Government order. The whole question in that case turns on the passing on by the landlords of the relief to their tenants. Let me turn for a moment to the tenants' case. The honourable member never ceases to urge Government to give more liberality with its revenue. Will he devote some of his energy to pressing a similar measure on the landlords? My friend the Jágírdár of Ichalkaranjí is constantly pressing Government to help them to recover the rents of inámdár landlords. The arrears of rent are far larger than Government arrears of revenue. Why? Because so often the landlords remit nothing. Many of them have arrears on their books, I believe, from 1896-97. Let us see the Honourable Mr. PAREKÁ's persistent advocacy, championship if he will, extended beyond the revenue-payer, so often a landlord, to the tenant. Let us hear him and his friends insist on fair rents and reduced rents, suspensions and remissions to the tenants, and the wiping off of arrears of rent and we shall vie with Sir PHEROZESHAN himself in flooding him with eponiums.

The Honourable Mr. DÍKSHIT has deplored the fact that we have not been allowed by the Government of India to reduce our balance still further in order to provide immediately for certain very desirable objects of expenditure. I need hardly say that he has with him the cordial sympathy of the heads of all the great spending Departments including the members of the Government. Our goal in these matters of finance is complete "Swaraj," and our views, I fear, are regarded as extremist by the Government of India; but I am by no means without hope that this goal is in sight. When the expenditure has been voted by a large and representative Council, as it will be from henceforth, I think it will be difficult for the Supreme Government to refuse sanction to it unless it is clearly larger than our resources will justify. At the same time it must not be forgotten that any liberty we acquire in this respect will be accompanied, and very properly I think, with considerable strictness in the treatment of demands which we may make on the Imperial purse. We have been given a share in important sources of revenue, and we shall be told that these shares must suffice for our requirements. In the past the Government of India have been liberal to us in special grants and they made with us a quasi-permanent settlement on a basis of extreme liberality compared with any of the previous settlements. It would not be too much to say that they put us on our legs after we had been reduced to bankruptcy, and gave us substantial guarantees in the shape of a minimum allotment under divisible land-revenue and the scheme of the "*pro forma*" famine account which enables us to draw on Imperial funds up to considerable sums for direct famine expenditure. Considering the help we have ourselves received, I do not think we can complain of the assistance given by the Government of India to the United Provinces and Bengal when they are in difficulties.

My honourable friend has fallen into a curious mistake in supposing that the increase of revenue estimates has an effect on collections. I am almost tempted to say I wish it had. It would be such an easy way to getting in money. As a matter of fact, however, the bulk of our officers have not the remotest notion that the estimates have been raised. The demand is not influenced by one pie in consequence, and especially in land-revenue our estimates are often disturbed in the most distressing fashion. The forest estimates, for instance, will be run down by a lách or two owing to a contractor not paying up within the financial year. Defaulting shop-keepers may run down Exoise receipts. A slump in mill profits may send down the income-tax.

With regard to the honourable member's criticisms on Forest Administration, I will not attempt a detailed reply, because in the last resolution on the Forest Administration Report Government have made a fairly full pronouncement of their views and because another is likely to follow before long particularly dealing with the grazing question. I will only state that I believe there is hardly any legitimate general grievance remaining, except perhaps the large number of impoundings in certain parts of the Central Circle. This, as already announced, is being made the subject of a special investigation. The great difficulty is the prevention of trespass in closed areas. If we could get rid of closure there would be very few impoundings anywhere. Closure, however, is obviously essential for regeneration not only of tree-growth but of grazing. A good deal, however, it is hoped, will be done in directions indicated in the honourable member's speech, for instance, the bringing of forest pasture land under village management, and so forth. The grazing fees are undoubtedly as a rule exceedingly moderate—we might almost say absurdly low.

It is an entire mistake to suppose that grazing restrictions have anywhere checked the multiplication of cattle. We have figures which conclusively prove the exact contrary. The only causes which check their multiplication are famine and disease—not even these seem to affect the numbers of sheep and goats.

I entirely share the regret expressed by the Honourable Mr. MURRAY at the enforced postponement of the introduction of the Forest Department Re-organisation Scheme. We shall certainly strain every nerve to procure the necessary funds if we get sanction in time to introduce the scheme in the course of the year. Its principle is not the numerical increase of low-paid subordinates but restriction in number with the increase in pay required to obtain a good class of men in all ranks and more efficient supervision.

I wish to take this opportunity to say, or repeat if I have said it before, that we now have a set of Forest officers who understand and appreciate the needs of the people and the necessity of administering the forests with consideration for their wants. While all the desirable enthusiasm for their work remains the old land grabbing and fanaticism has disappeared. It is thoroughly realised that to get satisfactory Forest administration the Department must get the co-operation of the people. Already in the matter of fire-protection considerable success has been attained. We hope to get similar success in inducing the people to respect closure for regeneration. Forest Regulations however are, and always will be, disliked by the cultivating population, who look back longingly to the days when they could roam over vast areas of waste, graze, burn, hack, and destroy at their will. In those days population was comparatively sparse and the demand for fuel and timber comparatively light. With the expansion of cultivation waste has

contracted and with the development of the country and increase of population the demand for timber and fuel has expanded enormously. Bombay has actually shown signs of requiring fuel from Kánara. The consequence is that the supplies available in forests must be carefully preserved and maintained, otherwise the whole of the country would be swept bare in less than a generation.

I must say a few words with reference to the Jáhirdár of Iohalkaranji's complaints regarding the treatment of the inámdárs by Government. As stated last year, I cannot advise alteration of the law or rules in their favour unless and until they will meet us half way by granting to their tenants the same remissions and suspensions of revenue as we do. We shall soon be introducing legislation with the object of securing this necessary relief to tenants, and the disposition of Government to increase the facilities and diminish the difficulties which inámdárs have in recovering their rents will depend a good deal on the spirit in which legislation is received. As regards direct recovery, I cannot admit that an inámdár has a right which Government in no way arrogates to itself. The ryot in an alienated no less than in a Government village has the right to the intervention of the village-officer, who will give him his receipt, and will keep regular accounts and records open to his inspection in the village. I admit, however, that on the face of it there seems some justice in the objection that section 85, paragraph 3, of the Land-Revenue Code remains a dead letter. No complaint has yet reached the Government relating to any particular case in which the inámdár has applied to have the paragraph enforced and has been refused. I shall direct inquiries to be made.

I shall also inquire into the alleged disability of the inámdárs to check unauthorised cultivation.

As regards their general treatment I am quite unable to admit that the inámdárs as a class have any reasonable ground of discontent. There is no class which has been more scrupulously and liberally treated by Government than the inámdárs of Bombay. The enormous total of our alienated revenues itself testifies to this—and is the wonder, and I am afraid I must add the disgust of other administrations, which have nothing corresponding to our summary settlements of doubtful titles. I believe alienation settlements in Native States are far from being equally liberal. As to the recovery of their rents, any landlord in Great Britain, not to mention Ireland, would be extraordinarily well satisfied if he got in his rent as easily as a Bombay inámdár. Hitherto our inámdárs have escaped a Tenancy Act. This of course has largely been because so many of them have accepted a Survey Settlement which serves better than any Tenancy Act to secure the ryot in his holding at a fair rent. I greatly regret that so many still hold out against the introduction of the Settlement and for the reasons as I gather that by its introduction their tenants acquire that permanent occupancy, any suspicion of tampering with which on the part of Government raises such vehement clamour and alarm. Even where the Settlement has been introduced I observe a tendency to attempt to get behind it and to evict Survey occupants to replace them by tenants at will. If this tendency spreads and becomes established a drastic Tenancy Act will become inevitable. Of course these observations do not apply to the whole body of inámdárs. There are plenty of villages in which the disturbance of a ryot or an assistance suit is as rare as the severer form of compulsory process in a Government village. It is however the less satisfactory inámdárs and landlords who bring down on their class restrictive enactments, just as they generally

speaking require to make for the most use of the Courts. In my opinion the inámdárs as a class get uncommonly good treatment, which ought to make them not only loyal, as I believe they are, but a contented set of men.

With regard to the Honourable Mr. IBRAHIM RAHIMTOOLA's review of the revenue and expenditure of the last ten years, I think that I shall please him and the Council best by placing on the Table a note* prepared in the Financial Department showing the exact figures in some detail. Considering the numerous pitfalls the honourable member has attained very considerable accuracy. I am afraid he has not taken a very happy year to start with, a year when receipts were extraordinarily low. Considering the succession of bad seasons, we have had I think the growth of revenue by no means disappointing. It is at any rate decidedly satisfactory that we have had so much more revenue to spend and that our settlement, on the liberality of which compared with earlier settlements I have already remarked, consists so largely of substantial shares of important and expensive sources of revenue.

In conclusion, I should like to revert to my Honourable friend Sir ПЕРОВОЗЕНАН and his remark on the work of non-official members—especially the elected Indian members. Like the Honourable Mr. JENKINS, I have certainly to thank them for much courtesy and co-operation. In Committee especially I have found them, if I may say so without offence, quick, reasonable, and businesslike urging and adhering to their own case with firmness, not to say tenacity, but without obstruction or waste of time. We have been indebted to them for some valuable suggestions. Only last year Mr. DIKSHIT helped to direct our attention to the difficulties connected with the grazing question in Nandgaon taluká, and I have frequently acknowledged the reasonableness shown by the Jághirdár of Ichalkaranji in his presentation of the grievances of the inámdárs.

I feel deeply gratified and complimented at the satisfaction expressed by them at the proceedings of the Budget Committee, and intensely regret that owing to enforced economies we have been unable to adopt all the recommendations made by the Committee. If the same relations prevail in our proceedings next year the extended Councils will make an excellent start.

In the course of the year in which we have worked together I think the Indian elected members and I have become very good friends. It is certain that they have acquired an invaluable experience of legislative business, and I can express with the heartiest sincerity my hope that they will all be returned at the next elections, when the enlarged numbers will leave plenty of room for new men, without turning out the old and tried servants of the present constituencies. Very likely we shall have fresh fights even in the brief period which remains to me, but I am sure we shall retain our good humour and our mutual respect and pleasant personal relations.

His Excellency the PRESIDENT, in conclusion, said :—Gentlemen,—It is impossible at this late hour to do more than refer to a few points which have arisen in the course of this interesting discussion. Many of the more technical matters have been dealt with by Sir JOHN MUIR MACKENZIE, to whose foresight and wise and careful administration of our finance we are all deeply indebted. I propose therefore to confine myself to certain questions of a general character. Honourable members have expressed themselves fully and freely and have drawn our attention to various directions in which changes or progress seem to be desirable. As regards most of the suggestions thus thrown out,

Government agree in principle. The only difficulty is that of ways and means. No duty of the Government is more important than that of determining the relative order of precedence of many public objects which they have at heart. If it is a question whether expenditure on a hospital in one district is more urgent than in another, there are generally some definite data on which to base the decision. If, on the other hand, the question is as to whether the expenditure should first be allotted to a hospital or to a bridge much needed by a large number of people, we have to compare conditions which have no common denominator and the difficulty is apparent. Similarly the question whether a large number of additional sub-judgeships should be created or whether an equivalent sum should be devoted to the extension of primary education might be argued at any length without arriving at any reasoned conclusion. Such are the questions which constantly present themselves and the Government can only decide them in accordance with its lights and with a single eye to the best interests of the people. It is satisfactory to note that our allocation of the means at our disposal gives rise to very little criticism. The complaint is that we do not do more; for example, that we have not taken over the Gujarát and Sind College, as Mr. SETALVAD and Sir PHEROZESHAH MEHTA press us. Our answer is that we have other more urgent demands upon our limited resources, and that having regard to caprices of the rainfall any considerable increase to permanent recurring expenditure requires extreme caution.

I was particularly glad to note the testimony of Mr. SETALVAD to the happy relations existing between the members of the Council. That is the best possible augury for the usefulness of the enlarged Council of the future. Mr. SETALVAD assured us that the Senate of the University would give the fullest consideration to the proposed reforms of the curriculum. I have no doubt of it and my hope is that the authorities will see the necessity for radical changes to improve the situation which is now eminently unsatisfactory, even although they may not see eye to eye with the Government on all the many questions involved. It gave me much pleasure to find that Sir PHEROZESHAH MEHTA appreciated the liberal supply of papers to members of the Council. I regard it as essential that the members should be supplied with as much information as possible and I am sure they will give careful study to the literature with which the Government will continue to provide them.

The last of my honourable friend's eloquent appeals appeared to be inspired by the grievance that Government had not placed on the records of the Council a detailed statement of the services of the non-official members and he has certainly remedied the deficiency. It might perhaps be gathered from his speech that all progress has been due to the suggestions pressed upon an unwilling or unhearing Government which in time had been prevailed on to adopt them to the general advantage. I am sure that this is not quite the impression he intended to convey and that he had in his mind instances of the alacrity of the Government to accept advice and even initiate measures of progress, and I hope I need not say that the Government very greatly values the assistance of the non-official members, as Sir JOHN MUTIE MACKENZIE has so well observed. I confess, however, that I do not like the dividing of honourable members into official and non-official categories. We are all members of one Council, we all meet with one object, and that is to do the best possible for the people of the Presidency. It is inevitable that individual opinions should sometimes differ and such differences are liable to occur among officials and among non-officials as between officials and non-

officials. When we succeed in doing good, we succeed as a Council, not as individuals, nor as sections. If in the past our mutual relations in Council were not so happy as they now are, let us agree to forget the fact. Much water has flowed down the Indus since some of the occurrences which honourable members recalled. There is no Province in India in which the Council form of Government has been more highly developed than in this Presidency and we may well look forward to further development with confidence and hope.

The Honourable Mr. ISRAHIM RAHIMTOOLA criticised at some length a letter of the Government dealing with the question of Mahomedan representation. I am afraid that the honourable member has failed to realise that our recommendations were made simply and solely with an eye to the true interests of his community. The letter was written on the 26th March of last year and at that time the demand for communal representative electorates had not approximated to its present dimensions. Has my honourable friend satisfied himself that communal electorates, involving a permanent cleavage in some cases of a religious and not of a racial character, would be for the good of Mahomedans and of India? The question is a grave one and I have never seen it adequately discussed. I should certainly have expected that a great meeting of the community would have been held in Bombay to consider it and I have at present no evidence that the natural leaders of Mahomedan opinion in this Presidency are unanimous in accepting the principle. I am aware of the stock instance of a race electorate in Austria. I certainly regard this as a most doubtful precedent. There is also the case of some Municipalities in the Punjab which do not include Delhi. But the conditions of this Province where the Mahomedan population is in a large majority differ radically from those with which we have to deal. The honourable member complains that the Government pointed out the difficulty of creating special electorates out of widely scattered members of the community in the Presidency proper, and he suggests the method which would naturally occur to us. It is evidently possible in this way to create, on paper, a special electorate of almost any kind. What the Government said, however, was that they did not see their way to a satisfactory scheme. The whole point is whether the method suggested, in such an extraordinary constituency as (say) the Southern Division, would produce what is needed, that is the return of a member who would, in the true sense, represent the Mahomedan community. It is surely open to grave doubts whether any really representative Mahomedan would present himself as a candidate for such a constituency. I do not desire to discuss these complicated questions further. The decision does not rest with us.

But I do wish the Mahomedan community to understand that the Government were and are solely anxious to do what is best for them, having regard to the legitimate claims of other bodies. The great object to secure is that the four Mahomedan seats allotted to the Presidency proper shall be filled by the most capable and most fully representative men available. The Government's intention, explained in a later letter, was that there should be nomination "after consultation with the bodies representing" the Mahomedan community. It is not easy to believe that members so chosen would have any less sense of responsibility than if returned by the haphazard chances of such elections as now seem to be contemplated. As I have said, the decision does not lie with the Government of Bombay and I know not what that decision will be. I gather, however, from the statement of the Secretary of State that our liberal proposal for a minimum

of six seats reserved for Mahomedans in the Presidency, giving them a representation of at least 28 per cent. in a population of 20 per cent., has been accepted. Mahomedans need not fear that definite pledges made to them will not be redeemed. A far more important question is whether they themselves are aware of what is implied in the demand for a communal electorate. The changes involved are so great and their effect on the whole political structure of India would be so far reaching that they should not be pressed without the fullest consideration. I have the most complete sympathy with the legitimate aspirations of the Mahomedans of the Presidency but, speaking with some experience of political affairs, I see no reason to believe their interests will in the long run be furthered by the adoption of a system which must crystalise and accentuate the sectional and sectarian division that already tends to retard progress in this great country.

The meeting of the Council was concluded:

By order of His Excellency the Honourable the Governor,

G. D. FRENCH,

Secretary to the Council of the Governor of Bombay

for making Laws and Regulations.

•
Poona, 21st June 1909.

APPENDICES

TO THE

PROCEEDINGS OF THE COUNCIL OF HIS EXCELLENCY THE GOVERNOR OF BOMBAY ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS ON THE 19TH AND 21st JUNE 1909.

APPENDIX A.

Taxi-cab Service.—

Establishment of a—in Bombay City.

General Department.
No. 2715.

Bombay Castle,
26th May 1909.

Letter from Baron M. Baeyens, dated—January 1909—

Submitting a proposal for the establishment of a taxi-cab service in Bombay.

Letter from the Commissioner of Police, Bombay, No 250-M, dated 16th February 1909—

Forwarding, for information, a copy of a letter to his address from Messrs. Mareks and Company, Bombay, protesting against granting to any firm an exclusive right of running taxi-cabs in Bombay.

Letter from Baron M. Baeyens, dated 17th February 1909.

Letter * from Baron M. Baeyens, dated 27th February 1909—

Applying for certain concessions in connection with the establishment of a taxi-cab service in Bombay.

Memorandum from the Judicial Department, No. 1410, dated 9th March 1909

Letter* to Baron M. Baeyens, No. 1453, dated 17th March 1909.

Telegram from Baron M. Baeyens, 1 Rue Rembrandt, Paris, dated 30th April 1909—

Stating that he accepts the conditions mentioned in Government letter No. 1453, dated 17th March 1909; observing that he proposes to apply London tariffs increased by substituting rupees for shilling; and adding that he will also provide second class taxi-cabs at cheaper rates.

Telegram to Baron M. Baeyens, dated 7th May 1909—

Stating that his offer is accepted, subject to revision of tariff after five years.

RESOLUTION—Copies of the Motor Vehicles Act (Bombay II of 1904), of the Rules under the Act and of the conditions attaching to the issue of permits should be sent to Baron Baeyens, who should apply to the Commissioner of Police, Bombay, for the registration of the cars, for permits to ply for hire, and for licenses for his servants to drive the car after the cars have been landed in Bombay.

2. Copies of the papers should be forwarded to the Commissioner of Police and the Municipal Commissioner for the City of Bombay for information.

R. E. ENTHOVEN,
Secretary to Government.

To

The Commissioner of Police Bombay,
The Municipal Commissioner for the City of Bombay,
The Judicial Department,
Baron M. Baeyens (by letter).

Accompaniments to Government Resolution, General Department, No. 2715,
dated 26th May 1909.

Dated 27th February 1909.

From—Baron M. Baeyens ;

To—The Secretary to Government, General Department.

I have the honour to solicit from the Bombay Government permission to establish and run in Bombay a service of Taxi-cabs, feeling convinced that such a service will be a great improvement, not only on the existing mode of locomotion but also in the saving of time, and will appeal to the general public as well as be an attraction to the yearly increasing number of tourists who visit India.

My position as Director of many Companies of a like nature and the experience I have had tends to show me that the cost of working a Taxi-cab scheme in Bombay must meet with many difficulties and be expensive from the quicker depreciation of materials and wear of Pneumatic tyres, etc., owing to the climate, the higher price of petrol and the training of an efficient set of "chauffeurs" which will entail the establishment of our own school under European supervision. These circumstances alone must financially affect the scheme I have in view, and as much in the nature of pioneering will have to be done before the Taxi-cab service can be an assured service, I would respectfully ask that His Excellency the Governor would kindly consider my request as to the following concessions:—

- (a) Standing free at all public stands and railway stations.
- (b) Registration of cars to be free.
- (c) The sanction of a maximum fare-table.
- (d) Right to import and use petrol free of all but custom duty.
- (e) Exemption from wheel-tax.

(a) and (c) are important considerations to me, as in the event of the Taxi-cab service interfering with Hackney carriages existing Regulations might possibly be altered to the detriment of the Taxi-cab, but these further concessions are to a great extent matters of detail, with which it is perhaps hardly necessary to trouble His Excellency the Governor.

If the Government are pleased to grant the foregoing concessions to me, I shall undertake to have the Taxi-cabs of the best style, and constructed only by first class builders.

* * * * *

No. 1453, dated 17th March 1909.

From—R. E. Enthoven, Esq., I. C. S., Secretary to Government,
General Department ;

To—Baron M. Baeyens, Taj Mahal Hotel, Bombay.

I have placed your letter, dated the 27th February 1909, before His Excellency the Governor in Council and I am directed to communicate the following orders with reference to the concessions asked for therein:—

(a) The standing of public vehicles at public stands is already free and no special concession is therefore necessary in this connection.

(b) The registration fee for a car is only Rs. 16 and is levied once for all. The amount involved in this concession therefore seems to Government hardly worth consideration. If the concession were granted, the result would be of little financial assistance to your venture.

(c) Government will assist the Company by accepting any reasonable tariff proposed.

(d) No duties are payable on petrol in addition to customs duty except a license fee for storage or transport. The license fee for storing 5,000 gallons of petrol is only Rs. 20. As 100 cars are to be placed on the streets, it is unlikely that it would be necessary to store more than 5,000 gallons. In this case also there appears no material financial benefit to your Company in the concession asked for.

(e) Exception from wheel tax is not possible under the existing law. The Bombay City Municipal Act imposes a quarterly fee of Rs. 5 on all four-wheeled vehicles. This tax could only be remitted by an amendment of the Act which would only be undertaken with the consent of the Municipality. It is very improbable that such consent will be forthcoming.

I am to enquire whether in view of these remarks you are not prepared to reconsider your proposals.

APPENDIX B.

Appendix to Board's Proceedings, dated 2nd March 1909.

As modified and adopted by the Board by T. R. No. 60, dated 2nd March 1909.

Bombay Improvement Trust.

A Review of the Financial Position of the Board, 1908.

GENERAL ACCOUNT.

I.—REVENUE.

The revenue of the Board is derived from the following sources :—

- (1) Rents and other proceeds of lands vested in the Board,
- (2) Municipal contribution under section 72 of the Act,
- (3) Net receipts under section 73 of the Act, and
- (4) Interest on cash balances.

(1) *Rents.*

The first Item, "Rents," may be sub-divided as follows :—

- (a) Rents from vested lands, Schedules C, D and F,
- (b) Rents from reclaimed areas, Schedule E,
- (c) Rents from Police Accommodation Schemes and Chawls,
- (d) Ground rents from completed Schemes, and
- (e) Rents from acquired properties pending demolition.

2. I have placed the rents from reclaimed areas separately from those derived from the vested lands, because the conditions in the two cases are materially different. The rents from Police Accommodation Scheme are equivalent to the Interest and Sinking Fund charges which have to be incurred on account of the loans for their construction. These works accordingly involve no permanent drain on the resources of the Board, and for the purpose of ascertaining the financial position, they may be omitted from consideration. To some extent this is also the case with the Chawls, though in this case the return is less than the charge for Interest and Sinking Fund, and it is necessary accordingly to make allowance for this loss.

3. The revenue from rents of acquired properties pending demolition is a variable quantity depending upon the rapidity with which construction follows acquisition. It was some years before sufficient properties were acquired in the Schemes now in progress to enable construction to be commenced; and of those Schemes the ones numbered II, III and VIII dealt with very thickly crowded neighbourhoods and, as a consequence, the rents received under this head reached a very considerable amount, upwards of Rs. 7½ lakhs being realized from this source in 1905-06. It is not likely in future that the revenue from this source will reach such a high figure; for some of the Schemes now coming on contain relatively small areas occupied by buildings compared to the large vacant areas to be dealt with. Instances of this are Schemes V and VI. But on the other hand the Nowroji Hill Scheme, East Agripada Scheme, and in less degree the Parel Street Scheme contain a large number of rentable buildings, though as it is proposed to cut away the whole of Nowroji Hill for the carrying out of that Scheme, it will be necessary for us to remove most of the properties in this Scheme before this can be undertaken. To estimate then the amount of revenue that the Board is likely to receive from year to year from this source is a difficult matter, and even approximate accuracy is out of the question. An estimate of some kind is only possible by a consideration of the estimated expenditure on acquisition from year to year and the probabilities of construction work.

(4) *Interest on Cash Balances.*

4. The interest on Cash Balances is also a variable quantity depending, firstly, on the amount of money raised in any year, secondly, on the accuracy with which actuals follow estimated capital expenditure, and, thirdly, on the state of the money market. For instance, assuming a loan of Rs 50 lakhs and a working balance of Rs. 15 lakhs, it may be anticipated that available balances on the average of the 12 months would be $\frac{50}{2} + 15 = 40$ lakhs, and an average of 3% on this would give Rs. 1,20,000 from this source during the year. But should expenditure not reach the estimated monthly average, the balances might be considerably larger as indeed has been frequently the case hitherto; and it is quite conceivable that there may be a difference in revenue from this source from year to year of Rs. 50,000 or 60,000.

(2) *Municipal Contribution under section 72.*

5. The Municipal Contribution under section 72 of the Act would be readily ascertainable for any year were it possible to estimate the increase from year to year in the rateable value of the City. The rate of increase for the last 2 or 3 years cannot be taken as any guide, as it is in large measure due to enhancement of the assessments. We can safely take Rs. 7½ lakhs as the correct contribution for the current year. But the extent to which this will increase in future years must be largely a matter of conjecture.

(3) *Net receipts under section 73.*

6. As regards the net receipts from property taxes under section 73, the Trust has never yet succeeded in settling what amount is properly due to the Board on this account for any year since operations commenced, owing mainly to the claims put forward by the Municipal authorities in connection with the item of 'cleansing roads' (73 (2) (b) (iii)), and it will be necessary before any Estimate can be made for it to be definitely decided what precisely was the intention of the Legislature when including the 'cleansing' of roads among the items the cost of which is to be carried to the debit of the Board under the section in question.

A suggestion has been made to repeal section 73 and to recoup the Trust for the loss which this would entail by an increase in the percentage payable by the Municipal Commissioner under section 72. What this additional percentage should be cannot be properly determined until a reasonably approximate Estimate of receipts under this section can be prepared, but for the purpose of this statement it is assumed *eventually* at 1 per cent. though this is probably an underestimate. For the present it should be noted that no credit is taken for receipts from this source.

7. A consideration of the foregoing remarks will show that in estimating the revenue the only sources of income which are practically reliable are the ground-rents from the vested lands (Schedules C, D and F, and the reclamations) and from leased lands in completed Schemes, and the Municipal Contribution as above. It will be permissible, however, to take credit for rents from acquired properties pending the completion of Schemes and for interest on Cash Balances, though these cannot be estimated with any accuracy.

8. The revenue from leased lands in completed Schemes can most conveniently be dealt with by capitalising them and applying the capital sum so arrived at in reduction of the capital expenditure. Were the Board to sell the available land in completed Schemes, the proceeds could, under section 64 of the Act, be applied for current capital expenditure, thus reducing the amount of borrowings; but until this section is amended, as is proposed, no fines or premia on leases can be so applied, but must, under the provisions of the Act as they stand, be credited to the General Account. Thus to protect their interests the Board must either sell out-right or lease the lands for fixed annual rents without premia, and the latter course has been adopted because it is most necessary in the present state of the Municipal Bye-laws that the Board should retain control over the building operations. Thus, instead of capital

sums being received which could be applied to meet current capital expenditure, a yearly revenue accrues by means of which additional loans can be raised for the purpose. It appears then right to deal with these receipts as though they were capitalised and applied towards current capital expenditure. It will be seen hereafter that this has been done when dealing with the Capital Account.

9. As regards receipts from reclamations the Board under the Act enjoys the full rents for 20 years from the date of the first lease, and thereafter the Board is to pay annually to Government 3 per cent. on the amount determined by deducting from the market value of the reclaimed areas the cost of effecting their reclamation. It will probably suffice for present purposes if consideration of this payment of interest be neglected; but it should not be overlooked that this payment as regards the Colába Reclamation will accrue at a time when probably the Board's resources will be severely strained.

10. On a careful consideration of all the above, probable revenue of the Board, omitting from the account the receipts from chawls, Police Schemes, and ground-rents in completed Improvement or Street Schemes, may be estimated as shown in the accompanying Statement A, which exhibits the following totals:—

Year.	Revenue. Rs.	Year.	Revenue. Rs.
1908-09	15,37,350	1911-12	16,78,000
1909-10	16,12,000	1912-13	17,41,000
1910-11	16,20,000	1913-14	17,59,000

and the ultimate revenue, when all vested lands are leased out, when there are no receipts from acquired properties pending demolition and no cash balances to be utilized, and on the assumption that the net receipts under section 73 of the Act will represent 1 per cent. only on the rateable value, may be taken at Rs. 17,82,000.

II.—EXPENDITURE.

11. The expenditure under the General Account comprises the following:—

- (a) Maintenance of the Board's properties.
- (b) Municipal Rates and Taxes.
- (c) Bank Commission for the management of Loans.
- (d) Interest and Sinking Fund on Loans.

In addition to those it is necessary to provide for—

- (e) Annual loss on the Board's chawls.
- (f) Payment to Government and the Corporation of interests on account of Scheduled lands under section 68 of the Act with effect from the 1st of April 1909.
- (g) Proportion of the cost of Administration debitable to the General Account under section 75 of the Act with effect from the year 1914-15.
- (h) Payment to Government under section 70 of the Act on account of interest on the net value of reclaimed land. This, in the case of Colába Reclamation, will commence in 1926-27 and will amount to Rs. 52,675* per annum.

12. The expenditure on the maintenance of the Board's properties though it

(a) Maintenance of the Board's properties.

includes the up-keep of vested lands, varies very largely according to the extent of rent-producing acquired properties in the possession of the Board in any year. It is also affected by delay on the part of the Municipality in taking over new streets constructed by the Board, thus necessitating the cost of repairs and maintenance being borne by the Board.

* Three per cent. on Rs. 17,55,846, see para. 30.

13. Municipal Rates and Taxes also vary according to the extent of rent-producing properties in the Board's possession, the only permanent charge on this account being in connection with the Board's Chawls and Administrative Offices. The provision made in Statement B accompanying as regards maintenance of properties and Municipal Rates and Taxes may, therefore, be compared with the estimated receipts from acquired properties as shown in Statement A.

(b) Municipal rates and taxes. (c) Bank Commission. 14. The Bank Commission is a comparatively small item dependent upon the amount of the Board's Loans managed by the Bank, the terms being Rs. 2,000 per annum per crore in addition to which there is a payment of Rs. 3,000 per annum for collecting interest, and there are sundry odd charges.

(e) Loss on the Board's Chawls. 15. In calculating the loss which the Board has annually to bear on account of chawls accommodation provided, it is assumed, what is approximately the fact on present experience, that the return from these properties is rather less than 3 per cent. owing mainly to the Establishment it is necessary to maintain to keep the buildings and their surroundings in a clean and sanitary condition. As the money for their construction costs us 4 per cent. interest plus 0.61 per cent. for Sinking Fund, the annual loss may be taken to be about 1.75 per cent. on the capital expended. It is estimated that to the end of 1908 expenditure on chawls will amount to Rs. 11,10,000 and that this will gradually increase owing to additional chawl construction to Rs. 28,00,000 in 1914. For the Schemes already sanctioned, or about to be sent forward for sanction, a sum of Rs. 48,75,000 is in all provided for chawl construction, so that the ultimate loss on this account will probably amount to Rs. 85,250 per annum.

(f) Interest payable to Government and the Corporation. 16. The interest which will be payable by the Board under section 68 to Government and the Corporation is estimated to amount to Rs.* 1,59,500. This is made up of

Rs. 1,25,000 being 3 per cent. interest on Rs. 41,67,342, the value of Schedule C lands now vesting in the Board, and
 ,, 34,500 being similar interest of Rs. 11,50,372, the value of the Schedule D vested lands.

Rs. 1,59,500

(g) Proportion of cost of Administration. 17. The proportionate cost of administration debitable to the General Account under section 75 (1) of the Act will probably be determined, when the time comes, in proportion to the expenditure excluding the charges for Interest and Sinking Fund. If the Capital Expenditure is assumed at an average of Rs. 50 lakhs annually, the Revenue Expenditure excluding Interest and Sinking Fund charges will form but a small proportion of the total outlay of any year. The cost of Administration at present is Rs. 1,42,000 per annum which may eventually rise to Rs. 1,60,000 per annum, and probably the debit to the General Account will not exceed Rs. 20,000.

(h) Interest payable on Reclamation. 18. As the interest payable on account of the Colába Reclamation will not accrue until 1926, it may be conveniently omitted from consideration at present, though the fact that so large a sum will then become debitable to the General Account should not be lost sight of.

(d) Interest and Sinking Fund on loans. 19. In considering the annual amount which for the purposes of this Review should be provided for Interest and Sinking Fund charges, it is necessary to remember firstly, that in the Revenue Statement A I have excluded the receipts from Police Accommodation Schemes on the ground that they represent the Interest and Sinking Fund charges on the Capital Expenditure on those Schemes, and also have omitted to

* After allowing for considerable reduction still to be made from the capital debt on account of land occupied by roads.

take account of the ground-rents from completed Schemes, these being capitalized and taken (as will be seen when dealing with the Capital Account) in reduction of the Capital Expenditure. Receipts from the Board's Chawls have also been excluded for the same reason as Police Accommodation Schemes. But inasmuch as the revenue in this case is not equilibrated to the expenditure I have included in Statement B a provision for loss on Chawls which represents the difference. Bearing these points in mind, the calculation for Interest and Sinking Fund charges, which results in the figures shown in Statement B under that head, is made by deducting from the aggregate of Loans in any year the capitalized value of the returns up to that year and the amounts expended on Chawls and Police Accommodation Schemes. To explain this the Loans to the end of 1907-08 aggregate Rs. 2,85,00,000, the expenditure on Chawls has been Rs. 8,30,000, on Police Accommodation Schemes Rs. 3,80,000 and the capitalized value of the receipts from completed Schemes amounts to Rs. 34,50,000. A deduction of Rs. 43,60,000 is thus made from the aggregate sum, and the interest for the purposes of Statement B is calculated only on Rs. 2,42,40,000. For the year 1909, a new Loan of Rs. 30 lakhs has been reserved, out of which Rs. 4,50,000 is to be spent on Chawls, Rs. 1,80,000 on Police Accommodation Schemes, and it is estimated that ground-rents of plots which will be leased in completed Schemes during the year will represent a Capital of Rs. 10,00,000. Thus a deduction of Rs. 16,30,000 is made from the Rs. 30 lakhs to be raised and additional interest will have to be provided for that year from the sources given in the statement on a sum of Rs. 13,70,000 only. It is not possible to say what the actual Loan will be for subsequent years. But the Statements (C, D and E) which are attached to this Review show the estimated requirements in each year for Schemes and the estimated annual returns. It is assumed that additional interest will have to be paid year by year on the amount of the difference between these figures, *i.e.*, on the net expenditure of each year. Thus the capital sums on which it is necessary to provide Interest and Sinking Fund charges to be met from the Revenue as shown in Statement A are taken as follows :—

					Rs.
1908	...	...	...	..	2,42,40,000
1909	...	...	...	...	2,56,10,000
1910	...	...	...	.	2,94,10,000
1911	...	...	...	...	3,19,10,000
1912	...	...	...	...	3,37,85,000
1913	...	...	...	...	3,51,35,000

20. The above will explain the preparation of Statement B, and it will be seen that from the year 1909-10 onwards the revenue will be insufficient to meet the charges, the deficit being

Anticipated deficits.					Rs.
1909-10	...	...	...	...	1,15,246
1910-11	...	...	...	...	2,76,801
1911-12	...	...	...	...	3,64,551
1912-13	...	...	...	..	4,13,240
1913-14	...	...	...	...	4,40,724

These results may of course be greatly modified should the annual expenditure on Schemes be materially less than that estimated or should the estimated returns from Schemes in any year exceed the estimate.

21. The remission of the 3 per cent. interest payable to Government and the Corporation would enable the account to balance for the next year; but even that will not suffice for 1910-11 and onwards. Section 79 (2) of the Act is apparently specifically intended to meet this situation which is of course due to the large sum of money locked up during the progress of Schemes and pending the anticipated returns being realized; and by thus charging interest to capital it will be possible for the Board to carry on until the Schemes now in hand are completed which, it is estimated, should be the case in 1926-27, all available land being disposed of by the year 1927-28.

22. Statement E attached to this Review will show that in that year (1927-28) the Board will have definitely locked up a sum of Rs. 1,84,57,470 to pay interest and Sinking Fund charges on which will require Rs. 8,50,890 annually. But before this is reached the Board will have outstanding a sum in (1916-17) of about Rs. 3,76,00,000 which would require no less than Rs. 17,33,560 per annum for Interest and Sinking

Fund. This being the case, it appears that without considerable additional sources of income the Board will be unable to take up any large Schemes beyond those already in hand and included in Statement C until at least 1922.

CAPITAL ACCOUNT.

23. The receipts on Capital Account are limited by section 76 of the Act to the proceeds of sale of land or buildings vested or vesting in the Board. As explained in paragraph 8 above the lands available on the completion of Improvement and Street Schemes are not sold, but are leased for long terms. Thus the actual Capital Receipts are limited to the sale of old building materials only. As these have, in the past nine years, realised a total of Rs. 7,30,000 only, they may be neglected when compared with a total Capital Expenditure. Section 79 (1) directs that the credit balances of the General Account shall be utilized for Capital Expenditure, but as by section 79 (3) the net credit balances after the tenth year have to be divided as therein directed, there is no actual accrual to the credit of Capital on this account; there is merely a temporary use of the money. The estimated ground rents from Improvement and Street Schemes represent so much borrowing power, and they have accordingly for the purpose of this Review been capitalized and are taken as Receipts in reduction of the Capital outlay.

24. Statement C attached shows the estimated Capital outlay year by year on schemes to which the Board are already committed. Statement D shows similarly the estimated recoupment (*i. e.*, capitalized value of ground rents) and Statement E exhibits the net amount of Capital locked up each year on which Interest and Sinking Fund charges will be payable. This last statement shows that the total ultimate lock up of capital which is involved by the schemes already undertaken is estimated at Rs. 1,84,57,470, say, Rs 1,85,00,000

RESULTS.

25. The *ultimate* charges under these conditions against the General Account may be taken as follows:—

1. Maintenance of the Board's properties (excluding chawls)

This will, when all Schemes are completed, be reduced to the maintenance of the Board's Administrative Office Buildings and of the Vested Lands

	Rs.
(a) Administrative Office Buildings ...	12,500
(b) Maintenance of vested lands ...	30,000
	42,500
	Rs
2. Municipal Rates and Taxes ...	5,000
3. Loss on the Board's Chawls (see para. 15 above) ...	85,250
4. Bank Commission ...	17,500
5. Interest on Scheduled lands C and D ...	1,59,500
6. Interest payable on Colaba Reclamation ...	52,875
7. Proportionate cost of management ...	20,000*
Total ...	3,82,425

The ultimate revenue as shown in Statement A is estimated at Rs. 17,82,000, so that about 14 lakhs will ultimately be available for Interest and Sinking Fund charges. These Rs. 14 lakhs represent a borrowing power (at 4 per cent for interest and 0.61 per cent. for Sinking Fund, on a 3 per cent. basis) of, say, Rs. 3,03,50,000.

† 26. From Statement E it will be seen that from 1910-11 to 1921-22 the net sums locked up in each year exceed this amount of Rs. 3,03,50,000 and therefore the General Account must in those years disclose debit balances. Under section 79 (2) of the Act such debit

* If capital expenditure ceases or is much reduced, this figure will be largely enhanced and may in the former event amount to as much as Rs 1 lakh annually

† The application of section 79 (2) to these conditions is questioned by some of the Trustees

balances are to be met from Capital, and loans to meet this debit to Capital can be raised to an aggregate amount not exceeding 15 per cent of the aggregate Capital debt of the Board. Statement F has been prepared to show how this will operate. The figures of net expenditure, column 2, do not correspond with those in column 4 of Statement E as an addition of about 15 lakhs has been made in the former statement to provide for working balance. Column 6 of Statement F show the extra loan required during each of these years for the payment of interest by debit to Capital, the aggregate being Rs. 34,39,000. As the aggregate Capital debit of the Board at the present time is Rs. 3,63,00,000, 15 per cent, on this will amount to Rs. 54,45,000, and as the aggregate debt of the Board will increase and not diminish, the requirements of section 79 (2) will be fully complied with. It will, however, be necessary to pay Interest and Sinking Fund charges on this extra amount of Rs. 34,39,000, in addition to that on the net expenditure which is taken in Statement E at 2 crores, the sum of the two being Rs. 2,34,39,000. This will require an annual sum of Rs. 10,80,540 and will leave about Rs. 3,19,000 out of the 14 lakhs estimated as available with which to provide for further borrowings. This represents a borrowing power of about 69 lakhs only, which may be considered to be the extent to which our present resources will permit of our undertaking further schemes beyond those to which we are already committed until the periods for which loans have been issued commence to expire, *viz.*, 1959, when the present loans will be paid off year by year from the Sinking Funds and fresh obligations can be entered into.

27 With our further resources thus limited to Rs. 69 lakhs we have before us the following schemes represented under section 23 of the Act as yet untouched —

	Estimated Cost Rs.	Estimated Return s Rs.	Net Cost Rs
Colaba	19,57,000	3,48,000	16,09,000
Fort North	2,33,47,704	93,64,950	1,39,82,754
Colbhatwadi	14,94,000	9,35,000	5,59,000
Telwadi	19,84,000	5,33,000	14,48,000
Mamonwada	75,81,000	35,65,000	40,16,000
Umarchadi	39,17,000	20,33,000	18,84,000
2nd Nagpada	70,91,000	31,99,000	39,82,000
Kamatipura	80,46,000	41,86,000	38,60,000
Total	5,54,17,704	2,40,76,950	3,13,40,754

in addition to the following Street Schemes which have been put forward :—

	Estimated Cost, Rs	Estimated Returns, Rs.	Net Cost Rs
Widening Chunan Kiln Road	5,35,000	2,97,000	2,38,000
Widening Abdul Rahman Street (including Princess Street extension)	1,06,55,000	81,26,000	25,29,000
Mahm Woods Scheme	2,23,42,000	2,33,06,000	4,964,000
Widening DeLisle Road (part of West Avenue) by set-backs	10,39,000	<i>Nil.</i>	10,39,000
Widening Parel Road by set- backs	13,38,000	<i>Nil.</i>	13,68,000
Marine Street in connectaon with proposed Marine Lanes Overbridge	4,00,000	<i>Nil.</i>	4,00,000
Piru Lane Scheme	2,01,000	51,000	1,50,000
Hamalwady do	18,59,000	6,81,000	11,78,000
Total	3,83,99,000	3,24,61,000	59,38,000

Of these latter it may be remarked that the widening Chunan Kiln Road is a most necessary work for which a scheme will probably be shortly submitted to Government. The Marine Street Scheme must be done if the Marine Lanes Overbridge is to be constructed, and the Piru Lane and Hamalwady Schemes are legacies from the Municipality to which the Board are more or less committed. It would be possible to carry out these four works, but it may be remarked that there are many of a more urgent character than the last two.

28. Nothing has yet been said concerning reclamations except that the results of the small reclamation already undertaken at Colába are embodied in the statements accompanying. Estimates have been prepared for a reclamation at Chaupati which is estimated to cost Rs. 23,37,436 or including interest during construction Rs. 28,00,000 and the return from which is estimated at Rs. 31,11,920, showing a net profit of Rs. 3,11,920. No estimates are available for any other reclamation and without estimates of cost and probable return (the latter of which cannot be estimated with any approximation to certainty), it is not possible to show as desired by Government what the value of the reclamation rights are to the Trust. Further, it may be remarked that *the value of these rights is only realizable after heavy Capital Expenditure* which as shown above it is not possible in the present state of their resources for the Board to contemplate.

29. The calculation of the present value of the reclamation rights will be as follows:—

Let x = total cost of reclamation including interest during construction.

y = market value of reclaimed land.

a = annual rental derived from the reclaimed land.

b = interest and sinking fund charges on the loan for the work.

After 20 years the Board has to pay to Government 3 per cent. on the value of the reclaimed land less the cost of the reclamation (section 70 of the Act), i.e., the Board will have to pay annually Rs. $\frac{3(y-x)}{100}$.

The value of the rights to the Board is thus the value (on the $4\frac{1}{2}$ per cent. table) of Rs. a payable annually for 20 years plus the value of Rs. $(a - \frac{3(x)}{100})$ for 79 years, commencing 20 years from the date of the first lease of the land, less the Interest and Sinking Fund charges payable on the construction loan subsequent to the date of the first lease.

If the land were leased in *this current year* this would be equivalent to Rs. $12\cdot1631^* \times a + \text{Rs. } (a - \frac{3(y-x)}{100}) \times 20\cdot740^* \times 0\cdot4146^\dagger$ —the present value would be subsequent to the first lease; but the probable present value if the land is not at once available will be found by again deferring the result of the above sum for the number of years which will probably elapse before it is available.

30. In the case of the small Colába Reclamation already carried out the value of the reclamation rights may be determined as follows:—

Data—

	Rs.
Outlay on reclamation	5,00,000‡ (approximate).
Cost including interest during construction	6,14,943‡ (do.).
Value of reclaimed land	23,70,789
Annual rental derived	1,07,820
Interest payable to Government after 20 years, viz., 3 per cent. on Rs. 17,55,843	52,675
Interest and Sinking Fund charges on loan of Rs. 5 lakhs for construction	23,050

Calculation—

1. The present value of the annual rental for 20 years—
Rs. $1,07,820 \times 12\cdot1631$ = Rs. 13,11,425·44
 2. The present value of the rental left to the Board after payment of Rs. 52,675 to Government for 79 years commencing 20 years hence = $(\text{Rs. } 1,07,800 - 52,675) \times 20\cdot740 \times 0\cdot4146$ 4,74,180 04
- Carried over 17,85,605·48

* Table V, as Government require sinking fund to be invested on 3 per cent. basis. † Table VI.

‡ As work yet remains to be done (e.g., paving of all footpaths), the original figures of the estimate are taken as being sufficiently accurate.

Brought forward ... Rs. 17,85,605.43

Deduct—

3. The Interest and Sinking Fund charges on the construction loan will have to be paid by the Board for 52 years subsequent to the date of the first lease. The present value of 23,050 payable for 52 years is $23,050 \times 18^{\cdot 8}$ ...	... =	Rs. 4,33,340
Net value ...	Rs. 13,52,265.43	

or say ... Rs. 13½ lakhs.

This amount cannot be taken as a separate asset. It is represented by the receipts and charges included or to be included in the General Account.

31. The value of the rights as regards the suggested Chaupati Reclamation may similarly be estimated thus—

Data—

Estimated cost of construction ...	... =	Rs. 23,40,000
Cost including interest during construction ...	... =	28,00,000
Estimated value of reclaimed land ...	... =	31,11,920*
Estimated annual rental ...	... =	1,40,036*
Interest payable to Government after 20 years from the date of first lease, <i>s e.</i> , 3 per cent. on (Rs. 31,11,920—Rs. 28,00,000) ...	... =	9,358
Interest and Sinking Fund charges on construction loan ...	... =	1,07,874

If we suppose the land to become available for leasing 10 years hence the value will have to be deferred for 10 years.

Calculation—

1. The present value of the annual rental for 20 years = 1,40,036 × 12.163 ...	... =	Rs. 17,03,257.8
2. The present value of the rent remaining to the Board after payment of interest to Government 20 years hence is Rs. (1,40,036—9,358) × 20.74 × 0.4146 ...	... =	9,21,674.3
Total ...	Rs. 26,24,932.1	

This is to be deferred for 10 years the multiplier for which on the 4½ per cent. table is 0.6439 = 26,24,932 × 0.6439 ... = Rs. 16,19,129

Deduct—

The work is estimated to take 7 years after commencement before ready for leasing. After that date the Board will have to meet the Interest and Sinking Fund charges on the construction loan for 53 years commencing 10 years hence $1,07,874 \times 18.9 \times 0.6139$ ...	... =	Rs. 12,51,630
Value of Rights ...	Rs. 4,39,497	

This sum as in the former case cannot be taken as a separate asset. It represents the present value of the result of the debit and credit charges to the General Account which will result from the carrying out of this reclamation.

The rights are of no value unless they can be exercised and it is to be noted that they are at present vested in the Trust for 20 years only (section 61 (2)) of which 9 have expired.

32. The general result of this Review is to show that the schemes already adopted by the Board, of which one only (East Agripada Improvement Scheme) remains to be sanctioned by Government, bring us within measurable distance of the end of our present resources, and that it will not be possible for the Board to notify more than one or two schemes of any magnitude until they are assured of a very substantial addition to their reliable annual income. With the work now in hand and in immediate prospect on notified schemes, it will in any case not be possible to commence any further scheme for 4 or 5 years, but it is very desirable that by that time the Board should be placed in a position to be able to utilize its existing organization to the best advantage.

G. OWEN DUNN,
Chairman.

April 1908.

* These figures have been challenged as being too sanguine especially in the present state of the land market and if reduced will cause reduction in the value of the rights which it is conceivable might become a minus quantity.

STATEMENT A.

Showing estimated revenue of the Board after excluding rents from Chawls and Police Schemes, and ground rents from leased lands in completed Improvement or Street Schemes.

Items.	1908-09.	1909-10.	1910-11.	1911-12.	1912-13.	1913-14.	Ultimate at maximum rents, all plots leased.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1. Rents—							
(a) Schedule C	1,63,500	1,80,000	1,85,000	1,90,000	1,90,000	1,95,000	2,83,000
(b) „ D	21,850	24,000	27,000	30,000	33,000	36,000	71,000
(c) „ F	200	200	200	200	200	200	200
(d) Reclamations Schedule E	1,02,000	1,07,800	1,07,800	1,07,800	1,07,800	1,07,800	1,07,800
(e) From acquired properties	3,00,000	3,50,000	3,25,000	3,50,000	4,00,000	4,00,000	.....
Total rents	5,87,350	6,62,000	6,45,000	6,18,000	7,31,000	7,39,000	4,62,000
2. Municipal contributions * (section 72)	7,50,000	8,00,000	8,25,000	8,50,000	8,60,000	8,70,000	13,20,000 †
3. Utilization of surplus cash balances	2,00,000	1,50,000	1,50,000	1,50,000	1,50,000	1,50,000	.....
Total Rs.	15,87,350	16,12,000	16,20,000	16,78,000	17,41,000	17,59,000	17,82,000

* *Note.*—No credit is taken on account of receipts under section 73—*Vide* para. 6 of review.

† Assumed at 8 per cent. to include receipts under both sections 73 and 73.

STATEMENT B.

Showing Expenditure on General Account.

Items.	1908-09.	1909-10.	1910-11.	1911-12.	1912-13.	1913-14.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1. Maintenance of the Board's properties ...	2,41,000	2,50,000	2,45,000	2,50,000	2,60,000	2,60,000
2. Municipal rates and taxes <i>less</i> Refunds ...	1,00,000	95,000	90,000	1,10,000	1,20,000	96,000
3. Bank Commission	9,700	11,500	11,500	13,500	13,500	15,500
4. Loss on Chawls	27,300	30,625	35,000	38,500	43,750	49,000
5. Interest on Scheduled Value of vested lands C. and D. ... ..	.....	* 1,59,500	1,59,500	1,59,500	1,59,500	1,59,500
6. Proportionate cost of Administration ...	.....	This will begin in 1914-15, but will not probably exceed Rs 20,000 per annum				.....
7. Interest on Account. Reclaimed lands, Schedule E. ... ..	.....	This will commence in 1926-27, and will then amount to Rs 52,675 per annum.				.....
8. Interest and Sinking Fund on loans <i>less</i> returns (not including loan money spent on chawls or Police Accommodation Schemes) ...	11,17,464	11,80,621	13,55,801	14,71,051	15,57,490	16,19,724
Total ...	14,95,464	17,27,246	18,96,801	20,42,551	21,54,240	21,99,724

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* After allowing for considerable deductions still to be made from the Capital debt on account of lands taken up for roads.

STATEMENT C.

CAPITAL OUTLAY.

Forecast of probable outlay on Schemes year by year.

	Actual expenditure up to 31-3-07.		Actuals for 2 months estimate for 3 months, 1907-08.		1908-09.	1909-10	1910-11.	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.	1917-18.	1918-19.	1919-20.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	Total.		
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
Yested land	9,78,818	31,380	1,00,000	9,782	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	11,60,000		
Cost of management	11,32,370	1,27,600	1,42,000	1,48,000	1,50,000	1,55,000	1,60,000	1,60,000	1,60,000	1,60,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	1,40,000	39,28,470	
1. First Nagpada Scheme No. I	18,97,748	284	5,017	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	19,02,000	
2. Princes Street Scheme No. II	61,60,723	8,16,522	2,65,756	2,00,000	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	77,60,000	
3. Back Bay to Elphinstone Bridge Scheme No. III	76,77,805	3,80,437	5,00,000	8,00,000	5,00,000	1,49,258	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	80,27,000	
4. Gwalia Tank Scheme No. IV	11,05,358	5,50,218	3,00,000	1,01,284	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	12,57,000	
5. Dadas Matunga Scheme No. V	3,028	1,09,503	5,00,000	6,00,000	6,00,000	4,00,000	4,00,000	2,00,000	2,00,000	2,00,000	2,00,000	2,00,000	2,00,000	2,00,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	48,50,000	
6. Matunga-Slon Scheme No. VI	10,817	4,10,000	5,40,000	6,00,000	6,00,000	6,50,000	3,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	2,50,000	65,01,000	
7. Colaba Reclamation Scheme No. VII	4,08,976	..	42,026	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	4,51,000
8. Mandvi-Kolwada Scheme No. VIII	20,52,208	71,262	2,00,000	2,02,142	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	25,21,000
9. Bankli Street Extension Scheme No. IX	27,372	..	10,221	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	38,600
10. Souter Street Extension Scheme No. XIII	16,941	12,050	23,000	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	58,000
11. Mathew Road Scheme No. XXVII	2,561	10,00,850	1,28,268	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	11,28,000
12. Nowroji Hill Scheme No. XXIX	577	1,01,984	16,00,000	10,00,000	10,00,000	10,00,000	7,00,000	2,00,000	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	20,00,000
13. Souter Street Extension to Arthur Road Scheme No. XXX	270	..	8,00,000	88,730	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2,27,000
14. Parcel Street Scheme No. XXXI	..	..	5,00,000	5,00,000	10,00,000	15,00,000	15,00,000	15,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	24,51,000
15. East Agripada Improvement Scheme No. XXXII	..	..	..	5,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	67,50,000
16. Bhatwadi Scheme No. XXXIII	..	..	1,00,000	3,00,000	25,000	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	4,32,000
Total	2,18,12,284	35,65,997	50,77,036	62,01,269	49,18,730	46,84,258	41,10,000	31,13,069	20,20,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	21,40,000	2,61,24,470

STATEMENT D.

RECOUPMENT.

Forecast of probable receipts from Schemes year by year.

	Actuals	1898-09	1909-10.	1910-11	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17	1917-18.	1918-19	1919-20	1920-21.	1921-22.	1922-23.	1923-24.	1924-25	1925-26.	1926-27	1927-28	Total.
	Rs. up to 31-3-08	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1 First Nagpada Scheme No I	8,81,304	9,470	...	...	75,828	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	9,64,000
2. Princess Street Scheme No. II	22,68,402	7,61,120	5,00,000	8,00,000	8,00,000	8,00,000	8,78,478	...	...	...	...	...	...	...	...	...	...	...	...	...	...	63,33,000
3. Back Bay to Pimpri Stone Bridge Scheme No. III.	...	1,79,038	4,00,000	8,00,000	8,00,000	10,00,000	10,00,000	8,00,000	5,48,907	...	...	...	...	...	...	...	...	...	...	...	...	53,22,000
4. Gowala Tank Scheme No IV	4,980	41,560	3,00,000	5,00,000	4,00,000	4,00,000	3,68,470	...	...	...	...	...	...	...	...	...	...	...	...	...	...	19,18,000
5. Dadar-Matunga Scheme No. V	...	...	...	...	...	...	...	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	10,00,000	10,00,000	10,00,000	2,96,000	52,06,000
6. Matunga Station Scheme No. VI	...	...	...	...	...	...	...	...	...	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	5,00,000	60,94,000
7. Colaba Reclamation Scheme No VII	...	...	Credit taken in	Statement A.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
8. Mandvi-Koliwada Scheme No. VIII	...	...	...	3,00,000	4,00,000	4,70,000	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	10,70,000
9. Bankli Street Extension Scheme No. IX	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
10. Souter Street Extension Scheme No. XIII	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
11. Mathew Road Scheme No. XXVII	...	...	3,00,000	3,00,000	4,00,000	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	10,00,000
12. Nowroli Hill Scheme No. XXIX	...	...	...	...	...	...	...	...	...	...	...	5,00,000	5,00,000	5,00,000	5,00,000	10,00,000	7,40,000	...	...	...	...	37,40,000
13. Souter Street Extension to Arthur Road Extension No. XXX	...	...	...	...	...	...	1,50,000	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1,50,000
14. Parul Street Scheme No. XXXI	...	...	...	...	...	...	...	5,00,000	5,00,000	5,00,000	5,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	10,00,000	...	...	...	...	60,08,000
15. East Agripada Improvement Scheme No. XXXII	...	...	...	...	...	...	...	3,50,000	3,50,000	3,50,000	3,50,000	3,50,000	3,50,000	3,50,000	3,50,000	3,50,000	1,00,000	...	...	...	...	40,08,000
16. Bhatwadi Scheme No. XXXIII	...	...	...	...	1,00,000	98,000	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1,98,000
Total	81,44,636	9,91,178	14,00,000	24,00,000	29,75,328	27,83,000	24,91,648	20,50,000	17,98,907	17,50,000	17,50,000	27,50,000	27,50,000	30,00,000	30,00,000	35,00,000	37,07,000	15,00,000	15,00,000	15,00,000	8,88,000	4,76,66,000

STATEMENT E.

Capital expenditure less recoupment based on the figures given in Statements C and D.

	Expenditure.	Receipts.	Net expenditure to end of year.
	Rs.	Rs.	Rs.
Actuals up to 31st March 1908 ...	2,58,78,451	31,44,586	2,22,33,865
1908-09	50,77,026	9,91,173	2,63,19,718
1909-10	52,01,289	14,00,000	3,01,21,007
1910-11	49,18,780	24,00,000	3,26,39,737
1911-12	48,54,258	29,75,326	3,45,18,669
1912-13	41,10,000	27,68,000	3,58,60,669
1913-14	34,13,059	24,91,948	3,67,81,780
1914-15	20,90,000	20,50,000	3,68,21,780
1915-16	21,40,000	17,98,967	3,71,62,813
1916-17	21,40,000	17,50,000	3,75,52,813
1917-18	15,84,000	17,50,000	3,78,86,813
1918-19	10,90,000	27,50,000	3,57,26,813
1919-20	10,40,000	27,50,000	3,40,16,813
1920-21	6,90,000	30,00,000	3,17,06,813
1921-22	6,90,000	30,00,000	2,93,96,813
1922-23	6,75,474	35,00,000	2,65,72,287
1923-24	4,40,000	37,57,000	2,32,55,287
1924-25	3,11,183	15,00,000	2,20,66,470
1925-26	1,40,000	15,00,000	2,07,06,470
1926-27	1,40,000	15,00,000	1,93,46,470
1927-28 ... ..	.....	8,39,000	1,84,57,470
Total ...	6,61,23,470	4,76,68,000	.....

STATEMENT F.

Showing the estimated charges to Capital on account of interest and Sinking Fund charges on loans raised in excess of resources (Sec. 79 (3)).
Resources of the Board taken as equivalent to Rs. 3,03,50,000.

Year.	Net Expenditure to end of year, plus working balance of about Rs. 15 lakhs.	Excess over resources.	Amount of Interest and Sinking Fund on excess to be debited to Capital (Sec 79 (2)).	Additional loans necessary.	Aggregate of additional loans.	Remarks.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	
1907-08	2,37,00,000	.....	.....	.....	.....
1908-09	2,78,00,000	.....	.....	.....	.....
1909-10	3,16,00,000	12,50,000	57,625	.....	.....
1910-11	3,41,00,000	37,50,000	1,72,375	58,000	58,000	
1911-12	3,60,00,000	56,50,000	2,60,465	1,73,000	2,81,000	
1912-13	3,74,00,000	70,50,000	3,25,005	2,60,000	4,91,000	
1913-14	3,83,00,000	79,50,000	3,66,495	3,25,000	8,16,000	
1914-15	3,88,00,000	79,50,000	3,66,495	3,66,000	11,82,000	
1915-16	3,87,00,000	83,50,000	3,84,935	3,66,000	15,48,000	
1916-17	3,91,00,000	87,50,000	4,03,375	3,86,000	19,33,000	
1917-18	3,89,00,000	85,50,000	3,94,155	4,08,000	23,86,000	
1918-19	3,72,00,000	68,50,000	3,15,785	3,94,000	27,30,000	
1919-20	3,65,00,000	51,50,000	2,37,415	3,16,000	30,46,000	
1920-21	3,32,00,000	28,50,000	1,31,385	2,37,000	32,83,000	
1921-22	3,09,00,000	5,50,000	25,355	1,31,000	34,14,000	
1922-23	2,81,00,000	.....	.....	25,000	34,39,000	
1923-24	2,48,00,000	.....	.....	.....	.....
1924-25	2,36,00,000	.....	.....	.....	.....
1925-26	2,22,00,000	.....	.....	.....	.....
1926-27	2,08,00,000	.....	.....	.....	.....
1927-28	2,00,00,000	.....	.....	.....	.....
						The aggregate capital debt of the Board at end of 1907-08 is:— Rs Total of loans issued 2,85,00,000 Debt on account of Scheduled lands. 78,00,000 Total ... 3,63,00,000 15% of this total = ... Rs. 54,45,000. The aggregate of charges to capital on account of debit balances of General Account being Rs. 34,39,000 only, the provisions of Sec. 79 (2) are fully complied with.

APPENDIX C.

Report of a Committee appointed under Government Resolution No. 2233, dated the 30th of November, to inquire into the needs and organization of the Grant Medical College and the adjoining Hospitals.

1. The most important need of the institution appears to be the re-organisation of the resident staff of the hospitals, and on this point a letter from Surgeon General McConaghy (No. 7240, dated the 29th of July) to the Government of Bombay was read and considered.

2. The Committee are in agreement with the Surgeon General as to the necessity of appointing young officers of the Indian Medical Service as resident officers of the hospital and relegating the present House Surgeon and his assistants to what may be called household duties.

3. Sanction has recently been obtained to the appointment of young graduates of the college as fellows who will be attached to the wards of the different members of the visiting staff as clinical registrars.

4. The Committee are of opinion that these young House Officers should be styled "House Surgeons" or "House Physicians" according as they are attached to a surgical or medical ward.

5. To supervise the House Officer two Resident Officers should be appointed. These should be junior Commissioned Officers of the Indian Medical Service below the rank of Major and attached to the Hospital for a period of two years, one being styled Resident Surgeon and the other Resident Physician.

6. The Resident Surgeon would assist the Visiting Surgeons at operations and in the wards, and generally supervise the work of the House Surgeons, while the Resident Physician would similarly supervise the House Physicians.

7. One of the Resident Officers must always be present in the compound at all hours of the day or night, and they would be on duty alternately as "Resident Officer of the day."

8. In the absence of his colleague the Resident Officer of the day would perform the duties assigned to both appointments.

9. It would be necessary to provide suitable quarters for these officers in the compound and they should have no other duties of any sort outside, and be forbidden private practice of any kind.

10. They would acquaint themselves with the orders and wishes of the visiting staff regarding the treatment of the sick and see that these orders are duly carried out by the House Officers assisted by the students on duty.

11. In the event of a serious emergency arising at the hospital out of visiting hours the House Officer would send for the Resident Officer concerned (or the Resident Officer on duty) who would report the particulars of the case to the visiting officer of the ward for orders. The Resident Officer would not perform any major operation, except in cases of urgent necessity, or take any important action without the permission of the visiting officer.

12. Apart from the treatment of the sick they would be responsible solely to the Principal of the College and take their orders from him, and the Committee are of opinion that they might afford the Principal considerable assistance in the conduct of his onerous administrative duties. The Resident Physician for instance could assist the Principal in the College office and generally in maintaining discipline amongst the students while the Resident Surgeon could similarly assist in the hospital office work, check instruments and stores, and exercise general supervision over the subordinate staff of the hospital.

13. The Resident Officers would also be responsible for the clinical records of the hospital, but for this part of their duties they should be assisted by two registrars, styled respectively "Medical" and "Surgical Registrar" who might be appointed on the same terms as the House Surgeons and Physicians from the junior graduates or preferably be selected from the ranks of the Civil Assistant Surgeons. The duty of the Registrars would be to assist the students in the preparation of notes on their cases and afterwards to classify and record these notes in a suitable manner for reference.

14. The present House Surgeon would be relieved of all duties in connection with the treatment of the patients and should be styled "Assistant" or "Deputy Superintendent" of the hospital. He would supervise the hospital office, control the whole of the menial establishment, give orders to the other Military Assistant Surgeons employed in the hospital, and attend to the sanitary condition of the buildings and compound.

15. A second Military Assistant Surgeon would be in charge of the operating room and surgical instruments, and see that the dressings were properly prepared and sterilised.

16. The third Military Assistant Surgeon would have charge of the dispensary and drug store.

17. The two junior Military Assistant Surgeons would take duty in turn for emergency work in the dispensary.

18. The duty of attending in the admission room would be performed by the House Officers (House Surgeons and Physicians) in turn, one of them being always on duty for this purpose and assisted by a batch of students chosen in turn from a general roster of all the students attending the hospital, civil and military alike.

19. To assist the House Officers in this matter it would be advantageous to attach Civil Assistant Surgeons doing general duty, or waiting for orders, to the hospital, who would take a tour of duty in turn with the House Officers, and more particularly release them from the admission room in the morning during visiting hours.

20. The House Officer (or Civil Assistant Surgeon) in the admission room should deal with all police cases, giving the necessary certificates and attending afterwards at the courts when called upon to do so. It should only be in very exceptional cases that the Resident Surgeon would be required to give evidence in such cases.

21. In more important cases it can generally be arranged that one of the Civil Assistant Surgeons on general duty shall give the certificate and attend the court. In this way the court has the advantage of the greater experience of the Civil Assistant Surgeon, and the hospital work is not deranged by the prolonged absence of one of the House Officers from his wards.

22. The Principal should be superintendent of all the hospitals attached to the College, and the Committee think it is indispensable that he should reside in the compound. To this end early steps should be taken to provide a suitable residence for his use.

23. It is essential that the House Surgeons and Physicians should live in the hospital or so close to it that they can be readily summoned when they are required in the wards, for, as far as possible, the patients should be treated only by the House Surgeon of their ward, who alone may know the exact nature of the case and the orders of the visiting surgeon regarding it.

24. It has been proposed to give the House Officers' quarters in the hostel for the students, but this will not meet the necessities of the case, if, as is understood, the hostel is to be situated at some distance (1 mile) from the hospital.

25. Apart from the needs of the House Officers, the Committee would urge that the site of the hostel should be reconsidered, as it should be in close proximity to the hospital not only for the convenience of the students, but also to facilitate its supervision by the Principal.

26. Quarters must be provided for the House Officers in the hospital and, if possible, the senior students who attend the hospital should be accommodated near it.

27. Another need of a similar kind is a properly constructed barrack for the Military students in the neighbourhood of the college. Ideas of cleanliness and order form an essential part of the education of these students, but it is impossible to impart them so long as the students reside in a hired Native building not adapted to the purpose. It is also advisable for the sake of their health that they should be well housed and they require to be within easy reach

of the hospital just as much as the civil student, while it is even more necessary that they should be under the eye of the Principal.

28. As regards the means of teaching the students, it has been stated before the Committee that the College is undermanned and the staff overworked, while in many departments improved accommodation and equipment are necessary.

29. After hearing the opinion of the Principal and some of the Professors on this point, the Committee beg to offer the following remarks and suggestions.

30. The Professor of Anatomy should be a full-time Professor, forbidden all practice and relieved of all outside duties. He is at present the Second Surgeon of the Hospital and this part of his duties must be taken up by another officer.

31. He should be assisted by one demonstrator and three tutors, and the Committee are of opinion that the demonstrator should be as at present an Assistant Surgeon in Government service, for his position is one of considerable responsibility and authority. It would be better if his designation was changed to "Assistant to the Professor of Anatomy," the term "Tutor" (or demonstrator) being reserved for the junior men employed temporarily.

32. The theatre attached to the dissecting room is said to be too small, so that it is proposed to let the Professor of Anatomy use the same theatre as the Professors of Physiology and Pathology. This is objectionable and his theatre should be enlarged.

33. The Professor of Pathology should also be a full-time Professor with no other occupation. He should be relieved of his present appointment as Second Physician of the hospital, so that he may devote his mornings to the *post-mortem* room.

34. The new Second Physician of the hospital should also be Professor of *Materia Medica*, so that class teaching of this subject may be illustrated and applied in this ward. This would release the Resident Surgeon of the St. George's Hospital from the chair of *Materia Medica* and enable him to devote himself entirely to his proper functions.

35. There should be a separate Professor of Bacteriology as the Professor of Pathology should be fully occupied with Pathology proper. Bacteriology would be a minor chair and the Professor would occupy his spare time in general research work and be available for Bacteriological enquiries of all kinds outside the college.

36. The Professor of Bacteriology would be suitably accommodated in the Petit Research Laboratory, but a new building is required for the Professors of Pathology and Physiology, with a common theatre for their use, and suitable laboratories for teaching the large classes in histology (normal and morbid), physiological chemistry, and experimental physiology.

37. When this laboratory is completed, if not before, it will be necessary to appoint a larger tutorial staff for both physiology and pathology in order to assist the Professors in practical teaching. Both these departments should be treated like the anatomical department and given Assistants to the Professor, who, as responsible persons in charge of much valuable property, should be Assistant Surgeons in Government service, while under them there should be two or perhaps three tutors.

38. Hygiene, which is at present taught by the Professor of Physiology should be made over to the Health Officer of the town or some other sanitary official, who is dealing with the subject in his daily work.

39. Medical Jurisprudence should similarly be taken out of the hands of Professor of Chemistry and made over to the Police Surgeon. The Police Morgue should be in or near the college and so arranged that the Police Surgeon could not only deliver his lectures in it, but also give practical demonstrations to the students by making his *post-mortems* in front of them.

40. A Dentist of repute should be attached to the college and hospital as it is important that the Military Students in particular should have an opportunity of learning the art of dentistry. He might attend the out-patient department twice a week and give a short course of lectures in the college.

41. The pay and tenure of some of teaching appointments is a matter of some importance if the right sort of men are to be attracted to these posts.

42. The Committee are of opinion that some extra allowance should be given to the Professors who are not allowed to add to their income by practice, in order to enable them to live comfortably in an expensive place like Bombay and so to be contented to remain in their chairs and devote themselves to their special subject. A suitable allowance would be Rs. 300 per month in addition to the ordinary pay of a Professor.

43. All these Professors of scientific subjects, who have no hospital appointment, should be given full vacation leave every year to enable them to visit Europe frequently and keep themselves abreast with the advance of knowledge in their particular subject.

44. The pay of an Assistant Surgeon appointed as Assistant to the Professor in any department should be Rs 200. Tutors should receive Rs. 100, except when there is more than one tutor in any department when the juniors should be allowed only Rs. 75 a month.

45. In all departments of the college the Assistants to the Professor and tutors should be appointed for five years, and no extension of this period should be allowed without the sanction of the Director of Public Instruction, and, in the case of the Assistant Surgeons, of the Surgeon General, who would satisfy themselves that such extension was only made in the interests of the public service.

46. In the chemical department the Committee think that the tutorial duties might be performed by the regular staff of the Chemical Examiner which, they understand, will have to be augmented when the new laboratory is built.

W. McCONAGHY.
W. L. HARVEY.
E. GILES.
G. BOMFORD.

APPENDIX D.

Summary of action taken on the Report of the Committee appointed by Government to consider the needs of the Grant Medical College and the allied Educational and Medical Institutions.

Appointments.

By Government Resolution, Educational Department, No. 2333, dated 30th November 1904, a Committee, with Surgeon General McConaghy as President, was appointed to inquire into the needs and organization of the Grant Medical College and the adjoining hospitals. On receipt of the Committee's report, the Surgeon General was asked in Government letter, Educational Department, No. 2402, dated 23rd December 1904, to furnish a statement of the reasons which induced the Committee to make each of the recommendations contained in the report, especially those involving additional expenditure, many of which required the sanction of higher authority. The observations of Government on the various proposals were communicated to the Surgeon General in Government letter, General Department, No. 5597, dated 9th October 1905. In paragraph 24 of the letter the Surgeon General was informed as follows :—

"The scheme as outlined in the foregoing paragraphs may take time to carry out in its entirety and must be looked on at present as a programme to be worked up to so far as financial provision can be made for it. I am to ask therefore that you should settle in consultation with the Director of Public Instruction the order of relative urgency of the various proposals and submit a report to Government through the Accountant General with the requisite proposition statement. The proposals on account of which expenditure is likely to be incurred during 1906-07 should be taken up first and submitted by 1st November 1905 (*vide* Government Memorandum No 2809, dated the 23rd May 1905), and so on from year to year."

2. With his letter No. 9609, dated 3rd October 1907, the Surgeon General submitted with his remarks an application from the Principal, Grant Medical College, for the extra staff required for the efficient and up to date teaching of the students of the College. The proposals involved the creation of the following 10 appointments :—

One Resident Surgeon,
One Resident Physician,
One full-time Professor of Anatomy,

One full-time Professor of Pathology,
 One Assistant to the Professor of Pathology,
 One Assistant to the Professor of Physiology,
 One Medical Registrar,
 One Surgical Registrar,
 One Second Physician and Professor of Materia Medica,
 One Second Surgeon.

3. In submitting the proposals the Surgeon General stated that the last two appointments specified above should be deleted as the existing appointments of Second Physician and Second Surgeon, would remain, their present attached duties being performed by the whole time Professors of Pathology and Anatomy respectively.

4. Government approved generally of the proposals as modified by the Surgeon General which involved a recurring expenditure of about Rs. 50,000 per annum, but desired further information regarding some of the appointments proposed. The remarks of Government were communicated to the Surgeon General in letter No. 5354, dated 29th August 1903, and he was asked to submit a revised scheme.

5. The revised scheme submitted by the Surgeon General with his letter No. 11558, dated 17th December 1903, involved, like the previous ones, an increase in the cadre of I. M. S. Officers. This could not be recommended to the Government of India in view of the recent decision of the Secretary of State regarding the cadre of that service. The scrutiny of the revised scheme had therefore to be abandoned and a revised scheme was asked for in Government Memo. No. 2634, dated 22nd May 1909. The Surgeon General's reply to this Memo. is awaited.

6. The eight appointments referred to above are in addition to the following which were created by this Government before the ruling of the Secretary of State that such schemes should be submitted to him for sanction, was brought to notice :—

			Rates of pay per mensem.
			Rs.
1	Minor Professorship of Bacteriology	... ..	200
1	Do. of Physics	... ..	200
1	Do. of Biology	... ..	200
1	Lecturer in Dentistry	... ..	200
1	Tutor in Anatomy	... ..	100
1	Do. Pathology	... ..	100
1	Do. Physics	... ..	100
1	Do. do.	... ..	75
1	Do. Bacteriology	... ..	100
Increase of Rs 25 per mensem to the allowance of each of the five senior Tutors in Midwifery, Chemistry, Materia Medica, Biology and Botany			125
4	Laboratory Assistants, one for each of the Physics, Bacteriological, Pathological and Physiological Departments	... ..	25—3—40 each. (Biennial increment.)
1	Assistant to the Artist	... ..	15—1—20 (Biennial increment.)
2	Servants, one for each of the Physics and Bacteriological Departments	... ..	12 each.
2	Servants, one on Rs. 12 per mensem and the other on Rs. 10 per mensem, for the Biological Department.		

Buildings.

7. With regard to the Committee's recommendations about buildings the position is described in the appended statement. This statement includes the buildings proposed by officers at various times.

8. Last year Government also sanctioned an additional tutor on Ophthalmology on Rs. 100 per mensem.

9. Special grants aggregating Rs. 5,000 have been made for bringing up to date the library of the College, and the annual Library grant has been raised to Rs. 1,000.

List of buildings already completed, those in course of construction, and those that have not yet been taken in hand in connection with the development of the J. J. Hospital and the Grant Medical College up to the end of February 1909.

Item	Work	Probable cost.	Sanctioned or not.	Remarks by the Consulting Architect to Government.	Remarks by the Executive Engineer, Presidency.
1	2	3	4	5	6
1	Rebuilding the Hospital ...	Rs. 7,25,000	No orders ...	The first proposal took the form of additions to the existing hospital building, the Consulting Architect reported unfavourably on the scheme and at the same time put forward a plan for the complete rebuilding of the hospital on modern lines. This plan provided 8 pavilions of 3 storeys to accommodate 556 patients. An amended scheme to occupy a smaller area of the compound was afterwards prepared consisting of 4 Wards pavilions each 4 storeys in height to accommodate 408 patients in all. This scheme will require still further modification in view of the Police Charges Bill as the existing hospital plus the Chronic and Parsee wards accommodate only 320 patients.	
2	New Nurses' Quarters ...	87,526	G. R. No. C. W.— 376, dated 7th February 1905.	Built as the "Wadia Nurses' Home".	Completed.
3	Servants' quarters for above...	...	.....	The present Mortuary has been adapted to servants' quarters and the <i>post-mortem</i> room to a kitchen.	
4	Addition to Nurses' Quarters ..	82,081	Not sanctioned ...	Submitted to Government for sanction. The addition takes the form of an L shaped wing to the north of the existing Home to accommodate the 36 nurses at present living in the old bungalow known as White House.	
5	New operating theatres ...	78,938	Sanctioned G. R. No. 2885, dated 12th November 1906.	This block has been erected as the Sir William Moore operating theatres and is now approaching completion.	Completed.
6	Ophthalmic Hospital Extension.	60,048	Sanctioned. G. R. No. C. W.— 2536, dated 11th October 1906.	Approaching completion ...	Do.

Item.	Work.	Probable cost.	Sanctioned or not.	Remarks by the Consulting Architect to Government.	Remarks by the Executive Engineer, Presidency.
1	2	3	4	5	6
7	Out-patients' Department ...	Rs. 3,00,000	Call-G. M. No. B/435, dated 19th March 1908.	Sketch plans are being prepared in consultation with the medical authorities.	
8	Extension to Dwarkadas Lalubhai Dispensary.	...	.....	Not required	A temporary extension on the west at a cost of Rs. 3,000 is now being made in lieu of this and will be completed in a few weeks' time.
9	Assistant Surgeon and Steward's quarters.	59,129	Sanctioned ..	This block is to be erected on the foundation put in for the quarters for 24 Civil students now merged in the large Students' Hostel.	Sanctioned, but the plans and estimates are with the Consulting Architect to Government for modification with reference to the Secretary's Technical note.
10	Laundry	12,000	No orders ...	The erection of the proposed Physiology building will displace the present dhobi establishment. The new Laundry, &c., may be built on the plot "C" which is being acquired to the north of the Bai Motlibai Hospital.	
11	Operating room for Petit and Bai Motlibai Hospitals.	97,000	No orders ..	Asked for by Lieut-Col. Dummock in his letter No. 42 of 18th February 1908. A labour ward with operating theatres detached from the main hospital is very necessary and rough sketches have been prepared.	Under construction.
12	Quarters for House-Surgeon for Bai Motlibai and Petit Hospitals.	20,702	Sanctioned. G. R. No. C. W.-49 of 11th January 1909.	.....
13	Quarters for Menials ...	...	.....	The menials' quarters are retained in the present scheme of rebuilding but their removal from the central position they at present occupy would greatly benefit the hospital compound.	

Item	Work.	Probable cost	Sanctioned or not.	Remarks by the Consulting Architect to Government.	Remarks by the Executive Engineer, Presidency.
1	2	3	4	5	6
14	} Quarters for Sweepers' Stables.	Rs. 36,000	No orders ...	The erection of the new Students' Hostel in the north-west corner of the compound will necessitate the erection of new sweepers' quarters and stables. These might be placed on the plot "C" which is to be acquired.	In course of construction.
15					
16	Students' Hostel ...	2,40,752	Sanctioned G. R. No. C. W.—1359 of 6th May 1908.	The building provides accommodation for 240 students, 2 tutors and 6 fellows.	
17	Hall for Students ...	10,000	No orders ...	It is a question if a separate students' Hall will be required in view of the accommodation provided in the new Hostel.	
18	Lunacy Cells ..	4,000	No orders ...	.....
19	Kitchens and Stores ...	...	.....	A central stores department and kitchen on a large scale will ultimately be required if this hospital is ever to be brought up to date and rendered capable of effective and economical administration. This will also include the kitchen and stores for the nurses' quarters.	
20	Offices for the Steward and Matron.	10,000	No orders ...	Offices for the Steward and Matron with clerks' room attached form a small block in the centre of the hospital at the intersection of the covered ways.	
21	Lecture Theatre ...	86,390	Sanctioned. G. R. No. C. W.—3064 of 23rd December 1907.	In course of erection ...	
22	Physiological Laboratory ...	1,65,000	Call-G. M. No. C. W. M.—2129 of 17th August 1907.	Plans and estimate will shortly be submitted.	This will displace the present Dhoba Ghat, servants' latrines and the students' Gymkhana (a private building).
23	Government Laboratory ...	1,00,000	No orders ...	Mentioned in the Committee's report but not included in their "Order of urgency list"	
24	College Laboratory ..	80,000	Do. ...	Do. do.	
25	Bacteriological Laboratory ...	...	Not sanctioned ...	The present chronic and leper ward has been adapted for this purpose.	

Item.	Work.	Probable cost.	Sanctioned or not.	Remarks by the Consulting Architect to Government.	Remarks by the Executive Engineer, Presidency.
1	2	3	4	5	6
26	Sheds for animals ...	Rs. ...	.....	Completed	Not yet taken in hand. Only one shed for this purpose has been erected on the terrace of the old Leper Ward now adopted for the use of Biological and Bacteriological Laboratories.
27	Administrative block with quarters for two I. M. S. Officers as House Surgeon and House Physician.	1,10,000	No orders ...	This block will be on the west front of the hospital, the ground floor will be occupied by the administrative offices and the upper floor by quarters for the resident physician and resident surgeon.	
28	New Pathological Laboratory with Coroner's Court and Post-mortem Room.	72,466	Sanctioned. G. R. No. C. W.—2871 of 3rd December 1907.	This building is approaching completion.	
29	Additional pathological room over the new Coroner's Court.	7,089	Verbal call sanctioned. G. R. No. C. W.—595, dated 27th February 1908.	This building is approaching completion.	
30	New Morgue and Mortuary...	6,422	Sanctioned. G. R. No. C. W.—1577, dated 14th June 1906.	Approaching completion ..	Completed.
31	Quarters for 4 Hospital Assistants, 2 clerks and 12 compounders.	...	Call-G. M. No. B/1320 of 1st September 1908.	These quarters are proposed to be built on the plot marked "reserve" on the site plan of the hospital compound. The plans have been submitted to Government.	A call for detailed plans and estimates has been received in this office under G. M. No. C. W. M—683 of 5th March 1909.
32	Refrigerating plants for the Morgue and Mortuary.	19,348	Sanctioned. G. R. No. C. W.—2242, dated 3rd September 1907.	Completed ...	Nearly completed. A supplementary estimate amounting to Rs. 4,635 for a masonry water tank for the working of the refrigerating plants has been prepared.
33	Macerating yard ...	... *	.....	Remains in the present position. The yard has been extended towards the east by about 18 feet at an additional cost of Rs. 2,200.	Nearly completed.

(Signed) G. WITTET.
16th March 1909.

(Signed) E. M. PROES.
29th March 1909.

APPENDIX E.

Plague.—

Question regarding the debit of charges incurred for the protection of Mátherán.

General Department (Plague).
No. 1284-P.

Bombay Castle,
10th September 1906.

Letter from the Commissioner, S. D., No. S.P.—80, dated the 14th June 1906 :—

	Rs.	s.	p.	
1 Compounder on ...	20	0	0	per month.
1 Peon	8	0	0	„ „

“I have the honour to state that up to

Unarmed Police

1 Head Constable ...	13	0	0	„ „
6 Constables at Rs. 9 each.	54	0	0	„ „

the end of December 1905 a plague establish-

Other Charges.

Pension, clothing ...	13	1	8	„ „
Total .	108	1	8	

ment, as marginally noted, was entertained at

Mátherán and paid for out of the Station Fund.

“2. When this fund was closed the establishment was kept on and has been since paid for out of the Municipal funds by the Superintendent of the Station, who is also President of the Municipality. The Municipality have, however, objected to the charge as not being required, and not authorized by them.

“3. At my request the Collector asked them to reconsider their resolution, but on 5th April 1906 they declined to allow it.

“4. I find on reference to the Superintendent of Mahábaleshwar that the charges on account of a similar establishment there are defrayed out of provincial funds, and I would, therefore, ask that this may be done for Mátherán too, and the charges at Rs. 108-1-8 a month from 1st January to the date of the disbandment of the establishment in the current month re-imbursed to the Municipality.”

RESOLUTION.—The Commissioner, S. D., should be informed that in the opinion of Government the case of Mátherán is not similar to that of Mahábaleshwar, which is for a part of the year the head-quarters of Government and requires therefore more elaborate arrangements than the Municipality could fairly be called upon to pay for. There is nothing to distinguish Mátherán from any other Municipal area, which would have to pay for the ordinary measures of inspection.

H. O. QUIN,
Secretary to Government.

To

The Commissioner, S. D.,
The Commissioner, C. D.,
The Collector of Kolába,
The Collector of Sátára,
The Superintendent of Mátherán,
The Accountant General,
The Financial Department,
The Judicial Department.

APPENDIX F.

REPORT ON THE POSSIBILITIES OF DEVELOPMENT OF SÁLSETTE AS A RESIDENTIAL AREA by P. J. MEAD, I C.S. (*on Special Duty*).

No. 15 OF 1909.

Bombay, 26th May 1909.

From

P. J. MEAD, ESQUIRE, I. C. S.,
Special Officer, Sálsette;

To

THE SECRETARY TO GOVERNMENT,
General Department, Bombay.

Sir,

I have the honour to submit the report called for in Government Resolutions, General Department, Nos. 5248 and 6279 (Bombay), dated respectively the 24th August and 21st October 1908.

I have also to report on Government reference No. 7023, dated the 27th November 1908.

2. I propose to treat these three references as one and to subdivide my report as follows:—

- (1) present stage of development;
- (2) examination of objects to be aimed at, and adequacy or otherwise of the existing laws and procedure; and
- (3) recommendations.

Present stage of development.

3. I attach maps which show clearly the general character of the area under report. In particular I would call attention to the great height of the central hills, the large extent of mud flats, mostly covered with mangrove, which form a somewhat repulsive feature of the landscape up the various creeks, and the long stretch of clean yellow sand which fringes all the western shore from Juhu northward to the Bassein creek. These features are well shown in the maps accompanying and the contours of the hills may also be studied with advantage. There is no clear indication, however, of the extraordinarily broken character of much of the area. Quarrying for rock and limestone has still further scarred many parts of a tract naturally seamed with water-courses and pitted with tanks of various sizes both natural and artificial. Rice embankments, which occupy nearly all the level low-lying ground, further impede natural drainage, while the forest growth on the hills effectually conserves the liberal supply of water which every monsoon brings to this picturesque tract of country. Naturally malaria is common.

4. I make no attempt at a detailed description of the táluká. All the necessary information can be found in the Gazetteer. Every follower of the Bombay Hunt knows the roughness of the country, every motorist the vileness of the roads, including the roads out from Bombay. Communications are all shown on the map. I append brief notes—Appendix A—about the various places where building operations are in full swing, or where in my opinion such development only awaits the provision of communications. The latter question will be dealt with in a separate section, but in so far as it has influenced the present distribution of population it finds a place also here. Briefly stated we may say that the immigrant population of Sálsette has clung to the main roads within a mile of the various railway stations on the two lines of rail. Homogeneous colonies of various castes and creeds have sprung up at the different points linked up by rail with Bombay. On the east, as pointed out by Mr. Visveshvaraya, the central hills block out the south-west sea breeze from most of the country north of Ghatkopar, and the tract is hot in summer and malarious in the

autumn. An exception will, I believe, be found in Mulund where a gap in the hills affords some measure of relief, but generally speaking I agree that development to any great extent is improbable on the east of the *táluká* north of Ghatkopar. Ghatkopar itself has been colonized by Kacchi Bhatias and the area selected by them has already been very closely developed. New Kurla has unfortunately sprung up under the influence of the railway on a narrow strip of land surrounded by mud flats and creeks, and its two factories provide all the population this ill-built little township can hold. If funds can be made available some redistribution of population may be possible, but any increase near the present station should be strongly discouraged. In both these places the chief function of any planning which may be possible will be to open up congested areas and facilitate sanitation.

5. From Kurla two roads run north and east. Practically they serve all the suitable building land in the vicinity. Northward the road constitutes modern Kurla till after a mile we emerge on the more open country of old Kurla, an infinitely better situation than the modern town. Here the road bifurcates and one branch passes through Ghatkopar and on to *Thána* *via* Virkhuli, Harialli, Kanjur, Bhandup, Nahur and Mulund. Bhandup along besides Mulund has attracted the plague refugee. It has few attractions for the permanent resident. The high range of hills down which the Tansa pipe is led and which divides Kírol (the well known Horseshoe Valley) from Ghatkopar, effectually keeps off any sea breeze till we get as far north as Mulund. Ghatkopar itself has spread south in consequence of this barrier, and is not likely to spread north to any great extent. The ground here is particularly broken and the autumn season most malarious. The other branch runs through a pleasant piece of country which gets all the breezes, and again divides at Saki, one branch going north to Pawai Lake and the other running west to Andheri and ultimately Vesawa. This last branch has induced the construction of numerous bungalows within the range of Andheri Station. East of Gundoli the bungalows are more sparsely distributed. The number of persons willing to live more than a mile from a station are few.

6. The eastern road from Kurla runs to Trombay. The big mass of (the so-called) Trombay hill, which lies mainly in *Máhu*l village lands, renders the lands of Borla, Devnar, the two *Máns*, and *Mandála* peculiarly unsuitable for a Bombay hot weather resort. But from the big *arête* which runs south till it slopes down into the top of Bombay Harbour at Pirpao, a lower spur of jungle-clad hill runs east to Trombay village. Even this spur averages 300 feet or so in height and no water is available on the top. It is most accessible just where it meets the big *arête*: from here a road could be led east along the spur and bungalows built along the ridge. Close to Trombay itself the hills are too steep and access is difficult. Lastly bungalows can be constructed along the big *arête* if sufficient pumping power is available. To any person landing at Pirpao, the extreme southern point of this range, it is at once apparent that Mr. Bomanji Dhanjisha has secured the only low level piece of ground which is at all suitable for building. To the front an amphitheatre of hills rises steeply to a height of 500 feet or so. The branch to the east of the civil quarantine station (*vide* village map attached) is a mere razor edge rising abruptly from behind the little white mosque by the sea's edge. The western arm commencing with Mr. Bomanji's land and continuing with a military quarantine station, which, I should imagine, is rarely used, is more promising. But nothing can be done without lifting drinking water to a height of 400 to 500 feet, and the distance from any station that could be placed at the foot of the hill would be at least half a mile of steep road. The plateau widens as one mounts; if height is no objection the higher levels form admirable building sites but necessarily development will be expensive. The *arête* finally reaches a height of 1,000 feet. Any project to link up these Trombay spurs with Bombay must take into account the expenses of water lifting as well as the cost of railway communication either from Kurla or, as has been suggested, across the Sewri reclamation *via* Green Island. The scheme is not in my opinion a promising one and should in any case be left to private enterprise. The

Government forest land available is mostly very steep and the flat land on top would be expensive to develop. The present value of the land as a prospective building site must be very small indeed. As the map clearly shows (and I have checked it by walking over the ground) the width of any available plateau is nowhere great and most of the slopes are precipitous. The flat top of the big arête lies mostly in Máhul, a khoti village, the waste and uncultivated lands of which according to the Remembrancer of Legal Affairs (*vide* his No. 1340, dated 3rd September 1890) do not come under sections 65 and 66 of the Land Revenue Code. It appears however from clause 1 of the lease that if this *inám* land is sold Government can claim a *nazarána* of Rs. 100 for every Rs. 100 of *inám*. Besides forest land and *khajan* or mud flats, there is no Government unoccupied land here or indeed practically anywhere in Salsette. The function of Government, I submit, should be restricted to encouragement and control of any building enterprise that may be projected in this area. Subject to such restrictions as may be necessary to secure light and air for future bungalows, Government would, I suggest, be well advised to lease their land cheap to any capitalist or body of capitalists who produced a well considered scheme for the private development of these spurs as a residential area.

7. We now come to the more promising side of the *táluká*. Generally we may say that within a mile of any railway station on the B. B. & C. I. Railway any existing Local Fund road is fringed with bungalows unless the land is hilly, in which case water is not available from wells and jungle growth deters the settler with threats of malaria. Goregaon in particular enjoys an unenviable reputation in this latter respect. To the stations shown on the map we must add stations at Malád, Ville Párla and Santa Cruz which have already induced flourishing colonies, and a new one at Kandivli which has now appreciated the land in that vicinity. In addition to the above, bungalows have been built off the metalled roads with no, or very rough, accommodation roads, in the more popular centres such as Santa Cruz, Ville Párla and Malád. Control over building has at length been secured in some of the khoti villages such as Ville Párla and Malád, but these notified areas have been formed too late and much land has been occupied by bungalows placed haphazard on any curiously shaped piece of agricultural land that could be bought. In the few Government villages along this line (I append a map B which shows at a glance the Government villages) roads have been planned by Mr. Turner, but the present system of assessment entirely precludes any chance of their eventual construction. So long as it can be shown that a proposed bungalow falls somewhere within the projected road lines permission to build is given. In justice to Mr. Turner it must be added that he has succeeded in some cases in inducing them to build up to an existing or projected road and to sign an agreement for a reasonably shaped block of land. It is of course impossible at present for a prospective builder to *buy* a reasonably shaped block in all cases. Practically he can only do so from a large landowner or from a speculator in land who has acquired a large area cheap and makes what profit he can on its resale. Access to these bungalows is in many cases a minor consideration. Sometimes a natural drainage nullah serves, sometimes a devious line of rice bundhs. In the circumstances it is not curious that the monsoon population of these little colonies is infinitesimal.

8. The west is the popular side of the line. The Ghodbunder road runs that side and north of Andheri the scrub-covered hills come down close to the line on the east. Some of this hilly land, in particular between Malád and Goregaon Stations, should lend itself admirably to the construction of better class bungalows. But the ownership of all land is so complicated that until some central authority opens up such tracts by building the necessary communications and then apportions the cost among the interested parties, its development is likely to be postponed indefinitely. Water also is an essential requirement. Between Goregaon and Andheri Stations there is a gap in the continuity of buildings. Even the Local Fund road here fails to attract the prospective builder. Undoubtedly the reputation for malaria enjoyed by this tract keeps this piece of country open. The gap between the stations is a long

one, but the B. B. & C. I. Railway administration has always been quick to recognise and meet local needs, and had any tendency to build here been noticed a station would have been forthcoming. North of Borivli the Ghodbunder road leaves the west side of the line and passes through rice and jungle lands to picturesque Ghodbunder on the winding Thána creek. The line itself runs on to Bháyndar, a dreary stretch of country but singularly free from malaria. If efficient drainage into the numerous intersecting creeks is financially possible, and pipe-water is available, this area also might be added to the list of potential building sites.

9. The points I would emphasize as regards the present state of expansion are :—

(1) the comparatively small proportion of land near stations which has been utilized ;

(2) the very few residences inhabited by anybody but the ubiquitous mali for most of the year. The corollary to this is the high average of prosperity enjoyed by our colonists : most of the bungalows are supplementary country residences used for occasional or even ' week-end ' visits only ;

(3) the tendency of all colonists to crowd together along any available Local Fund roads. No land is developed by owners before sale and very little thereafter. At Ghatkopar narrow accommodation roads have been built and the bungalows stand in serried ranks 3 or 4 deep back from the Chembur road. This however is the exception. The general rule is to build one deep along any existing road, or else dispense with any such luxury ;

(4) the irregular compounds and in some cases vast frontages on roads to which the occupants have contributed practically nothing.

I append tracings of the village maps showing for unalienated villages where roads have been projected and the way in which these fit in with present survey boundaries : existing bungalow compounds have been plotted. The compounds shown are in accordance with the agreements taken and revised assessment fixed. They do not represent the shape of the building plots bought.

From these and from my notes on each locality Government will, I hope, gain a fair idea of the present state of affairs.

Examination of objects to be aimed at and efficiency of our present system.

10. In considering the problem of future Sálsette development it is, not essential to examine closely the past history of all land questions. Speculations as regards tenures which were offered but never accepted more than 100 years ago may interest a certain section of our critics, but I think more practical suggestions will be forthcoming if we consider what conditions would be most favourable now to development which should be at the same time rapid and satisfactory. The procedure followed in Western countries and the varying measures of success attained by the different methods employed were also examined, and their possible application to Eastern conditions considered. The first point to settle was the class of resident for which Government must cater. The social invasion of Sálsette undoubtedly owed its origin to plague in Bombay. There are still many small hastily constructed bungalows in existence on which little care or money has been lavished. They were intended for plague refuges and were unsuitable for much else. Residence in Sálsette however proved attractive, and people who fled from the plague found amenities in the larger island which compensated for distance from business and the material comforts of a large town. Consequently we now find big bungalows in many places and the occupants no longer wait for plague to try a change of air. In some cases residence is permanent, and there is an indication that the proportion of permanent residents will increase. I am frequently told that the absence of proper roads and drainage is the main bar to development in this direction. Living, if not cheaper, is certainly pleasanter at certain seasons, and there is, I think, very little doubt that with economical and adequate development, popular suburbs will soon spring up within reach of railway communication. There is

no question here of housing the very poor. If trades and manufactures which require cheap land rather than proximity to the big trade centre spring up in any part of Sálsette, a working population can be more suitably housed in the neighbourhood than in Bombay; but there is no prospect of any relief to congested centres like Nagpada *unless* employment also shifts out of Bombay. The Kurla mills have brought their labourers with them, though most unfortunately they have been forced by railway facilities to take up a position which is extraordinarily unsuitable for the housing of a large working population. I have examined the principal items of expenditure in one of these mills by the courtesy and with the help of the manager and I endorse his opinion that, at the present comparative prices of land in and out of Bombay, the advantage of cheap land is fully counterbalanced in a spinning and weaving mill by the increased haulage charges. Wages to operatives are the same at Kurla as in Bombay, and Bombay has an immense advantage in providing a reserve of skilled labour to draw on when required. If land in Bombay appreciates rapidly or if for other reasons, such as independence of the Bombay cotton green and direct delivery of foreign or locally selected cotton at an outside factory, a few mills are started in some locality in Sálsette, there might be considerable chance of success for a 'garden city'. This is the only way in which we can relieve Bombay of any of her labouring population, and the Municipality has it in its own hands to discourage the increased employment of labour in centres where congestion is a danger.

11. Our clients then are the rich merchants and professional men of the middle classes who have to go to Bombay daily, and I think we may add a certain number of clerks who work for business firms or in Government offices and find house-rents in Bombay exorbitant. Plainly we require a large area of reasonably priced building land, good communications, and provision for economical and sanitary development of these future suburban areas. Low rates are as important as cheap sites, and low rates are everywhere the result of prudent planning. The pitch of future rates does not seriously concern the rich merchant who is searching for some 'bower, seated in hearing of a hundred streams', but it is everything to the man of moderate means who prefers the greater space and freedom of a country residence if he can be certain that the cost of living will remain reasonably low. So far as my experience goes little or no attempt has been made in India to direct the expansion of any city. Examples of belated control are common. In Western countries the question has been carefully examined for many years and the advocates of town-planning increase steadily. It is natural therefore to draw on Western experience and examine the advantages and disadvantages of such action as has been taken in Europe with a view to the adoption of similar methods *mutatis mutandis* where there is any analogy between the circumstances of East and West. Now the advocates of town-planning in the West make the following claims which I set out briefly below:—

(a) More land comes into the market since roads develop back land and owners can develop without fear that their property will be spoilt by undesirable building in their vicinity. If they cannot build themselves they can sell in the same security. Land 'sweating' is also impossible and the demand for land remains high and encourages development.

(b) Small plots can be pooled and redistributed. Failing a central planning agency, private negotiations are necessary before such small plots are utilized. The result is generally that such plots are either wasted or purchased by an adjoining owner at a disproportionately high price.

(c) Harmonious relations between adjoining owners are established; the common plan approved by a majority and by competent authority effects this. The landlords' fascinating sport of 'beggar my neighbour' is never really satisfactory to the general body of landlords. It may suit the richest and most powerful man in the neighbourhood, but the bulk of owners must suffer in the long run.

(d) Lastly, prevention is not only better than cure: it is also far cheaper. Municipal powers of 'set-back' are often a very poor palliative for congested districts and badly planned streets.

In addition to the above there are other advantages mentioned which I note below. Though they do not apply at present to our case their recital may serve as a warning. The rigid rules of central authorities in Western countries have thrown unnecessary burdens on local rates by prescribing dreary wastes of macadam road and similar expensive details of development. Local authorities if allowed to plan under the necessary control are more economical and thus cheapen development for the private owner. Co-operation between the latter and the local authority is thus secured. Lastly it is possible to construct the necessary number of broad thoroughfares without charging frontagers with the whole cost of what a local area may require but frontagers regard as a necessary evil.

12. In our own case we may congratulate ourselves that we have no such cast iron byelaws and can develop on economical lines. But the advantages claimed under heads (a) to (d) in the above paragraph are peculiarly desirable in the case of Salsette. To take them *seriatim* :—

(a) little or no back land has been developed for want of roads, and the example of Bombay is sufficient to warn intending investors of the dangers of building residences before an area has been planned ; \

(b) power to pool land and redistribute in the shape of building plots is absolutely essential in an area where irregularly shaped plots, such as our survey numbers, are owned by different persons ;

(c) central control and planning is peculiarly necessary in a tract where a sea breeze is the essential amenity. Malábar Hill is a striking example of the dangers of unrestricted development.

(d) For this we need only refer to the Bombay City Improvement Trust's operations. In Salsette we may hope to be in time to prevent some of these evils, but Kurla is almost past redemption.

13. We must now proceed further and examine the special advantages and disadvantages inherent in our own land-revenue and municipal systems. In the first place the Collector can at once prevent overcrowding on unalienated land since his permission to build is necessary. In alienated lands control can only be obtained under Act III of 1901 and the proviso that only land within a mile of a railway station can be made a notified area (section 187 (2)) restricts our powers to an undesirable extent. So far the resulting harm is small: the delay in notifying areas like Ville Parle, Malád and Ghátkopar has been far more serious. It is useless waiting till congestion is a fact before securing control. The area round every new station should be notified before a brick is laid. The measure of control thus provided in the large khoti areas of Salsette will still fall short of our powers in Government unalienated lands in an important particular. Municipal authorities have no power to limit building on private land, unless specially empowered in this behalf (section 149) and on payment of compensation which effectually precludes any such action by a small Municipality on any effective scale. It is true that under section 48 (p) byelaws can be framed, but the penalty for infringement of such byelaws—a maximum fine of Rs. 5 in the notified areas of Malád and Borivli—is ludicrously inadequate. No general byelaw will work satisfactorily. That is precisely what we have to avoid. All such restrictions must be settled for the various localities and included in a plan. Once settled the penalty should be demolition without compensation.

14. The conditions to be imposed on building require consideration. Large compounds are encouraged at present on unalienated land by a sliding scale of rates ; on alienated land, as noted above, there is no practical control. In England a limit to the number of houses to an acre is a not uncommon incident of a lease by a corporation or by a company developing an estate on hygienic but business lines, but no corporation possesses such powers over land in general. All, however, have power to regulate air space at the rear or side of dwellings. In some towns the corporation has discretionary powers. At Sunderland one-third of the entire area of site, exclusive of forecourt, must be left open, with a reduction in the case of a low building. In other towns it varies from

100 to 500 square feet. The exact limits matter little as we have different conditions to deal with here. In Germany, where town-planning has been most thorough, excessively wide streets have been prescribed and tall barrack dwellings allowed to recoup the landowners, who are over-represented on town councils, for the great cost of the roads which falls on the house-owners. Public gardens have been lavishly provided but private gardens have mostly been utilized for building extension to make the land pay for the high cost of development. In Sweden on the other hand they insist on large building sites, and private gardens, not to be otherwise used, are planned wherever possible. The height of buildings is also regulated in several countries, generally in proportion to the width of the street. It appears to me that in an area like Salsette both height of houses and a minimum area of compound should be prescribed. Fresh air is essential and we do not want vast stretches of dusty road. The main thoroughfares should be at least 50' wide with 20' of metal to begin with, but accommodation roads should be kept as moderate in breadth and therefore cheap as possible. But it is obvious that proximity to a station is of paramount importance to our Salsette residents and the supply of land is not unlimited. It seems clear therefore that the area of compound must vary. Near the stations we should have small compounds for the poorer classes who cannot afford carriages, and for shops, etc. Further away larger compounds can be allowed, but I fail to see why enormous compounds anywhere should be left practically untaxed as at present. The present method of rating is peculiarly inappropriate where a vast frontage is thus absorbed. For each plot as planned a minimum area of compound should be fixed and a maximum height of building. The latter limit is particularly necessary in the development of an area close to the sea or on a hill, where a fair share of air and view can only be secured by a general plan of the whole area. Subject to the above the fewer conditions the better.

15. In the case of unalienated land the situation is peculiar and finds no analogy in other countries. The land is held in perpetuity under a contract with Government which permits a certain user of the land. If required for other purposes such as building, the owner has to enter into a new contract. It is obvious that building land is more valuable than agricultural land and should pay a higher assessment to Government. If it is fondly expected that Government is to meet the cost of development, such land should pay a considerably higher assessment than any that has yet been levied in Salsette. But I submit that development expenses should be separately met by a special charge on the land, which the bulk of landowners will gladly pay, and the question of enhanced assessments on land appropriated for special purposes kept entirely separate. In fixing such enhanced assessments under section 65, Land-Revenue Code, I suggest the following considerations. It is impossible to estimate very approximately the value of residential sites. The value to-day is not the value to-morrow. Prices vary immensely in the same locality. Most of the present bungalows are not built for profit, but building investors are now turning their attention to Salsette and there is a growing belief that small bungalows for the middle classes can be profitably built if rates are moderate. As no back land has been developed the supply is small and the demand forces up the price. The land sold at 2 and 3 Rupees a square yard is frontage land for the development of which the seller never paid. If that price is taken as a guide to the value of undeveloped land in the vicinity serious mistakes will be made. To develop land with 50' roads (20' metalled) subdividing it into blocks 150' deep and 900' long with a 12' gully at the back would cost about Rs. 800 an acre and an annual charge of Rs. 20 for maintenance. An alteration in the train service will affect the value of land, a new station will enhance it 800 per cent. Distance from Bombay is not the only factor. Malad land is far more valuable than land at Goregaon. Even if an attempt is made to assess sea breezes and fine views the local rates will still be inequitable. Some land can be built on at once: another plot requires extensive levelling and filling in. It is difficult to show that present assessments have retarded development, but this is commonly believed and indisputably the burden is very unequally distributed. It is certainly also probable that the high prices obtained, owing to the paucity of developed land

available and the demand for plague refuges at any price, have been an equally potent factor. Short leases with unlimited possibilities of enhancement have undoubtedly operated in this way. The popularity of khoti land clearly indicates this. But if building is to be encouraged we must have land in the market at a reasonable price, and the only means I can discern of attaining this object is to simplify procedure, assist development by road building for those who wish it, and do everything else in our power to bring back land into the market. Prices will then be regulated by the ordinary economic laws. Speculators' profits are feared, but I submit that the best way to discourage unnecessary middlemen is to make it possible for the small landholder to sell a suitable building plot. That planning with its powers of pooling and redistributing land will effect. But any rigid system of assessment based on prices is fraught with considerable danger. Mistakes are certain and some land will inevitably be kept out of the market and hinder continuous development. And lastly this deduction from profits is intensely unpopular and unpopularity will always damn planning. It has been suggested to me that Government should even preferably take the notoriously inappropriate basis of existing agricultural assessments and revise them at 50 years' interval under similar restrictions as are imposed by the Igatpuri concession rules. There is no logical basis for such a standard, but the principle underlying it is clearly this; even though theoretically a new contract is being made, the departure from the terms of the old contract should be gradual. I would not go so far as to limit the Government demand to—say—twice the present agricultural assessment in the case of varkas land which may have a high building value; but I would fix a low rate for each locality with some reference to the average of existing assessments as well as to the demand for land for building. The development charges must be high. I estimate roughly 40 to 60 rupees per annum an acre according to the size of plot formed if we build all roads, but these payments will all go to meet the cost of local development and reduce future rates. It is an investment against future loss of both money and health and the funds thus collected will be spent locally under local advice.

16. From the outset then we must map out the future municipal areas, employ local advisory bodies to assist us in our planning, and by economy and foresight work for the establishment of the new Municipality on a sound financial and sanitary basis. The preponderating element in all planning councils should *not* be interested in the value of the land to be developed, but those interested in economical development should be fully represented. If properly constituted, such local bodies should be able with expert assistance to settle all conditions when drawing up the plans, subject of course to such control as Government may consider necessary. The constitution of such councils is a matter of prime importance. Planning in Germany evokes as much interest, one enthusiast cynically remarks, as a football match in England. In Salsette landowners and residents we have a most intelligent class to deal with, and if care is taken to select the best men and avoid carefully over-representation of any particular interest the assistance to be obtained from such councils should be very real. But economy and foresight cannot effect everything. In the Transvaal when a landowner wishes to establish a new township he has to provide all public sites *and* endow the future Municipality with 5 per cent. of all town lots and 2,300 acres of agricultural land, or falling the latter 25 per cent. of all town lots. In Salsette we are making new suburbs and the future municipalities must have a similar endowment or we shall repeat the common mistake of starting municipalities with insufficient funds to develop or maintain their local areas. Taxation of residents is impracticable in the early stages when numbers are few. We must tax the land and develop in accordance with the wishes of a majority of landowners who desire to sell land for building. If the paramount necessity of successful future municipalities is conceded, I think it must be admitted that the first charge on all land—an inevitably heavy charge which present buyers do not perhaps sufficiently consider—should be that of development expenses, and that Governments' claim on unalienated land in the interests of the general tax-payer should be generally pitched as low as possible.

17. At present in both alienated and unalienated villages if a road is to be built the land has to be purchased. The cost of making all the necessary roads for the proper development of places like Andheri and Malád would entirely exhaust the resources of a budding Municipality. It is absolutely essential that developed land should pay for its roads. That is the rule everywhere. In Germany it can even be directed that frontagers should *also* defray the cost of upkeep of all watering and lighting establishments up to a 5 year's limit. Half the street or 13 metres, whichever is less, is the extent of frontagers' liability. The value of such land depends greatly on the provision of communications, and instead of compensating owners, as at present, the owners must give land free and pay for road construction and maintenance. If they do not wish to sell their land for building it will be excluded from the planned area, if possible, or, if the plan is thereby prejudiced, the land can be wholly or partly acquired. Here a difficult point arises. A minority must not be permitted to block planning if the majority decide on development. If an occupant does not wish to have his land classed as unfit for building he must contribute to road expenses in land and money whether he still cultivates the land or not. This may seem *prima facie* hard but I think on reflection it will be seen to be logical. The land either is or is not a potential site. If it is, it can only be so utilised in accordance with the plan and the owner must pay for the facilities provided. If it is not in his view building site land, he cannot claim compensation at building site rates for any portion that it may unfortunately be necessary to acquire. Accordingly he may either claim that his land should be wholly or partly acquired at an agricultural valuation if he does not wish to use or sell such land for building, or he may accept the planning orders like the rest. I do not think that any real hardship should be caused by the proposed action. Land used as an orchard or the like can generally be excluded from a plan if so desired. Rice land may have to be acquired in the general interests to secure effective drainage of a tract.

18. Planning building plots on land with diversified ownership connotes some scheme for inducing agreements between owners. In the draft 'Housing, Town Planning, &c, Bill' now before Parliament much is left to be dealt with by the Local Government Board and amongst other things the second schedule deals with the power of the local authority to make agreements with owners and of owners to make agreements with one another. In Germany where town planning has been an accomplished fact since 1875 it has been found necessary to take power to pool and redistribute such land, failing any private arrangement between owners, and certainly in Sálsette nothing short of this will be wholly effective. I give a rough translation of the German Act which has proved such a success (Appendix C). The general principle followed is to plan large areas in close consultation with the interested parties, and take free, up to a fixed limit, the land required for future municipal purposes. The remaining land is redistributed in suitable building blocks to the original owners. The rates of the future municipality are thus saved a very heavy burden, the popularity of the area as a residential locality is secured and the land which the owners receive, though smaller in area, has a greatly enhanced value.

19. The difference between the treatment of alienated and unalienated land will not be great, a most important point where so much of our Sálsette land is held on the khoti tenure. In both cases building will only be permitted in accordance with a general plan and in both cases the land will be taxed to the extent necessary to meet the cost of development. It will always be open to a khot to refuse planning on these terms, but if so he must forego all residential development of his lands. I submit that suburbs cannot be allowed to spring up without control as they have at Ville Párla and Malád. It is not in the khot's real interests to allow it, and the residents will all ultimately suffer for their present exemption from control. When a Municipality is ultimately established, money will be wasted in fruitless efforts to straighten out the purposeless tangle of narrow lanes and gullies, and what might have been a healthy little colony will remain till the last chapter an insanitary jumble of expensive villas. There is money and there is land at present, but control over private

building in accordance with a preconceived plan is essential to the best use of both.

20. If no unplanned land may be utilized for building, it should be possible to fix all charges, including planning, contribution and Government assessment where levied, and give permission to build at one and the same time. The advantage is obvious. At present a buyer has to deal with two sellers, Government and the occupant, in the case of all unalienated assessed land. He bargains with the owner in ignorance as regards the exact Government demand, the future cost of development, and even the conditions under which building will be permitted, if at all. Projected roads have been marked out, but till agreements have been signed and the Collector's permission accorded there is no certainty in connection with his purchase. It should be possible to give a purchaser of a planned plot an excerpt from the plan showing exactly the Government assessment, development rate and building conditions, if any, and let him then with his eyes open make the best bargain he can with the owner. It is further for consideration whether building land, that is land sold at a building rate, should be allowed to be sold except with such certificate. If speculators and others continue to buy land at a high rate, planning will be more difficult than if we deal mainly with agricultural holdings which have not yet fetched a high price in the market.

21. To sum up then, the following are the points on which our present policy, statutory powers and procedure seem to me to require amendment :—

(a) Power should be taken to absolutely prohibit building on *any* land except in accordance with an approved plan and under such conditions as regards building within the sanctioned plots as may be imposed by a central controlling body. (Cf. German Lines Act of 1875, Appendix D.)

(b) Power should be taken to pool and redistribute, after deducting land for roads and open spaces on the lines of the German *Lex Adickes*, all land of different owners who wish to develop and sell or build on their agricultural lands, but cannot sell the land as at present distributed in plots suitable for building according to the approved plan.

(c) Power should be taken to assess all building plots in proportion to the advantages conferred on them, so as to cover the cost of all road construction, maintenance and planning expenses, and a central body should be formed to finance and construct, if so desired, the roads referred to in (b).

If any occupants in a planned area prefer to preserve their agricultural holdings, as such, intact and avoid payment of increased charges, they should be permitted to do so, except in so far as the exclusion of such land vitiates the general planning of an area which a majority of occupants desires. In this latter case the land may be wholly or partly acquired at an *agricultural* valuation.

(d) Future municipal areas should be mapped out and the interests of the future municipality safeguarded by adequate representation on planning councils. Economical development will thus be secured.

(e) In unalienated land the special assessment leviable by Government under section 66, Land-Revenue Code, should be kept separate from the contribution for development referred to above. Rates should be low and fixed for a longer period than at present. Great care should be taken not to cut development profits too fine. As these cannot be fairly estimated for a given area a general rate bearing some relation to the average agricultural rate of the tract in question should be adopted.

(f) A system of certificates, giving permission to build under certain conditions and showing the development rate leviable on any particular plot, should be introduced. These certificates should perhaps be made compulsory for the registration of sales of land at building rates, say over Rs. 1,000 an acre. This will safeguard the buyer against possible disappointment later.

(g) Section 187 (e) of Act III of 1901 should be amended so as to allow the extension of a notified area to any area which is declared ripe for planning.

All the above except (e) refer to land in khoti as well as Government villages.

Recommendations.

22. The first essential in dealing with the present problem is imagination. There is a section of the community which holds that Sálsette will remain till the last chapter essentially a refugee camp. Others maintain that it is ripe for development as a residential suburb, if only the way is shown and facilities provided. Naturally the policy to be followed varies immensely according to the hypothesis we adopt. Permanent roads are absolutely essential for residence all the year round but they cost money. It is ridiculous to talk of the Local Board gradually building such roads. The one-anna cess only amounts to Rs. 17,800 and the fees for limestone excavation—a fluctuating source of income which cannot continue much longer—brought in another Rs. 53,000 last year. A rough estimate for a few roads in Government villages, excluding the large khoti tract, comes to over 3 lákhs for construction alone. The estimate for land compensation is about 5 times as much again. The annual cost of repairs for these new roads alone would come to more than Rs. 8,000 a year. The above figures are sufficient to demolish any such pleasing speculation, even if local funds were only required for road construction and if it were legitimate to develop 10 square miles or so from funds contributed by landholders distributed over 240 square miles of country.

23. The crux is to devise a scheme which shall provide for possible expansion on a large scale without proving an intolerable burden in the earlier stages. It is essential to proceed as tentatively as possible, but to keep in mind throughout the ultimate demands of a highly developed suburb worthy of Bombay. I consider that we should look forward to a light railway from Kurla to Vesáwa *viá* Andheri and—if such a scheme is feasible—passing over the Malád and Manori creeks along this magnificent coast line till it swings inland again at Dongri and meets the existing line at Bháyndar. At present these beautiful little fishing villages are linked up by a bad road from Malád to Marwa, from Borivli across the shallow upper-waters of the Manori creek to Gorai, and from Bháyndar by an unbridged road to Utan. The question of bridging the latter is at present under consideration. If railway communication is possible a most substantial addition to the amenities of suburban Bombay will be in sight. Pipe water is essential to such a scheme but that is equally the case everywhere. If the deep creek by Vesáwa proves impracticable, I would strongly urge the survey of a branch line from Malád to Malaoni and Yerangal. There is waste land at Malaoni. As limestone contracts terminate it should be possible to provide some 2,000 acres of unoccupied Government land, fit for building in this locality. With railway sidings and suitable planning, no better site could possibly be found for a garden city, with its factories on the long southern promontory of Malaoni waste lands, its drainage into the Malád creek and 5 miles of yellow sand and cool sea breezes for residences to the west of all smoke and abominations.

I may mention that my view as regards the possibilities of this tract is endorsed by several gentlemen who have been consulted. Without going into details here I may note that various projects are under actual consideration and applications for land with well considered proposals for development may be expected. Amongst others may be mentioned a scheme for making bricks by compression from sand which would greatly assist building operations without injuring the amenities of the foreshore. A still more ambitious scheme aimed at developing a residential quarter with facilities for manufactures and trades. If the policy I advocate of making the land pay for its initial development and giving long leases on terms which leave a liberal margin for investors' profits is followed, I think development may be rapid and the gain to Bombay very considerable.

24. Necessarily another point to bear in mind will be the combined communications, drainage and water-supply of the tract lying along the existing B. B. & C. I. Railway. Bombay has appropriated Sálsette's water-supply and Sálsette's development is in the interests of Bombay. It seems natural to expect that Bombay should meet us half way in the matter of water-supply and communications. We cannot expect water for nothing, but when water is available—I understand this must await the doubling of the Tansa main—we may hope to make favourable terms with the Bombay Municipality and also get their assistance by the improvement of the roads on the island leading to Sálsette.

I understand that the Bombay Municipality will probably not let us take less than this amount, which would be sufficient for about 25 municipalities of the size of Bándra (33 44 lákhs a month).

Water-supply is an engineer's question but I venture to hazard the opinion that the cheapest way will be to take a 24" pipe from Velár, giving us over 3 million gallons a day, to Andheri and take branches with smaller pipes North and South along the B. B. & C. I. line and also West over to the delectable coast line, when communication with that is established. The Salt Department require a large supply for their salt-works at Bháyndar and Rai, and will pay for the pipes on from Borivli. Otherwise the line North to Borivli might wait a little as Goregaon is likely to develop slowly. The present Sálsette supply is about 85 lákhs of gallons a month, of which Kurla takes 37 lákhs. Twice as much would be very quickly taken, if available, and the increase of water consumption is certain to be rapid. The difficulty, however, will be to finance the supply in the early stages. I do not think we can economically supply Kurla or any locality to the East of the táluká. Thána should certainly make its own arrangements at once, and possibly on a consideration of the water-supply question our engineers may consider that at no very distant date Kurla could be suitably absorbed into Bombay. Our best policy, I believe, will be to confine our attention to the West and finance the water-supply by local rates. These must be high to begin with, but will decrease with increased consumption. Probably we shall have to pay at least Rs. 40,000 a year for our water and interest on the initial cost (say 5—6 lákhs) of pipe laying. If we can sell 100 lákhs of gallons a month at 12 annas per 1,000, some financial scheme should be possible. It is useless for a layman like myself to examine the question closely, but here, too, as in the case of road construction, a central body is required to finance and carry out such comprehensive schemes. Similarly for drainage: only a bare outline can be given pending a survey which an engineer must carry out in consultation with the Sanitary Board. The topographical sheets show that the highest point along the B. B. & C. I. line is at mile 19 near Chincholi and Malád. All this ground slopes down towards the kháján land which fringes Malád creek. I imagine the drainage of Andheri will be the most difficult problem. If possible the sewage from this centre must be taken North-West across the kháján land between Vesáwa and Goregaon. Out in the creek sewage should be fairly innocuous. The wide belt of kháján land gives us some room. At all hazards a second Love Grove must be avoided. Communications between these different centres of colonization are comparatively simple. The boundaries almost touch already and it is only necessary to keep the question of inter-communication in mind when planning each separate area.

25. If the above lines of development are accepted as a working basis, we can proceed to examine requirements in the earlier stages. Water must come as soon as Bombay can spare it, drainage and sewage lines must be mapped out at once and land reserved, roads must be constructed as rapidly as funds will permit, and the funds again depend on the willingness of the majority to pay. There seem to me to be two alternatives: First to proceed very slowly, accumulating funds by the imposition of a development tax on land actually taken up for building and making such roads as is financially possible. The second alternative is to take power to meet the wishes of a majority of land-owners and within such planned area tax *all* land-owners so as to enable us to build the necessary roads with borrowed capital at once. I believe the second alternative would in the long run prove the most popular. Nothing is so unpopular as

taxation which gives no immediate return. The usual chorus of disapproval may at first drown the voices of the more contented section. The present reduced rates of taxation in notified areas are due, I believe, to a vocal minority. Everybody is ready to sign a petition for the reduction of taxation, but from what I heard when on tour I am convinced that most residents would now gladly pay the full 10 per cent, as at first proposed, and get something for their money. Notified areas would be far more popular if we excluded village sites from both municipal benefits and demands and budgetted for such municipal services as the majority of residents demanded. The three broken street lamps and two sweepers to raise the dust on unwatered badly maintained roads are merely an aggravation of public inconvenience. The total cost of such service as the public require and wish to pay for can then be distributed by the committee in accordance with rentals or area of building land. Lastly, I would give Notified Area Committees full powers under the Act but omit the application of sections 54, 55. A Notified Area is an embryo Municipality and has to learn to use all its powers. It cannot do everything at first, but to begin with I would allow it to win a little popularity. No risk is run : there is ample control.

26. I append an attempt at a draft bill (Appendix E) which follows fairly closely the German Acts to which I have previously referred with approval. The following points seem to me not free from doubt. I am inclined to think that redistribution should only be possible if a majority of land-owners so decide. Planning ought not theoretically to depend on redistribution at all. The German Lines Act and the Lex Adickes are quite distinct and separated by a quarter of a century. The latter is only intended to assist private owners to come to an agreement. For private agreements I have provided, but I cannot see how the Trust can finally sanction a plan without bringing in redistribution as a consequential corollary. If we plan an open space on any man's land without pooling and redistributing all the land in that area, we must compensate in *cash*. In unalienated land it is of course open to a Collector to refuse permission to build and no claim for compensation would lie. But such action would be most unpopular and redistribution is fairer in every way. I wished to avoid compensation if possible. We can of course compensate and distribute the cost over the area in the shape of a tax, but that is certain to be an expensive method of procedure, and planning will at once become unpopular. If, judging from prices obtained in certain instances, a man considers that land within a mile of Andheri station is worth Rs. 2 a square yard, I should much prefer, in the interests of the future municipality, to compensate him with a developed block of this highly valued commodity rather than with cash. Planning must be done with care so as to avoid unnecessary redistribution, but I think that if a majority refuse redistribution their refusal must also cover planning and that will postpone all sales for building purposes and building till they change their views. There is a little danger that at the outset the suspicion with which all innovations are regarded in the East may temporarily retard development, but I should hope to overcome this by the publication of provisional schemes and plans with the help of local advisors.

27. A second point is the notorious inaccuracy of our records as compared with the German Grundbuch. But I do not think this should be an insuperable obstacle. The Trust or planning council will follow such records as exist or in the absence of such records rely on the best evidence of title submitted to them. New plots will be allotted in accordance with the ownership, so evidenced, of the pooled plots. It will be left to the Courts to decide any disputed question of the original ownership of the pooled land. The Courts' decision will then apply to the ownership of the plot duly allotted by the Commission. If in ignorance of certain rights on a pooled plot which cannot be equally advantageously exercised on the plot allotted, the Commission transfers such rights without compensation, I would make the injured party abide by his mistake, provided that any default of his contributed to such mistake. Above all things unnecessary litigation must be avoided. We may hope in time to obtain a register of rights in Salsette, at any rate so far as building land is concerned. The use of our records to decide who are interested parties will help to

establish their accuracy and any further steps in this direction that may be devised by the Registration Department will be welcomed as an assistance to development in Sálsette. Facility of transfer is an important factor in town development.

28. Assuming that after publication and discussion some enactment is finally approved and passed which gives a suitably constituted central body certain powers of initiation and control, we have next to consider the question of finance. We shall require an official Chairman, a gazetted officer presumably, an official Vice-Chairman, who might with advantage have some special knowledge of land values, an executive engineer for Sálsette alone with the requisite staff, and surveying and office staff. For the existing and future Notified Areas two Secretaries will be required: there is one at present but he is overworked. The number of surveyors required depends very much on the demand for planning. As building is to be stopped pending planning we must have an adequate staff but experienced men are practically unobtainable. We have 5 at present but two are working outside Sálsette: I would increase to 5 at once for Sálsette alone with perhaps an additional man or so in training. Private surveyors can be certificated by the Trust and we can use such men to supplement our resources when there is a press of work. A sufficient office staff would perhaps be one Secretary on Rs. 100—10—50 and 4 clerks on Rs. 40, 50, 60 and 80. Local inspectors to see that building regulations and plans are complied with are absolutely necessary. I would use talatis, giving assistants on Rs. 10, for routine work at Danda, Andheri, Gundavli, Vesáwa, Mulund, Bháyndar, Kandivli and Borivli, and appoint separate inspectors on Rs. 20 for the khoti villages of Vile Párla, Ghátkopar, Malád, Pahádi and Goregaon. These will be entertained as required. The talatis should be selected from the ordinary list and should receive at least Rs. 20 per mensem pay. A fixed allowance of Rs. 5 in addition to the pay of their grade with a minimum of Rs. 20 as emoluments should suffice to get good men. They must live in the villages and not wherever they like as at present. To meet the cost of such planning establishment I would levy a contribution of Rs. 2 per acre of planned land, to be reduced if possible later as revenue increased. In the earlier stages Government must, I think, contribute to the cost of planning.

29. But the main operations to be financed will be those in connection with roads. It is not intended that Provincial or District roads should cease to exist. All available funds can be utilized as formerly, but the bulk of these projected roads are mainly accommodation roads developing private property. I labour this point *ad nauseam* because there are some intelligent critics who still cannot see it. Others, I am glad to say, accept my view, and one gentleman writes of the land-owner whose land is tapped by such roads that 'although until the sale of his land he will have to pay the land tax without immediate benefit from such development, the tax paid by him can be borne ungrudgingly in the belief of the enhanced value.' The Trust must borrow for each planned area the cost of building the necessary roads. Repayment of such loans will depend on the collection by the Trust of the road tax imposed under this Act in all 'future municipal' areas. In case after development a future municipal area is declared a municipality with a small area of unplanned land still remaining I have provided for the collection of such tax by a municipality also. But development expenses will be heaviest in these future municipal areas and here we require assistance. I provide for collection by Government agency. The security is the developed land. Surely in such a case a Government guarantee is legitimate. With such a guarantee we should be able to borrow at 4 per cent. To reduce immediate expenses the term of repayment might be made as long as possible. When the road debt has been paid off the road tax can be diverted to other local needs. That can remain a question for settlement by the Trust, which has the interests of future municipalities to consider. Responsibility should encourage efficiency. By the time road debts have been liquidated, questions of drainage and sewerage will have arisen and many of the future municipal areas will have become municipalities which will inherit the revenues collected locally by the Trust in the early days of their development.

30. I provide tentatively for the establishment of small municipal areas. It may be objected that small municipalities are a grave mistake. The answer I would offer is that the central Trust controls the planning and development of these little colonies and finances the big operations in connection with communication, water-supply and the like. Each little municipality will thus start fair with its lines of development laid down and its major operations efficiently financed, and I think that small local administrative details may be left to small local bodies without much fear. But we need not pledge ourselves to anything at this stage. Accounts can be kept separately without much difficulty, and the question of one large suburban municipality or even the inclusion of Sálsette within Bombay proper can be relegated to a later date. There is a very strong feeling that local taxes should be expended locally and I think full use should be made of such interest in planning and financing as exists. For purposes of control one suburban municipality would be easier to manage, but the first essential is to evoke a real interest in our operations. I am not at all sure that we can find gentlemen who have an equally keen interest in the development of Sánta Cruz and Malád. The rate of development will inevitably be unequal and there is always a temptation to starve the less important localities. Every administrator of local funds knows the usual grievance of the small village which considers that it gets nothing in return for its contributions.

31. The question of treatment of existing building plots remains. In unalienated villages I would revise the terms of all existing contracts if owners so desire. That would mean a 99 years' lease—the most suitable term in my opinion—a development tax based on frontage, and a reduction in some cases of the special assessment now levied. In the case of alienated lands the Notified Area Committee concerned will have to examine the situation and in this the Trust can assist them. If necessary to meet development expenses a tax on land can be imposed under section 59, Act III of 1901, in the case of land already utilized for building and free therefore from any future contribution to planning or development. Plots subsequently planned and sold subject to the full development tax should be exempted from such municipal tax or the development tax reduced *pro tanto*. But so far as possible I would not advocate special taxation to cover such cases. The land was bought in the belief that ordinary taxation only would be imposed. The real defaulting contributor is the seller.

32. It may be noted that the title of all khots to their lands is not invariably clear. Thus the khot of Juhu and Vile Parla by clause 16 of his lease is bound to give up any land required by Government for roads or other public purposes 'on the usual terms of the mere remission of the assessment if the land in question be cultivated.' I am not aware that any land has yet been claimed by Government except in one instance where the khot stated that the land had been sold and disclaimed all responsibility. No decision was passed in this case, so far as I know, but presumably Government can and should claim the land required for roads and it is not clear why no steps have yet been taken to do so. Where land has been sold or leased in perpetuity by the khot to any individual the same conditions still apply. The khot cannot give any purchaser a better title than he himself possesses. If possible it would greatly assist transfers and thus encourage development to revise some of these leases in consultation with the khots concerned and define clearly the rights of Government in each case. Thus after planning Juhu and Vile Parla it might be clearly stated that Government renounce any further claim they may have on the remaining land, thus enabling the khot to give any intending purchaser a clean title to any plot of land. A clear compromise, even if involving some abatement of Government's possible claims, would assuredly promote transfers and accelerate the development of residential areas. There will still remain some doubtful points in connection with tenants' rights but, so far as relations with Government are concerned, the situation will be less nebulous than at present.

33. In my estimates of the development tax required for any area I have only considered the cost of accommodation roads. It is essential that the Trust should have power to include other items in special cases such as bridges, causeways and the like. If in order to make a tract accessible and give the land a high value as building land, bridges, etc., are essential, any necessary contribution to the cost must be distributed, in proportion to the special advantages conferred, over the land thus opened up. The question whether such expenditure should be incurred will be for the majority of land-owners affected to decide. The Trust will draw up a provisional plan and estimates and show the assessment per acre required as a development tax. If a majority of owners agree, final planning and redistribution will follow. In this way the Trust can assist development enormously. No large project is possible without such combination of interests and this can only be induced, failing the formation of large land companies, by a central agency such as I propose. The slow development of Juhu island is probably a case in point. Water and communications are required and I am informed that many of the interested parties are prepared to contribute their quota, but in the absence of a general agreement nothing is done at all. The Trust should supply the large ideas and the individual owners can then criticize the details.

34. So far as possible the forces of development will be concentrated at various points. While there is back land available round existing stations I would deprecate extensions of railway or the establishment of new stations. We cannot plan in all directions at once and communal facilities are only adequate where a community is sufficiently large to demand efficiency. Scattered houses among fields are suitable enough as plague refuges but they are generally malarious. Thána is far less malarious than less developed tracts in the vicinity. The few bungalows on the outskirts of Thána appear to be the most pleasantly situated but have the worst reputation. The whole question of malaria might with advantage be studied by an expert. The acquisition of a belt of rice land round a growing colony might in some cases be worth the cost. These considerations are frequently lost sight of by settlers, but a central developing agency will have to bear them in mind. The case is different where a tract is singularly free from malaria and only awaits the provision of communications. The coast line of course falls within this category and its development will for that reason be a far less speculative undertaking than that of much of the country inland. In particular I would take no steps at present, beyond land reservation, as regards the projected line from Kurla to Andheri. The first duty of the new Trust will be to encourage the development of *all* land within a mile of Andheri station. Straggling bungalows with patches of cultivation between buildings afford too little protection against thieves and malaria to enhance the reputation of a growing suburb.

35. I have dealt above with development by a central agency under Government control. I hope the Trust will be able to show a few business men on its list of members, for business methods are essential to success. But I also hope that the Trust will by the reasonable exercise of its powers of control encourage the investment of private capital in Sálsette. So far private capital has played a subordinate and not a very intelligent part. It has been useful in making plots of building land available but, as usual with small financiers, operations have been confined to a gamble in land values without investing money in improvements, and no connected scheme for a large area involving adequate development and therefore small profits to begin with has been put forward. Many of the most successful schemes of suburb development in England have been promoted by companies, and with proper encouragement there is no reason why similar business methods should not be applied to Sálsette. As I have noted above, I have reason to believe that the attention of business men is being drawn to the possibilities of such enterprises. The main obstacle to business-like development is the over-cautious attitude of land-owners. The operations of the Trust should be useful in teaching them the cost and also the advantages of proper development, and the control exercised

by that body should further give investors the necessary security as regards the development of adjacent land.

36. One important point remains for consideration. The legislation proposed is, I believe, reasonable but certainly involves the curtailment of existing private rights. That cannot be avoided and there is nothing new in subordinating private interests to those of the community. But presumably such legislation will call for very full discussion and consideration, and meanwhile under our existing law and procedure irremediable harm may be done. The first step to take will be to notify all possible areas under section 187, Act III of 1901, at once and give the Committees full powers as suggested above. We must increase the staff of the present Special Officer for building sites by the addition of such surveyors as he can obtain to assist him in planning. Sálsette must have a special Public Works Department Officer at once to commence the water-supply and drainage surveys and make negotiations with the Bombay Municipality on a known basis possible. Notice can be given in all Notified Areas that planning will now commence and that under section 93 (2) of Act III of 1901 no permission to build will be given unless the Committee is satisfied as regards the location of such building with reference to the streets now being projected. At the same time informal planning committees should be formed and the fullest use made of the local advice available. Planning must commence at once. In the Special Officer's Office at Bándra there are big maps (80' to an inch) in which all bungalows and their compounds are plotted as permission to build on unalienated lands is given. Projected roads and existing survey numbers are all shown and some levels also have been entered. In khoti villages, however, all that has been done so far is to show the existing roads, railway line and building survey numbers. No new roads have been projected at all even in Notified Areas where control over building operations is being exercised. This system of controlling building without a general plan is clearly wrong. The maps used in the Notified Areas are on the ordinary village map scale of 10 gunthas or 330' to an inch. This scale is, I believe, quite big enough for planning. A plan given me in Glasgow of the latest extension projected there is on a scale of 520' to the inch, and the plan of the Letchworth Garden City is on a slightly smaller scale. A plan on a village map showing existing survey numbers and projected building plots will give all occupants a clear idea of the result of any proposed scheme. When the plan is finally sanctioned and redistribution is to follow, the corners of the building blocks will be marked out on the ground and the roads clearly demarcated. The Commission can then assign the allotted plots and have them both demarcated on the ground and also plotted on the plan. Demarcation on the ground is the important operation. The map will enable anybody to trace a given building plot, but for its actual boundaries we must go to the land itself.

The Malád map is only 660' to an inch but the khot, I believe, has a larger scale map.

37. Roads must await the provision of funds but the land, including land for open spaces, will be kept open. It need not be acquired for the present, the assumption being that it will be handed over free when redistribution of land and the levy of a development tax are permitted by law. Subsequently such land can be acquired free or at such low rate as the owners will accept, and the total cost of making such roads, inclusive of land compensation, if any, will be recovered from the frontagers, who will generally be the owners of the road land in question. Open space land must be subsequently provided at the time of redistribution of undeveloped land when powers are granted. Such open spaces also benefit those who build now before redistribution is possible. They also must contribute in land or money. Any compensation necessary to supplement the grant of such plot as can be allotted in exchange from the area of undeveloped land available, after deducting the required open space land as well as the necessary roads, will be assessed on those who build now. A *pro tanto* reduction of the development tax leviable from the parties to be compensated can then be made. If Government can spare a small grant towards

road-making out of the revenues derived from present building assessments (Rs. 63,500 per annum), we can commence building roads where land is given free. In the case of areas where conditions of ownership are such that suitable building plots cannot be formed without redistribution, an attempt may be made to effect such redistribution by agreement; but in the absence of such statutory powers as I have advocated nothing can be done without complete agreement on the part of all interested owners, and I am afraid that in such cases building must wait till it is possible to make a suitable plan effective. But a commencement of planning will be possible at once and building will only be temporarily postponed where ownership is too intricate for such compromises.

38. As regards unalienated land I venture to suggest that Government should at once pass orders on the question of special assessments. As planning proceeds the Special Officer can, if Government so directs, estimate the cost of necessary road construction and submit proposals for each area showing—

(1) the development tax which he proposes to levy ultimately on each block if empowered to do so, and

(2) the non-agricultural assessment to be levied on each block in accordance with such principles as Government may determine.

The term of lease to be given can also be decided. 99 years' leases may be given in cases where land for roads is given free. Control over the building within any planned plot will be exercised by the Notified Area Committee concerned. All purchasers of land for building in Salsette will be warned through the Sub-Registrar's offices that such plans are being prepared and that if they buy in ignorance of the conditions to be imposed, the risk is theirs. On the other hand, as each area is planned and Government's orders received, any prospective purchaser can ascertain the non-agricultural assessment (in an unalienated village) and the future development tax to be levied on any block of land he wishes to buy. That I think is all that can be done pending legislation.

39. My attention has been called by one of my critics to a point which, I think, deserves examination. The present system of auctioning limestone and other quarries has led to partial monopolies and consequently very high rates for building material. I am informed by a qualified judge that the rates charged at present are preposterously high. The methods employed for the extraction of lime and stone are also most antiquated. I believe that unfortunately no clause has been entered in the contracts to secure the refilling of excavations in the case of limestone quarries. A supply of cheap building material is vital to building enterprise and I suggest that the Collector be invited to examine the question and take expert advice. The remedy may lie in working certain quarries departmentally or in otherwise inducing fair competition. The fees at present credited to Local Funds will presumably be reduced, but the loss will be small compared with the gain in increased facilities for builders. Funds required for development purposes should be levied by direct methods.

40. Much must be left to the local planning authorities. It is not sufficient to plot a series of building blocks on a map, though even that would be an improvement on the existing system. In an interesting paper read before the Royal Institute of British Architects, Mr. J. W. Simpson examines the principles underlying the planning of the great cities of Europe and shews how inartistic planning is also practically inefficient. For instance as he points out, traffic is not best carried by straight streets all converging on one point like 'the nameless space in front of the Mansion House.' To save time in passing from point to point acute angles must be avoided by curving streets if necessary where they enter the main thoroughfares. The shortest line on a plan is not the quickest line for traffic. Again—in spite of the municipal doctrine of set-backs—the heretical opinion is advanced that a street, with monotonous parallel sides is

neither practical nor artistic. A varying line affords exactly the spaces required for carriages or carts to stand, small open markets for fruit and vegetable sellers, and 'all the constantly increasing requirements which form obstructions in uniformly regular streets.' Little 'places' such as are met with in old towns are not only a grateful break in the monotony of geometrical street lines but they facilitate traffic at cross roads. In planning our Sálsette fields it seems to me not unlikely that the judicious application of some of these principles will both assist ultimate development and avoid unnecessary redistribution of plots. Mr. Turner has plotted all his roads with a ruler and I do not understand fully the principles underlying his planning. I think that some changes will probably be found desirable in places: in particular smaller blocks near stations seem essential and I believe narrower accommodation roads will be found sufficient. The plans have however served their purpose in keeping land open for main roads and we can now deal fully with the formation of suitable building plots. The essential requirements are ample powers to settle disputes and a sympathetic system of control under which compromises are encouraged and all except the bare essentials left to the decision of our local advisers. I have to acknowledge the assistance I have received from many gentlemen who have given me their opinions on the general question. As might be expected there is considerable divergence of view, but roughly speaking the main line of cleavage is between those who believe in the possibilities of Sálsette as a suburban residence and those who refuse to look beyond its present service as a plague refuge-camp. I do not believe that Sálsette residents as a whole will remain satisfied with their present inadequate facilities. Many are already interested in the question of Sálsette development and if they are given an opportunity and can find the time to seriously study the problems with such assistance as can be given them, a solution should not be impossible.

I have the honour to be,

Sir,

Your most obedient Servant,

P. J. MEAD, I. C. S.,

(On Special Duty).

APPENDIX A.

Santa Cruz.—The village map sent herewith gives a fair idea of the present development. The Vakola cantonment with its made road has helped a little and one new road has been sanctioned. 133 buildings have been erected, including 5 chawls and 4 unfinished bungalows. Mahomedans, Bhatias and Parsis predominate. 23 bungalows are permanently inhabited. Rents for chawl rooms vary from Rs. 5 to Rs. 18 per mensem and for bungalows from Rs. 250 to Rs. 1,800 per annum. March to June is the season: in the cold weather the Jackal Club's tents form the main centre of population. Some khajan land has been reclaimed here and much more can be done. A road to Juhu island over the little creek presents no difficulties and 3 miles of delightful building sites could be made available if the interests of the various parties concerned were reconciled. The late Mr Tata had a scheme for the formation of an Oriental Venice between Juhu Island and the Ghodhunder road. The creeks at either end of Juhu island were to be controlled by sluices, and building plots reclaimed from all this khajan land (*vide* topographical sheet 84 S) with waterways between. The scheme fell through, I understand, because the khots of Juhu would not sell at even twice the price asked by Government. Development will be greatly accelerated by a central planning establishment. The khota will be fully consulted but ultimately a plan will be finally approved and these dissensions must cease. The road from Bandra to Santa Cruz is perhaps the worst portion of a thoroughly bad road. When other roads have been made it will be worth considering whether we should aim at a second main road to be kept clear of the destructive country cart and which should provide suitable road communication between all these growing suburbs and Bombay. To charge a motor car 8 annas as toll for a road which tries the springs of any car travelling at 15 miles an hour is purely farcical. Residents who pay for these new roads will have a right to demand that they are not torn to pieces by village traffic. A small supply of pipe water is available. Santa Cruz takes 1 32 lakhs and the Vakola cantonment 7 75 lakhs a month. This cantonment has induced some building enterprise (16 bungalows) and land investments in the lands of the khota village of Kolé Kalyán. There is no proper road beyond this latter village and I don't think it presses. The 'backwater' and surrounding marshy land restricts building operations

Land Values.—High prices were given as early as 1901 but Santa Cruz is not, I think, as popular as it was to begin with. Rs. 2 a square yard was a not unusual price in 1901 and in 1902 Rs. 1,825 were paid for 484 square yards. Instances of high Government assessments quoted to me are generally taken from Santa Cruz cases. At recent sales land has not fetched very high prices but some of this is reclaimed land. On the whole I think Santa Cruz development may have been definitely checked by the higher Government rates. The recent demand for Ville Parla land compared with Santa Cruz is distinctly marked. Similarly the cheaper land of Kole Kalyán by the cantonment has been selling much more briskly. The price varies greatly but has touched the rupee in spite of distance from station.

Railway Tickets.—February to June are the busy months, but with the end of the rains travelling increases.

Ville Parla.—Since the establishment of a station and the erection, by a certain Bhatia gentleman, of a vast residence close to the station with extensive grounds and no access to any road, this tract has acquired considerable popularity. Land transactions in particular have been remarkably brisk and there has been considerable speculation with the minimum of development or foresight. The 'season' is much the same as at Andheri. The two villages of Ville and Parla lie on the Ghodbunder road, but many bungalows have been built off all roads and some ingenuity will be required to deal successfully with this unplanned area. There are 68 buildings including 6 unfinished and 5 chawls. Ten bungalows are inhabited for the whole year. Hindus, Parsis and Mahomedans are almost equally divided. Chawl rooms let at Re. 1 to Rs. 3 per mensem.

Land Values.—Prices vary at present from Re. 1 to Rs. 2 per square yard. Resales have been common; as these are instructive I give some instances. In 1901, 3,146 square yards sold for Rs. 1,193. In 1903 the price was Rs. 1,284 and by 1906 it had appreciated to Rs. 2,146.

One thousand two hundred and ten square yards sold for Rs. 280 in 1903 and 313 square yards out of this subsequently went for Rs. 901 in 1903. The first sale was by an agriculturist.

One thousand and fifty-nine square yards sold for Rs. 395 in 1903 and 363 square yards out of this fetched Rs. 850 three years later.

Two thousand three hundred and ninety square yards were bought for Rs. 672 in 1903 and changed hands at Rs. 2,390 in 1905.

Six hundred and sixty-five square yards realized Rs. 237 in 1906, Rs. 800 a month later and Rs. 1,000 in 1908.

There are many other instances but the above will be sufficient. The rise in price on resale is not invariable but exceptions are rare. The points to note are the extreme variations in price (as late as 1909, 6,413 square yards went for Rs. 1,429 only), the very large number of sales, mostly by tenants, and the frequency of resales.

Railway Tickets.—Very few tickets in the rains which is exactly what we should expect. There is practically only the one passable road except in the fair season.

Andheri.—The area round this popular station includes lands of Andheri, Gundavli, Ambivli and Chakala (unalienated) and Ville Parla and Mogra (alienated). The accompanying trading gives an idea of the present development of unalienated lands and of Mr. Turner's roads. The buildings number 62 in Andheri proper, of which 17 are permanently inhabited, 33 temporarily and 11 are chawls. One is unfinished. Inhabitants mostly Hindus of various castes but Parsis predominate as we approach Ville Parla. Chawl rents from Rs. 3 to Rs. 12½ per room per mensem. Bungalow rents Rs. 13 to Rs. 64 per mensem. Proceeding along the Ghodbunder road towards Ville Parla we come to Murzbanabad, a Parsi colony, which owes its rise to the example of its 'eponymous hero' Mr. Murzban. There is a Parsi fire-temple and 31 bungalows, mostly inhabited from February to June. Four are inhabited the whole year round. The Kurla road from Andheri brings us to Gundavli which is also a Parsi colony with 31 bungalows, many of which were let to Europeans this cold weather. Three are permanently inhabited. Rents rise as high as Rs. 125 per mensem. Ambivli has 17 bungalows, half permanent residents and mostly Parsis again. Chakala has 8 bungalows, one inhabited for the whole year. The road from Kurla runs west to Vesava, the only little piece of good coast land which has been opened up as yet. There are 44 bungalows at Vesava, mostly inhabited by Parsis in the summer. Reclamation is proceeding fitfully on both sides of the Vesava road but the principal entrepreneur, a Mr. Karam, has not perhaps sufficient capital to push matters to a conclusion. Mr. Karam would also like to build a tramway to Vesava. In considering any such proposal it must be remembered that *ultimately* a railway will be required from Kurla to Vesava, and that in the near future the possibilities of a line from Andheri to Vesava and along the whole coast line should be examined. Andheri gets a little pipe water (1.25 lakhs of gallons per mensem) but with a full supply and such pressure as Vehar can give us (sufficient to rise 115' to 161') these colonies will take a much larger supply and the hills should also be utilized. There is plenty of back land awaiting development. A charitable bequest by the late Mr. Nassarwanji Wadia provides a free water supply for 3 months of the year.

Land Values.—The present value of frontage land in Andheri may be taken at Rs. 2 per square yard, and back land about 8 annas a square yard. Four or five years ago about Rs. 1 a yard was a common price for frontage land. In Gundavli two to three yards for the rupee seems a common rate but on re-sale such land has fetched nearly the rupee per yard recently, and in one case a little more. Two to 8 annas is about the rate in Ambvli for fair sized plots and 8 annas in Chakala. In Murzbanabad 12 annas seems to be about the average price, but land has appreciated lately 1,835 square yards which fetched Rs. 1,566 in 1902 changed hands for Rs. 2,999 in 1905.

Railway Tickets.—February to June are the busiest months but with October the figures begin to rise, so plainly the autumn is not markedly malarious as at Ghatkoper. July is the worst month. Complaints of inadequate surface drainage are common and explain these figures to some extent.

Goregaon.—The station is close to Pahádi village lands which contain 38 bungalows, almost all used in summer only. There is one chawl and a temple. There have been a few resales, but 8 annas a square yard is about the top price at present. The Goregaon lands are malarious and certainly require drainage and close development before they will ever become popular.

Malad.—152 bungalows constructed, 5 chawls, 1 temple and 8 bungalows under construction. Bhatias predominate. Nine bungalows are permanently occupied, but Málád is mainly a hot weather resort at present. It has one great advantage, access by a bad road to Marwa and the coast. Chinchavli next door has also 8 bungalows and a temple. Málád has spread rapidly and planning is required. The village site lies to the west of the Ghodbunder road, the station to the right. Both of these side roads are fringed with bungalows and shops, and beyond the line some have been built in the open fields along tracks. The khot is quite ready to develop his land and in particular I should recommend the examination of the low hills starting close to the unalienated lands of Kurar and running parallel with the line till it slopes down to meet the grass lands of Goregaon. There is an old road built by Ban Rasul which starts from Goregaon station level-crossing and leads up on to these slopes. When pipe-water comes these will be most 'eligible' sites. The height is nowhere more than 150' or so and the high ground extends for over a mile; another small rise is also available to the south. There are also 11 buildings in Valnai (námí), 8 of which are permanently used.

Land Values.—Land was quite cheap till 1902-03. 5½ square yards for the rupee were bought as late as 1904, but from 1905-06 sales became very brisk at about 8 annas a square yard. The khot sold over 2,000 square yards at a rupee in 1906 and 8 annas to a rupee remains the present rate. One sale in 1908 realized Rs. 2,500 for 1,368 square yards.

Railway Tickets.—February to June are the busy months. December sees a rise but January's figures show a decrease.

Khandivli.—Poisar has 8 or 9 bungalows close to this station and Khandivli lands are beginning to sell since the station was established. We should plan at once and notify under Act III of 1901.

Borivli.—The unalienated village of this name is close to the khajan waste on the creek, the station on khoti land by the Ghodbunder road. Borivli Notified Area contains land of several villages: Ekhsar, Kanheri and Nagotane, all khoti. Ten bungalows under construction, 162 built and 8 chawls. Only 17 bungalows are inhabited during the rains, mostly by a little Kshatriya colony. Visitors are chiefly Bhatias with a sprinkling of other Hindus. There is a Bhatia temple. Twenty are permanent residents, mostly shopkeepers, living in chawls which are less than half full. Rents for rooms are from Rs. 6 to Rs. 10 a month. Two of the chawls are built by the khot. Large number of bungalows inhabited from February to June. A bazar is wanted. Water-supply from wells is very fair. A few kacha roads made by residents, but most bungalows along Ghodbunder road, road from station to Borivli village, and along track to Mandeshwar where some Roman Catholic priests are starting a school which is likely to be useful. Dahisar is not far off and I gather it is not improbable that a station will be placed there and the line taken to Ghodbunder and over the creek there. There are 8 bungalows at Dahisar, rarely occupied except in plague times. The line to Bháyandar will remain presumably to carry the salt, but the Bassain bridge is shaky, and the alternative route is being surveyed. Numerous cheap roads wanted to open up back land and pipe-water will also assist. At present mostly merchants live here. There is a made road from here to Gorai across the creek which can be forded at low tide. Khajan land near the creek has been successfully reclaimed and more reclamation is probably feasible. Turner's projected roads seem suitable, but of course there is no money for their construction under the present system, to say nothing of the waste of frontages. There is quite an useful block of forest land (30 odd acres) here and at Shumpovli which should be developed and sold for building. Some private owners are considering the question of developing their land by building better class chawls for the middle classes.

Railway Tickets.—Borivli heads the list of season tickets to Colába and Grant Road and comes 5th nearly bracketted with Santa Cruz in Church Gate tickets. Roughly we may place

Borivil between Ville Parla and Málád, the latter being a distinctly more favourite station. February to June are the busiest months, but as early as December the figures began to rise.

Land Values—Prices vary immensely in the khoti villages as late as 1908 some Kshatriyas bought a cheap block, while as early as 1903-04 land sold at Rs. 1 a square yard. Eight annas a square yard was not uncommon in 1906-07, but some land was sold much cheaper. Practically all land sold is frontage land and the local fund cess contributed by the land is a mere flea-bite in comparison with the cost of construction and upkeep of the Local Fund roads which create the value of these building plots. Frontages vary from 10 to 100 yards. Land with this maximum frontage sold at 8 annas a square yard. In the unalienated lands of Borivil the same ridiculous frontages are found and the assessments levied by Government are equally inadequate from this point of view. Here too land was sold at Rs. 1,000 an acre (1903-04), but latterly the price has generally varied between 8 annas and a rupee per square yard. Much of the land was sold by two occupants in particular.

Coast line from Madh to Dongri—This is the best country in Sálsette to develop. Malaria is unknown till we turn inland again through the Dongri valleys. The western slopes of the Dongri hills would be admirable sites but are some distance from Bombay by any route. But there is a large trade in fish and the famous Dongri onions, and from Raimurda salt operations commence. Utan is very hilly. Gorai is better still. The road from here to Borivil is poor, but the creek is fordable and good communications of any kind are only a question of a little expenditure which the land can easily afford. A gentleman from Borivil has occupied the two hills in Gorai and Charkop lands on either side of the Manori creek. Gorai beach is spoilt by fish curing operations which must be controlled. Gorai has a good water-supply (so also Aksa and Yerangal). But generally pipe water will be required for continuous development and for factories of course. I don't think there is room for the latter north of Manori creek except perhaps on Manori lands. Khájan land may be reclaimable. Except the hills which are mostly gurcharan, the land is occupied, palm groves along the sea shore and ordinary dry and wet crop lands at a lower level behind. These lands will only become available on purchase from their occupants, but once development begins that must follow. Some of the palm carts are valuable garden land, but would be still more valuable bungalow sites, even with such development tax as it might be necessary to impose. Further a scheme has been proposed to utilize some of the useless sand dunes along the coast, which are unoccupied land of course, as building sites. Excellent foundations are obtainable at no great depth, and if land is given on easy terms to the first pioneers the example is certain to be followed.

The Manori creek can be bridged without much difficulty, I am informed, but the Málád creek is not so easy. The strip from Marwa to Madh is the most favourable of all. Malaoni has a large excess of gurcharan land (formerly forest), 530 acres, and there are also large areas of waste land (1,556 acres) which are at present exploited for lime stone. The contracts terminate in 2½ years or so. The Karodi quarry by Malaoni contains admirable building stone. To the east of Malaoni the land is all khájan and we can drain across this into the creek without harm to anybody. Between Aksa and Malaoni the ground is dry and quite suitable for building, once the lime stone contracts terminate, till we come within the influence of the creek which pushes in between Yerangal and Aksa. Reclamation should be easy and the big creek between Daravh and Madh should probably be blocked ultimately. The two hills on each side of this creek are mostly occupied by Mr. Tata who saw the possibilities of this country. Another Parsi has occupied land and has a bungalow on Madh hill. A bridge over the creek between Aksa and Yerangal lands has fallen down and should be rebuilt. If the Malad creek proves too difficult to bridge, access can always be obtained from Málád along the present road line through Malaoni to Marwa. A start might be possible with a light railway from Málád to the gurcharan lands south of Malaoni village and this can be extended south to Yerangal and Madh as required. The preferable course would be to lease such Government waste land as is available (the Collector has all details) to a company formed for the development of the estate on lines approved by Government. A proposal to this effect is on foot I believe. It was originally intended to buy a big block elsewhere in Sálsette, but I think my view has been accepted that there is no such favourable locality elsewhere.

I have said that ultimately occupants will be bought out as the values of cultivated land rise owing to their potentialities for building. It is possible that these small occupants may be unwilling to sell even at a high price. It might be possible if it would accelerate development to devise a scheme whereby such occupants retained an interest in the land sold. Agriculturists know nothing of investment other than in agricultural land, but if they were paid (1) in cash for the agricultural value and (2) in shares for the building value, the transition from investment in agricultural land to investment in other enterprises might be made easier for them. A company would probably be glad to obtain capital at 4 per cent. and 4 per cent. return on the difference between agricultural and building values would generally far exceed the present agricultural net profits per acre. It is impossible in any case to reserve large areas of land for the tabal required for rice cultivation in a tract where land is in demand for building. The contraction of cultivation will be gradual but is none the less inevitable.

Kurla.—The map shows the configuration of the ground clearly. There are 7 or 8 good bungalows mostly on the hills, 2 big mills, 2 dyeing factories and accommodation in chawls and small houses for the mill hands and small shop-keepers and poorer classes having business in Bombay. There are also two slaughter-houses and a small Mahomedan population of butchers with their own mosque. Chawls number 163 and bungalows, mostly wretched little affairs and often half rented to supplement chawls, 85. The population is practically all permanent. There are 7 places of worship for various creeds and another is being built for the Bhatias. Chawl accommodation can be had for as low a rent as Rs. 1-8 per mensem. I saw some decent rooms for Rs. 1-12 and some fetch as much as Rs. 4-8. They tell me the same class of room as the worst Kurla chawl lets in Bombay (Umerkhadi) at Rs. 5 to 6 per mensem. Such a room + verandha would contain about 2½ square yards floor space with a little yard between the lines of buildings. I heard of one man earning Rs. 60 per mensem living in one of these places but the general rate of pay would be Rs. 8—10 per mensem. Pipe water is available but the supply is insufficient and an independent scheme has been considered. The Bombay Municipality object to the present system of tapping mains outside the island and the Asalpa scheme, if carried through, would provide a cheaper and more plentiful supply. The question is one of funds. Drainage is also urgently needed and the Municipality has a large and very poor population to cater for. In considering the question of a Salsette supply the first point to examine will be whether we can help Kurla or should exclude them. On the one hand we want customers to begin with and our pipe line from Saki is not much further than their proposed head-works at Asalpa or Aspa. Against that may be put the very low rate at which they will require their water. Bombay only charges them 8 annas for their present free supply of 90 lakhs delivered at Kurla and they want 216 lakhs in all of free supply. A further consideration is whether Kurla can ever be a satisfactory self-supporting municipality. Its insanitary condition is a standing menace to Bombay, but I don't suppose its inclusion within Bombay limits will add to the latter's revenues. Kurla may of course decline to wait till a Salsette supply is available. We must see at once if we can afford to give an adequate supply at the cost of the Asalpa scheme, and give Kurla an early offer for their consideration. Planning may help a little by bringing more building land into the market. The Trust can examine the question closely and advise the Municipality how best to encourage and control expansion.

Land Values.—These have risen as usual in a place where chawls are required. One piece of land (2 acres 15 gunthas) sold for Rs. 450 in 1903, Rs. 605 in 1905 and Rs. 3,300 in 1907. Of this 961 square yards were sold in 1908 for Rs. 2,000. The land is obviously unequal but it is within a quarter mile of the station. Other cases of resale are 726 square yards for Rs. 500 in 1905 and Rs. 550 in 1906. 9,000 square yards for Rs. 3,000 in 1907, Rs. 4,000 three days later, and Rs. 7,000 in 1908. 130 square yards for Rs. 50 in 1906 and Rs. 300 in 1908.

1,230 square yards for Rs. 600 in 1908 and Rs. 950 a month later			
2,178	"	500 in 1907	" 900 in 1908 (1½ miles from station).
4,114	"	1,400 in 1908	" 2,000 four days later (close to station).
494	"	200 in 1908	" 255 9 months later (1 mile from station).
615	"	622 in 1908	" 932 5 months later (1 mile from station).
514	"	175 in 1906	" 600 in 1907 and 1,300 in 1909 (near station).
615	"	396 in 1906	" 952 in 1908 (¼ mile from station).
1,946	"	400 in 1908	" 1,000 a month later (old Kurla).
1,573	"	100 in 1903	" 775 in 1908 (old Kurla).
1,236	"	350 in 1907	" 1,191 a few days later and Rs. 1,981 the month after.
4,240	"	900 in 1908	" 1,500 on the same day (close to station).
7,630	"	1,060 in 1905	" 4,300 in 1908.

Other sales, I may note, are Rs. 6,500 in 1908 for 2,904 square yards within 300 yards of the station and 514 square yards in the same locality for Rs. 798 in the same year. A small plot near old Kurla fetched as much as Rs. 2 a square yard in 1908 so there is clearly some demand for better class land outside the Kurla slums. I am told that fair building land within a mile of the station which does not require extensive filling or levelling, will always fetch Rs. 2 a square yard in Kurla.

Railway Tickets.—The only point to note is that traffic is steady all the year round. Kurla is not a hot weather resort.

Ghatkoper (and Kiro).—Six bungalows and two chawls incomplete; 71 bungalows and 63 chawls completed. Nearly half the bungalows are more or less permanently occupied, a few by Europeans. Chawls are let to small traders and shopkeepers and also used in times of plague. Vacancies are fairly common. Rents of rooms are from Rs. 6 to Rs. 8. A large proportion of bungalows and chawls have no frontage except on cart tracks or kaeba paths. A few bungalows are let and some are occupied by relations or servants of the owner. The place is

undoubtedly malarious September to November. Three temples have been built. Building is very thick along the Chembur side of the railway and some of the compounds are very small: others again are comparatively spacious but conservancy is not a strong point. Residents are mostly Kutchi Bhattias or Banias. Much more back land has been used here than elsewhere, but the accommodation paths are all of the minimum size and to some bungalows access is only given by a cart track. Plenty of work for a Municipality with funds. Planning would have been most useful. There is a piece of moderately high ground belonging to a Parsi under the east arm of the Horseshoe valley which would be a good site for bungalows but pipe water is wanted. There is one volunteer range near this and another proposed. If the latter is taken there will not be much left. On the whole I do not think extension north is very likely. The ground is very broken and water must lodge everywhere in the rains. Drainage would be prohibitively expensive I imagine. Forest land is on high hills and not valuable for building.

Land Values.—Usual variations Eight and 13 annas a square yard in 1898. Annas 8 to Rs 2 in 1908. In 1900 the khot sold several parcels of land at Rs. 1 or a little less, and this seems to be the khot's idea of the value of his land. A larger block of 8,781 square yards was sold in 1901 for Rs. 7,135, but the land was obviously unequal. 1,846 square yards out of this was resold in 1906 for Rs. 1,847 and 1,133 square yards were resold in the original year of purchase for Rs. 780 only. The largest block sold was 41,806 square yards in 1905 for Rs. 27,195. This was subject to an assessment of Rs. 49 which the vendee has to pay. Another large block of 25,960 square yards was sold in 1908 for Rs. 21,780, a good price for a big piece of land.

Railway Tickets.—1.18 Mkhs in the year as against 2.45 Thana, 4.04 Kuria, 1.3 Santa Cruz and 1.75 Andheri. Masjid is the favourite station. From July to January there is a decrease. January and July seem to be the worst months. The train service of course is very unpunctual at present. Local trains are generally three-quarters of an hour late but one can of course not infrequently catch a train which should have left half an hour before. This element of uncertainty must be a little trying for business men.

Vikhroli (Haryali).—The khot has one chawl and one bungalow. The chawl is let to a railway contractor but used to let to plague refugees at Rs. 50 per mensem. There is also a bone crushing mill and two bungalows built in plague days and now used in the hot weather. No development is likely here.

Bhandup.—Development at a standstill. The village belongs to Indore. Late khot gave them a water-supply from a small tank but this has been cut off and land is now rented, not sold for bungalows. Essentially a plague refuge camp. The tract is malarious. We can plan if they wish to build, but I would not build roads or raise taxes for Municipal purposes at present.

Mulund.—There are a few bungalows built near the Bombay road which are used as week-end or summer residences. Like all bungalows built out in the country near rice fields (*cf.* Parsik) they suffer from malaria in and after the rains. A few people have broken fresh ground on the east of the railway line and have got a much better site. The water is good; the greater distance from the hills and the less broken nature of the ground, which is also higher, make for less malaria and more breeze. There has been some speculation in land here. One man has invested Rs 25,000 and two Marwadis have also acquired land which they propose to sell if Government will kindly build a few roads for them. The station is new and an approach from the east is wanted. I should plan here. The present squatters in corrugated iron huts will all build if they get a few conveniences and will be quite ready to pay in reason.

APPENDIX C.

LEX ADICKES.

PART I.

CONDITIONS OF REDISTRIBUTION.

Preliminary Procedure.

1. When a building plan has been finally settled, redistribution of plots of different owners can be effected as follows on grounds of public advantage to open up and secure suitable formation of building plots for parts of the Municipal area which are mostly free from buildings.

2. Redistribution should be restricted to the minimum area for which such procedure is necessary with reference to formation of the land and the street lines settled in the building plan. Plots laid out, built over or used in special ways (parks, market, gardens, etc.) can be excluded from redistribution wholly or partly. Plots ear-marked for permanent use for public purposes must be excluded on demand by authority concerned.

3. Redistribution can follow—

(1) on demand of Municipal Council in accordance with Municipal Resolution ;

(2) on demand of owners of more than half the area according to land and tax registers, provided the proposers include more than half the owners. In the case of shares corresponding fractions of area shall be reckoned.

Prohibitions to alienate do not prevent planning. Proposal in case (2) must be submitted to Municipal Council.

If compensation in money by Municipality is necessary under section 13 the consent of Municipal Council is necessary. Section 1 does not apply where a preponderating part of plots taken are used by owners for market gardens.

4. Municipal Council in cases (1) and (2) of section 3 intimates to Police Authorities proposed redistribution. A scheme should also be prepared at once showing owners' plots, percentage of land to be given up for roads and open spaces, and period within which they will be opened for public use. A plan should be attached showing position, size, future building development and particular use of plots to be planned. They are to be published by Municipal Council and objections invited within period of at least four weeks. Special notices to owners should be given.

If plots of nature described in section 2 are included, special notice is to be given to authorities concerned.

5. Municipal Council is to dispose of objections as best they can and forward proposals with necessary documents without delay to District Authority. The latter, after hearing Police Authorities, decides if the conditions precedent to redistribution described in sections 1 and 4 are fulfilled and disposes of such objections as have not been settled ; and can, in case of section 3 (2) decide with the consent of proposers that the cost of the proceedings shall fall wholly or partly on them. The decision is to be communicated to the Municipal Council, the owners and the interested parties specified in section 57.

Municipal Council to publish with reference to contents of sections 7, 27 and 50.

6. Withdrawal of proposal (section 3) is only allowed up to decision of District Authority (section 5). In case of section 3 (2) declaration of owners of more than two-thirds of area dealt with in proposals is sufficient for withdrawal. Costs on withdrawing proposers. These are fixed finally in case of section 3 (2) by the Municipal Council and are collected by Municipality by compulsory process.

7. In the case of section 3 (1) if an agreement in legal form is passed between Municipality and owners, introduction of redistribution proceedings shall be discontinued if Municipal Council and a majority (*vide* sections 3, 2) of owners so propose.

If agreement only extends to part of area, provisions of paragraph 1 is correspondingly applicable, if object of redistribution is still obtainable in spite of restriction to plots included in agreement and if owners of remaining plots also agree to restriction, or if later redistribution of their plots is not excluded.

In this case plots of owners who do not join in the agreement are to be excluded from redistribution.

District Authority may fix a time for settlements in sense of paragraphs 1 and 2, introduction of redistribution procedure being meanwhile stayed. District Authority *must* fix a time, when the Municipal Council or such majority of owners, as would be entitled in the opinion of the District Authority to move such a proposal in partnership with Municipal Council, demands it (*vide* paragraph 2).

Decisions in cases of paragraphs 1 and 3 are passed by District Council as resolutions. In case of paragraph 3 they are final.

PART II

8. Necessary preliminaries being concluded according to law, the President of the District decrees introduction and appoints commission. This consists of—

Two delegates appointed by the President ; one of these shall be the Chairman and the other the Vice-Chairman of the Commission.

Members.—Building expert—one at least.

Lawyer	do.
Surveyor	do.
Land valuer	do.

Members of Municipality are *not* eligible. Municipal Councils' and owners' proposals to be heard before the Commission appointed. Members have claim to payment of bare expenses and pay as experts in legal proceedings.

Commission is competent to decide in spite of statement in section 36, paragraph 2, if Chairman or Vice-Chairman and half of the members are present.

Casting vote for Chairman.

The records of the Commission are public. Minutes and distributing plan have the force of legal documents. Introduction of proceedings and appointment of Commission to be published.

9. Use of Grundbuch (=register of titles).

(Principles of Redistribution.)

10. Take all plots marked for redistribution together, existing open ways and spaces included. Cut out and hand over to Municipality or subsequent responsible authorities for upkeep of communicating the land required for open streets and spaces. This compensates Municipality for open spaces thrown in. Distribute remainder among owners.

11. Full compensation as prescribed in sections 12 and 21 is to be given to interested parties (section 57).

12. Distribution to be as suitable and cheap as possible, and total area to be distributed as far as possible in same proportion as original ownership. Plots to be at right angles to roads and in original position as far as possible. In particular, plots built over and plots for which compensation has to be given (section 14) must be left to original owners in so far as they do not clash with road or space lines or other possibly necessary limits.

One new plot to be given for all plots or pieces of plots similarly encumbered.

13. Compensation in money is to be given for land required for roads and spaces in addition to such open spaces as have been pooled in so far as such land exceeds 30 per cent. of the area pooled by owners. Compensation is to be calculated as a fraction of the total value of land earmarked for streets, etc.

14. Besides claim to land allotment, owners have claim to money compensation—

(1) For buildings acquired and other component parts and appurtenances of pooled plots.

(2) For loss of value inherent into plot contributed by reason of special natural peculiarities or its appropriation to special objects so far as corresponding advantages are not offered on the plot allotted.

(3) For loss of business dependent on the use of buildings or special formation or utilization of plot.

Increase of value due to prospective or accomplished redistribution is not to be considered.

15. If pooled plot is encumbered with claims which must be extinguished (Section 42) or compensated (Section 20), the Commission can charge the owner with payment of money contribution to the extent of depreciation in value of pooled plot (bonus.) Bonus is to be paid to Municipality. Owner to be allowed, on demand, to defer payment in full on payment of 3½ per cent. interest on the bonus till sale or use of plot for building.

16. Owners have claim to further money compensation so far as value of allotments (sections 11 and 14) falls short of value of pooled plots.

Increase of value due to prospective or accomplished redistribution is not to be considered.

Allotted plot is valued at the value it possesses after redistribution at the time it is taken over in consequence of the declaration of assignment (sections 40 and 42).

17. Pooled plots of such small area that they can only be replaced by plots unfit for building are, when belonging to the same owner, to be clubbed together.

If they belong to different owners they are to be united with their consent into common plot, so that building plots can be allotted in their place: relative shares to be specified. The Commission has to try and induce this agreement.

If the plots which are united are differently encumbered and encumbrances have to be continued on the plot to be allotted (section 42), section 12 has corresponding application.

18. If the above described agreement (17) is not attained, full compensation in money must be paid for the pooled plot

(1) on proposal of Municipal Council if area is so small that no plot fit for building can be given in exchange and if in this case the object of redistribution would be nullified or seriously prejudiced.

(2) on proposal of owners if area in consequence of planning would be so diminished that plot to be allotted is not fit for building.

Provisions of section 16 have corresponding application for estimating compensation on the understanding that the sum to be given in compensation is reduced by the amount which would otherwise have been charged the owner as contribution for redistribution.

Parts of the balance of land (section 10, paragraph 3) which would correspond to the plot described in paragraph 1 can be excluded from distribution to the combined owners and allotted as against compensation in whole or in part to several or one owner with their consent. The compensation is to be debited to the owners who get the allotment (improvement). Provisions of 16 only.

19. Commission decides, after hearing Police Authorities on the question of suitability for building (sections 17, 18).

20. Interested parties whose rights in a plot are extinguished (section 42, paragraph 3, third sentence in conjunction with paragraph 1, third sentence) or amended by direction of the Commission, as well as tenants or lessees whose rights are extinguished according to section 42, paragraph 4, must be specially compensated for the loss they suffer by redistribution in so far as such compensation is not included in the compensation given under sections 14, 16, 18, 31.

21. Application of other laws regarding acquisition of landed property to compensation questions so far as they are not covered by this Act, the Municipal Council being counted as the undertaker.

22. Building plan for redistribution area may not be altered during redistribution proceedings without Commission's consent. Commission can however propose to Municipal Council to facilitate redistribution, that the building plan be altered in accordance with the proceedings prescribed according to Lines Act of 1875.

23. Commission, after hearing Police Authorities, decides within what period the streets and open spaces are to be ready for public traffic. For this object streets, etc., need only be temporarily opened. The period can be differently calculated for different parts of the area.

After expiry of the period, permission to build cannot be refused on the ground that such streets, etc., have not been opened. In case of section 3 (1) the period must not exceed four years, save by agreement between the Municipality and the owners.

So long as planted streets and squares upto the day of redistribution are not established and the plots require after this time temporary approaches or roads for their use, existing open roads which are marked for removal can be still maintained. So long as this is not done, the provision of temporary approaches falls on the Municipality. On the Municipality's proposal this obligation ceases and the interested owners must be compensated fully in money, if the establishment of such approaches would cause disproportionately high expenses. This provision does not apply if without these approaches the accessibility of a plot built on or used for business which remains in owner's possession would be adversely affected.

24. Expenses under sections 13, 14, 16 and 23 are charged to Municipality.

25. To attain the object of the redistribution proceedings the Commission can maintain old or impose new users of land. Other rights on plots which would be extinguished according to section 42, paragraph 2, third sentence in conjunction with paragraph 1, third sentence, can be transferred by the Commission to the allotted plot, subject to possible compensation decrees (20) so far as they can be exercised on them without serious prejudice to the right holder and do not conflict with the object of redistribution proceedings.

So far as is necessary the Commission has also to distribute otherwise the patent encumbrances attaching to the plots or to be discharged with reference to the land.

26. The Commission has to arrive at its decisions in the distribution plan, namely, on the nature of plot distribution (section 12), so far as possible in co-operation with the interested parties and, in particular, also to work for compromises by which compensation in money may be restricted or dispensed with as far as possible.

They must further take care that the distribution proceedings are directed towards the really interested parties.

27. If an agreement is come to in the sense of section 7, paragraph 1, the Commission is bound by it.

If an agreement of the kind described in section 7, paragraph 2, is come to, the District Authorities must decide whether the object of redistribution can still be obtained for essential purposes by restricting operations to the plots affected by the agreement. If this is the case and the owners of the remaining plots agree in such restriction or if a later redistribution of their plots is not barred, the District Authority must exclude the plots which are no the subject of agreement from the planning.

Prescriptions of paragraph 1 apply with respect to plots agreed upon.

Agreements come to by owners of plots of single block of building or several blocks over the planning of such plots must be regarded by the Commission so far as the subsequent redistribution operations according to this Act are not prejudiced. These directions hold even if the agreements are not in legal form.

28 If the Municipality has to compensate (section 13) or if an allotment results (section 18, paragraph 3), and if in this case Municipal interests are directly opposed to the common interests of owners, the President of the District Board (Regierung) has to appoint a representative for the owners. The body of owners is so far capable of being made a party. The representative has the position of a legal representative. He can be one of the owners. On demand he receives, besides bare expenses, estimated compensation for his trouble. The Commission determines this, and the Municipality pays. Expenses, including those arising from legal proceedings, are to be advanced by the Municipality to the representative on demand. The representative receives a salary.

29 Expenses which the Municipality incurs as payment for special land values accruing to them are excluded from distribution to owners. In particular, the compensation to be paid under section 13, the 'improvement' allotted to Municipality in the case of an assignment to them (section 18, paragraph 3) and compensation given by Municipality under Land Acquisition Act (section 21) are so treated.

The remaining expenses which are debited to the Municipality (sections 24 to 28, paragraph 2 section 36, paragraph 1, sentence 2) (redistribution expenses) are to be distributed among owners as the Municipal Council proposes (redistribution contribution). The following are however to be set off against the above and deducted from redistribution expenses:—

(1) 'Bonuses' and 'improvements' to be paid to Municipality (sections 15 and 18, paragraph 3) and subsequent payments to be made to Municipality under section 36, paragraph 1, sentence 2.

(2) Compensation to be paid by Municipality (section 13) as well as improvements allotted to them, section 18, paragraph 3.

30. Distribution of the redistribution expenses of Municipality (section 29, paragraph 2) is guided by regard for advantages conferred by redistribution on individual owner, or so far as the application of this standard of distribution appears impossible or inappropriate by regard for frontage area and position or value of allotted plot. On owner's proposal, the distribution contribution can be deferred till sale or building on plot on payment of interest at 3½ per cent.

In apportioning the redistribution contribution, the value of an allotment made under sections 11 to 14, neglecting redistribution contribution, would be less than the value of the pooled plot, such owner is left out of account: the same is the case with owners to be compensated under section 16.

31. So far as the total of payments mentioned in section 29, paragraph 2, Nos. 1 and 2, exceeds the total of redistribution expenses, the former is to be made good by the Municipality to owners. (Section 30, p. 1, applies)

32. Proposals mentioned in sections 15, 18, paragraph 1, 23, paragraph 3, 29, paragraph 2, must at the latest be brought forward as objections to the plan distribution (section 37).

33. Interested parties shall, so far as possible, urge their claims before the Commission or before the District Authority as soon as they are apparent.

If this is not done the Commission or the District Authority can impose on the interested parties the costs arising from the subsequent representation.

(Distribution Plan.)

34. The Commission has to draw up a scheme with map as directed in sections 10 and 31.

This map must show original ownership and the new distribution. It must fix the individual plots according to size and owners, the open roads to be reduced and altered, and the approaches, etc., to be established (section 23), the arrangements to be made under section 25, paragraphs 1 and 2, the compensation to be considered under sections 11 and 14, 16 and 24, as well as the bonuses, improvements and redistribution contributions to be imposed under sections 15, 18, paragraphs 3, 29, 30, 33.

In cases of section 12, paragraph 2, and section 17, paragraph 3, it must also be shown how these prescriptions are complied with.

35. The Commission has to deal with the interested parties over the distribution plan and map.

The interested parties are to be invited on the day fixed for discussion. The Municipality, owners and those who have applied to take part in the proceedings are invited by service of notice, the remaining interested parties by the usual intimation with demand that they apply and urge their claims. Invitations are issued in accordance with sections 32, 33 and with the

warning that if those invited are absent, the discussion of the distribution plan and, in particular, the allotment of plots, future money compensation, bonuses, improvements and redistribution contributions, payment or deposit of fixed money compensation and arrangements permitted by section 25, will be decided in their absence.

Each interested person may appear on the day fixed and watch over his interests. Time to be fixed on the spot if demanded.

Local Police Authorities must be given an opportunity to watch over Police interests in the proceedings. The Police are to receive special notice of date of discussion and may appoint a representative. Decisions on the distribution plan so far as they affect Police interests are as far as possible to be passed in concert with the Police Authorities.

36. The Commission has to decide on the distribution plan and map and, in particular, on the amendments or supplements proposed by interested parties and in case of necessity to correct and complete the plan and map in accordance with the decisions. Here, too, they must incorporate in the distribution plan, so far as they do not conflict with the object of planning redistribution, the results of agreements come to by the interested parties over the creation, abrogation, maintenance or alteration of rights.

Besides the President, at least one of the experts mentioned in section 8, paragraph 2, must take part in the passing of the resolutions.

37. After passing of the resolutions, the Commission has to keep the distribution plan and map open to everybody's inspection and to show the owners the allotted plots on the spot on a day to be fixed for the purpose. Section 4, sentence 5, applies with proviso that on the notice announcing that plans, etc., are open to inspection, the President of the Commission is to be mentioned as the place at which objections to distribution plan are to be lodged. A copy of the distribution plan and map is to be given to Municipality and owners, and intimation of plans, etc., being on view is to be given to the other interested parties mentioned in any resolution in the distribution plan, or to those who have participated in the proceedings.

Time to raise objections begins as against the interested parties mentioned in the preceding sentence with the delivery, as against the remainder with publication, of the distribution plan.

Road Police Authorities to participate if closing or alteration of public roads comes under consideration. Objections to closure or alteration are to be disposed of in the course of redistribution proceedings.

38. If objections are raised against the distribution plan the Commission has to try and settle them by discussion. If a settlement is not possible, all papers, etc., to be put before the District Authority with a report. The latter decides finally on objections.

If objections are not raised or if they are decided, the distribution plan is confirmed by final decision of the District Authority.

The confirmed distribution plan and map is to be issued to Municipal Council, owners and representatives (section 28), and intimation of the confirmation is to be given to other interested parties as directed therein or to those who have participated in the proceedings.

The Municipal Council should publish as usual the confirmation.

(Legal Proceedings)

39. The interested parties can appeal to Courts of Law against the distribution plan's confirmation on account of claims to money compensation mentioned in sections 11, 13, 14, 16 and 23. An appeal can be made upto the expiry of two months after the day of redistribution (section 40, paragraph 1).

Against the interested parties to whom declaration of assignment is to be made this period does not end in any case before two months after the declaration.

If a representative is to be appointed (section 28) for the case of section 13, he appeals against the Municipality and the Municipality appeals against him; in remaining cases owners and interested parties named in section 57, paragraph 2, Nos. 1 and 2, appeal against the Municipality and the Municipality against the abovementioned interested parties.

In the cases of section 15 the above directions apply, with the proviso that only the encumbered owner has a right to go to law.

(Execution of Plan of Distribution)

40. The execution of distribution plan is not stopped by legal proceedings. The execution is effected by a declaration of assignment to be issued by the District Authority by final order. The day on which alteration of rights with respect to plots to be redistributed shall commence (Redistribution day) to be shown in order.

The redistribution day is to be so fixed that at least one month comes between the intimation of declaration of assignment and redistribution day.

The declaration of assignment is not to be made till it is shown that the amounts of compensation confirmed in the plan of distribution according to sections 14, 16 and 23, 31 are paid or deposited by the Municipality. It can be published contemporaneously with the confirmation of the distribution plan (section 38, paragraphs 2, 3) and be combined with the latter.

Besides the Municipal Council, owners and representatives (section 23), the declaration of assignment is to be made to the other interested parties referred to in the plan of distribution or who have participated in the proceedings. The Municipal Council should publish the declaration at once.

41. With the publication of the declaration of assignment the Municipality gets the right to lay out any temporary approaches and ways (section 23, paragraph 2) still to be established according to distribution plan.

42. If the declaration of assignment is published the distribution plan becomes effective with the redistribution day. Former property rights on pooled plots are extinguished. At the same time pooled plots become free of all legal encumbrances and restriction, in particular they cease to be entail or family property or to be the subject of any lease.

The Municipality (or other trustees for the maintenance of roads) becomes the owner of land assigned for streets and places (section 10, paragraph 2).

In so far as allotment of land is granted for a pooled plot under section 12, the allotted plot takes the place of the pooled plot as property and with reference to the other abovementioned (paragraph 1, sentence 3) civil rights.

The following, however, are excluded from passing to the allotted plot so far as it is not otherwise directed in the distribution plan.

Hereditary right to build, users, rights of redemption and pre-emption and encumbrances which do not consist merely in payments in money or kind or in personal payments

The money compensations confirmed under sections 14, 16, 18, paragraphs 1, 2, 23, 31, 39 take the place of the pooled plot with reference to the legal relations mentioned in foregoing sentences. The same is the case if in cases sections 14, 16, 18 (paragraphs 1, 2,) 23, 31 confirmation depends on an agreement (section 36, paragraph 1, sentence 2).

Relations of lease and tenancy on account of which the pooled plot was made over to lessee or tenant are extinguished so far as the subject of such lease or tenancy is not left undiminished to the tenant or lessee and no other decision is given in the distribution plan.

43. Entries of changes, etc., in Grundbuch.

44. Application of certain other laws to money compensations in cases where plots are conditioned or encumbered.

(Supplementary Distribution Plan.)

45. If the Municipality's expenses (section 29, paragraph 2) rise in consequence of the result of lawsuits the surplus must be divided among owners subsequently by the Commission on demand by the Municipality. Proposal is to be made at least within a month of final end of last pending suit.

If expenses are lessened from the causes shown in paragraph 1, sentence 1, the difference is to be credited or reimbursed to owners in proportion to their contributions. If this is not agreed upon the Municipal Council has to propose to Commission the preparation of a supplementary distribution plan. Proposal can also be made by an owner. Expenses arising under section 23, paragraph 2, can be considered in the supplementary distribution plan so far as they are not already distributed under sections 29, 30, 34 (following). Sections 16, 29, 30, 34 and 38 apply to supplementary distribution plan.

46. So long as the value of allotments under section 11 (following) after deducting redistribution contribution (section 45) would not reach the value calculated in accordance with section 16, paragraphs 1 and 2, of the pooled plot, the owner can demand from the Municipality in a Court of Law that the redistribution contribution shall not be levied or the amount paid shall be deposited. The appeal can be made within three months from the day on which redistribution contribution is finally settled.

Redistribution contributions irrecoverable under paragraph 1 can be differently distributed in a supplementary distribution plan; section 45, paragraphs, 1 and 4, applies.

47. Application of other laws.

48. Payments to be made to Municipality according to distribution plan are collected by the Municipality by compulsory process. Bonuses (section 15), improvements (section 18, para-

graph 3), and redistribution contributions (sections 29, 30, 45, 46, paragraph 2) are considered common encumbrances.

49. Entries in Grundbuch.

PART III.

(Resolutions.)

50. If agreements mentioned in section 27 are passed in legal form and the District Authority considers in case section 27, paragraph 2, the conditions mentioned in second sentence fulfilled, the authority has to suspend proceedings by decision of the Municipal Council and a majority (section 3, paragraph 1, No. 2) if owners demand suspension.

51. The District Authority can further on demand of the Municipal Council suspend proceedings by resolution when circumstances are such that in particular with respect to actual claims for compensation or the fear of such claims, there is good ground for anxiety that the execution of redistribution proceedings would be uneconomical or would entail disproportionate burdens on the Municipality, or when execution of proceedings appears unnecessary even outside the cases of section 50. Before decision the other interested parties so far as they have participated in proceedings shall be given an opportunity to give their opinions on the proposal. Proposal can only be made up to the publication of order of confirmation (section 33, paragraph 2). In case of section 3, paragraph 1, No. 1, the Municipality has to compensate owners for the necessary expenditure falling to them.

52. Grundbuch entries.

53. After intimation to Police Authority of the projected redistribution (section 4) has been given, the Police Authority cannot sanction the erection of buildings on plots for which redistribution is proposed without first giving the Municipal Council an opportunity to express their opinion. The Police Authority can refuse sanction or attach conditions if building would hinder redistribution.

No compensation is given for this restriction on building.

54. Save for prescriptions of sections 5, 6, 33 the Municipality bears the cost of the proceedings.

As regards costs, duties and stamps special laws apply unless otherwise expressly stated in this Act.

55. So far as Municipality's expenses which are not debitable to redistribution (section 29, paragraph 1) or which though debitable to redistribution (sections 29, paragraph 2, 45, 47 paragraph 2) cannot be apportioned for want of legal sanction, or the costs of the proceedings (section 54, paragraph 1) are to be defrayed as Municipal burdens, the owners of the planning area may not be specially made liable wholly or in part whether in the shape of additional encumbrances or contribution.

56. The periods mentioned in this Act are exclusive.

57. Interested parties in the sense of sections 4 and 6 are, besides the Municipality, owners, mortgagees of land and rents and those who have an usufruct or heritable right to build on a plot to be planned.

Under section 11 (following) they are, besides the Municipality, owners and representative (section 28):—

(1) those whose right is entered in the Grundbuch or subsequent legal register or secured by entries.

(2) those who have otherwise a right on a plot to be redistributed or on a lien on such plot, tenants or lessees to whom the plot is left in virtue of this right, and in case of compulsory auction or administration the managing creditor.

The occupant has the same position as the owner in this Act.

Interested parties whose rights are not entered in the Grundbuch or subsequent legal register must establish their claims on demand of Municipality, an owner, the Commission or the authority before which the proceedings are otherwise pending; till this is done they can be excluded from participation in the proceedings.

If a case is pending over a claim which would establish the claim to participation in the proceedings both the parties count as interested parties.

58. Date of the commencement of the Act

APPENDIX D.

Rough Synopsis of Lines Act of 1876.

Street and building lines to be laid down by Municipal Committee in consultation with municipalities with usual Police control. Police can also demand that lines should be settled. Three metre variation from building lines allowed for special reasons. Lines can be fixed for single streets or parts of streets or according to the foreseen needs of the near future by building plans for larger areas. If in consequence of fire, etc., it is a question of rebuilding whole quarters the Municipality is bound to decide as quickly as possible whether and to what extent a new building plan is to be drawn up for the quarters in question and if so decided to have a new building plan prepared.

In settling building lines, demands of traffic, safety from fire and public health to be considered. Sufficient breadth of streets and adequate communications between old and new quarters to be provided.

Kreis-Ansehusz (District Authority) controls Municipalities.

Publication of plan showing all plots, gradients and proposed watering of streets and squares. Interested authorities to be consulted if forts, public streams, railways, etc., are affected. Objections to be lodged with Municipal Committee within four weeks. Committee tries to settle these and District Authority decides.

With publication of plans begins restriction on right to build and Municipality's right to take over street and open space land.

Settle details within line limits by local orders (Ortsstatut) to be confirmed by Bezirksrath with appeal to Provinzialrath.

Compensation.

None for restriction of building pending construction of streets but—

- (1) for streets and open spaces relinquished on demand of Municipality,
- (2) removal of buildings up to new line,
- (3) when new line spoils building site with frontage on existing street,

Owners can demand that whole plot shall be taken if remainder cannot be built under existing bye-laws; questions of compensation to be settled in Civil Courts.

Municipality has to pay compensation unless anybody specially liable for them.

All expenses in laying out new or lengthening existing streets or in building on existing streets or parts of streets which have not yet been built on together with cost of upkeep of water and lighting establishments upto five years maximum period, to be recovered, if so directed by Municipal order, by contribution from the person who lays out the new quarter or from neighbouring owners. Latter responsible only for half street upto a maximum of 13 metres. Charges to be apportioned according to frontage.

APPENDIX E.

Whereas it is expedient to facilitate and control building on agricultural lands in the Salsette taluká of the Thána district it is hereby enacted as follows:—

1. This Act may be cited as the Salsette Development Act.
- It extends to such districts as may be notified in the *Bombay Government Gazette*.
2. Repealing schedule.
3. Interpretation clause.

4. There shall be appointed for such local areas as have not yet been included in Municipal limits but are declared by notification in the *Bombay Government Gazette* to be future Municipal areas, whether such areas have been wholly or partly made notified areas or not, advisory local Committees consisting of—

- (1) two representatives of residents,
- (2) two representatives of landowners,
- (3) chairman to be appointed by the officer hereinafter described as the Chairman of the Salsette Development Trust. The above representatives shall all be nominated by Government.

These local advisory bodies, hereinafter referred to as planning councils, shall, pending the establishment of Municipalities in these areas, perform the duties and incur the responsibilities

assigned to them under this Act. Where a notified area has been established the non-official member of the Notified Area Committee, if one is appointed, shall be one of the members of the above planning committee. The Chairman alone shall be an official. In Municipal areas the planning council shall be the Managing Committee who shall consult the councillors and report any recommendations made or action taken by them.

5. There shall also be established for the regulation and encouragement of building in Salsette a Board to be called the Salsette Development Trustees. It shall consist of the following members who shall all be nominated by Government except the representative of any Municipality who shall be elected by the councillors, and the representative of any khot.

Chairman.	} Government officers.
Vice-Chairman.	
Executive Engineer.	

1 representative of each Municipality or future Municipal area.

1 representative of any khot whose lands are affected by a proposed plan.

The Board shall be a body corporate and have perpetual succession and a common seal and shall sue and be sued by the name first aforesaid and shall be empowered to raise funds under a Government guarantee of 4 per cent. interest on all loans raised by it with the previous sanction of Government.

6. With a view to regulate building in Salsette it shall be the duty of the Board to lay down the lines of the future streets and open spaces after full consultation with the planning council concerned. Large landowners shall be encouraged to submit their own plans for approval and assistance afforded them if necessary. These street lines when finally approved by competent authority fix the plots of unalienated land for which the Collector is empowered to give permission to build under section 65, Land-Revenue Code. The Collector shall not refuse permission to build on such plots, other than open spaces specially reserved in such plan, except for special reasons, in which case a report must be submitted to the Commissioner, N. D., whose decision shall be final. A variation of three yards at the most from these building lines shall be permitted in special cases. Similarly, the Collector shall not give permission to build on any open space specially reserved except for special reasons to be submitted with reports from the planning council concerned and the Board to the Commissioner, N. D., whose decision shall be final. In the case of alienated land to which sections 65 and 68, Land-Revenue Code, do not apply, but on which building is controlled by a Municipality or a Notified Area Committee with powers under sections 92 to 96 and 188 Act III of 1891 inclusive, such Municipality or Committee shall be similarly bound by such plans and shall issue orders accordingly under section 96 (2) *ibid.*

7. Such building lines must be shown on a plan which also gives the boundaries of existing survey numbers and percentage of land to be given up for roads and open spaces and can be seen by any interested party in the office of the Board. The width of road to be metalled shall also be shown on the plan. Special notice shall be sent to owners and interested parties as shown in the Record of Rights or such other Government records as may subsequently be prepared. If plots of the nature described in section 11 are included, special notices shall be given to the authorities concerned. The fact that such map is ready and open to inspection shall be published in the *Bombay Government Gazette* and in such newspapers as the Chairman of the Board shall from time to time determine. Objections shall be heard first by the planning council who shall endeavour to dispose of all objections and forward their proposals with the necessary documents without delay to the Board. The latter shall decide if redistribution of the whole or part of the proposed area is necessary and dispose of such objections as have not been settled. The final plan shall be approved by the Board not earlier than 4 weeks after the date of publication of the plan. No application for permission to build in any area to which this Act applies, can be made under section 65, Land-Revenue Code, and no notice in writing under section 98 (1) shall be given to the Municipality or Notified Area Committee unless street lines have been finally approved under this Act for the area in question. Such notice or application for permission to build shall be accompanied by an excerpt from such plan to be furnished by the Board. No compensation shall be given for this restriction on building except in the following cases:—

- (1) when existing buildings are disturbed by the street lines;
- (2) when street lines make building impossible on suitable building land with frontage on an existing road.

Compensation shall be fixed under the provisions of the Land Acquisition Act, the Municipality or the Board in the case of a future Municipality being considered the acquiring body.

8. The Board shall not finally approve the plan of any area unless the conditions precedent to redistribution proceedings (section 12) are fulfilled. The Board shall, if planning proceedings are sanctioned, assess the total area of building land thus made available with a tax, hereinafter called a development tax, which shall be calculated on the estimated cost of building and maintaining all necessary roads, including contributions to communications outside such areas which are required to give access to such areas. A contribution towards

planning expenses shall also be fixed by Government and shall not exceed a charge of Rs. 2 per acre of planned land allotted to occupants. The development tax shall be distributed by the planning council on the lines laid down in section 36. The order of distribution shall be published and notice sent to the interested parties (section 7). Thus development tax and planning contribution shall be collected in a Municipal area under Chapter VIII, Act III of 1901, and outside a Municipal area by the Collector as an arrear of land-revenue. The fund so collected shall, after deduction of the planning contribution be spent by the Municipality or Board in the area in which it was levied on the roads and other means of communication shown or noted on the plan. The planning contribution shall be credited to Government to meet the cost of establishment. An appeal shall lie from the planning council's order of distribution to the Board and must be made within 4 weeks of the date of such order. The Board's decision shall be final. The tax shall be leviable for the revenue year in which it is confirmed by the Board, if that body commences road-making in the planned area within the same year. A commencement certificate shall be supplied by the Board to the Collector or the Municipality concerned and shall be held sufficient to warrant the collection of the tax in the manner specified above. If any owner of land in a planned area desires to retain his holding on the old agricultural tenure and at the old assessment, he shall be permitted to do so, in so far as the exclusion of such land from planning is compatible with the object of planning. If this is not possible in the opinion of the Board they shall inform the owner accordingly and if the owner does not consent within one month to have his land pooled and re-distributed the Board or Municipality concerned shall acquire such land under the Land Acquisition Act, only the agricultural value of such land being taken into account.

9. The Board shall further be empowered with the consent of the planning council concerned, to finance, carry out and control schemes for the provision of water, drainage and sewerage works to any or all future Municipal areas and debit the cost to such future Municipalities. Grants may be made by a Local Board or by Government to the Board to assist them in these operations, as well as in road construction. Loans for water, drainage and sewerage works shall be similarly repaid from the proceeds of a development tax on the land, assessed, distributed and collected in the manner above described, or with the Board's consent from the proceeds of any tax levied by a Notified Area Committee within such notified area.

10. All contributions, compensation in money or special charges which may under this Act be leviable from future Municipalities, whether within a notified area or not, shall be paid in the first instance by the Board from the funds to be raised by them, and debited in their accounts to the future Municipalities to be formed hereafter. Interest on such payments shall be charged by the Board to future Municipalities at 5 per cent, and no area shall be constituted a Municipal area, subject to any special orders of Government in this behalf, till it can pay off by loan or otherwise the debt with accumulated interest which it owes to the Trust. The development tax and planning contribution leviable in any area as an arrear of land-revenue shall, when such area is constituted a Municipal area, be leviable under Chapter VIII, Act III of 1901. When a notified area is constituted for an area which is also notified as a future Municipality, such notified area shall be entitled to make such periodical payments in discharge of the future Municipality's debt to the Board as it shall decide to do, and such payments shall be credited accordingly in the books of the Board.

CONDITIONS OF RE-DISTRIBUTION PRELIMINARY PROCEDURE.

PART I.

11. When the building plan has been finally settled a re-distribution of plots of different owners can be effected on grounds of public advantage when required to open up and secure the suitable formation of building plots.

12. Plots laid out, built over or used in special ways can be excluded from planning wholly or partly. Plots permanently appropriated for public purposes must be excluded on demand by the authority concerned.

13. Re-distribution can follow :—

(1) on demand of a Municipality or, in the case of a future Municipality, of the planning council;

(2) on demand of the owners of more than half the area according to Government records, provided the proposers include more than half the owners. In the case of undivided shares, corresponding fractions of area shall be reckoned.

Prohibitions to alienate do not prevent re-distribution. A proposal in case (2) must be submitted to the planning council concerned. If compensation in money by a future Municipality is necessary under section 20 the consent of the planning council is necessary. The Board can represent a case for action to the planning council concerned and if the latter takes no action in 4 weeks the Board can do so for them. Similarly in case (2) if a planning council does not consent to re-distribution involving expenditure by a future Municipality the Board can, after considering their representation, overrule them.

14. A proposal made under section 13 can only be withdrawn up to the date of decision of the Board (section 8). In the case of section 12 (2) a declaration by the owners of more than 2/3 of the area dealt with in the proposals is sufficient for withdrawal.

15. In the case of section 12 (1) if an agreement in legal form is come to between the Municipality or the Board and owners, re-distribution proceedings must be discontinued if a majority of owners as described in section 13 (2) so propose.

If the agreement only extends to part of the area, the provisions of paragraph 1 will be correspondingly applicable if the object of the re-distribution is not prejudiced by its restriction to plots included in the agreement and if the owners of the remaining plots also agree to such restriction, or if subsequent re-distribution of their plots is still feasible. The Board may fix a time for such settlements, re-distribution proceedings being meanwhile stayed.

PART II.

16. The necessary preliminaries having been concluded according to law the Chairman of the Board appoints a Commission. This consists of—

2 members appointed by the Chairman, of whom one shall be Chairman and the other, Vice-Chairman of the Commission.

4 members nominated by the Board, of whom one shall be the Executive Engineer or other building expert if available, and one at least shall be a Lawyer.

The services of a Surveyor shall, if possible, be lent by the Board.

Members of the Municipality or Notified Area concerned shall not be eligible for nomination. Planning Council's and owners' proposals are to be heard before the Commission is appointed. The Commission is competent to decide all questions, in spite of the statement in section 40, paragraph 2, if the Chairman and Vice-Chairman and half of the members are present.

The Chairman has a casting vote. Records shall be public. Commencement of proceedings and appointment of Commission shall be published, notice being specially given to the revenue and registration authorities concerned.

All registration and survey records shall be placed at the Commission's disposal on demand. The Sub-registrar or Taláti concerned is bound to give the Commission immediate notice of any fresh entries in connection with any land under re-distribution.

Principles of Re-distribution.

17. The Commission shall take all the area to be re-distributed including existing open ways and spaces, and cut out and hand over to the Municipality or the Board in trust for the future Municipal area, the land required for open streets and spaces.

The remainder shall be distributed among owners.

18. Full compensation as prescribed in sections 20—23 shall be given to interested parties (section 49).

19. Distribution shall be effected with due regard for efficiency and economy and the total area shall be re-distributed as far as possible in proportion to original ownership. Plots to be distributed shall generally be at right angles to roads and in the position of original plots. Plots built over and plots for which compensation has to be given (section 21) must be left to original owners in so far as they do not clash with road or space lines or other possibly necessary limits.

One new plot should be given if convenient for all plots or pieces of plots similarly encumbered.

20. Compensation in money shall be given for land required for roads and spaces in addition to such roadland as has been pooled in so far as such excess land exceeds 30 per cent. of the area pooled by owners. Compensation is to be calculated as a fraction of the total value of land reserved for streets and open spaces.

21. Besides claim to land allotment owners have claim to money compensation—

(1) for all buildings acquired and for severance of land from the rest of the original holding, if loss is caused thereby;

(2) for loss of any special value inherent in the original pooled plot by reason of its special natural peculiarities or its appropriation to special purposes, so far as corresponding advantages are not offered on the plot allotted.

22. The result of distribution when confirmed (section 42) is as follows:—

Former rights on pooled plots are extinguished and all leases determine. In so far as an allotment of land is granted for a pooled plot under section 18, the allotted plot

takes the place of the pooled plot as the owners' property, and is subject to all the rights claims and limitations to which the pooled plot was subject. The following rights, &c, do not pass to an allotted plot.

Users and charges which do not consist merely in payments in money or kind, unless so specially directed in the distribution scheme. In particular rights of way, rights to water or rights to the passage of water do not necessarily pass to the allotted plot. Leases for building purposes shall pass unless otherwise directed, but leases for agricultural purposes shall not unless so specially directed in the distribution scheme. The Commission shall decide whether a lease is for building purposes or not.

Money compensations confirmed under sections 19—20 take the place of the pooled plot with reference to all legal claims on the pooled plot which can be satisfied in money.

23. To attain the object of the re-distribution proceedings the Commission can maintain or alter old users or impose new users of land. Other rights on plots which would be extinguished according to section 21 can be transferred by the Commission to the allotted plot, subject to possible compensation decrees, (26), so far as they can be exercised on them without serious prejudice to the person entitled to exercise such right, and do not conflict with the object of planning proceedings.

24. Owners have claim to further compensation in money or land (section 25) so far as the value of allotments (18—21) falls short of the value of pooled plots.

Increase of value of pooled plot due to prospective or accomplished re-distribution is not to be considered.

The allotted plot is valued at the value it possesses after re-distribution at the time it is taken over in consequence of the declaration of assignment (sections 43—44).

25. Pooled plots of such small area that they can only be replaced by plots unfit for building are to be clubbed together when belonging to the same owner. If they belong to different owners they are to be united with their consent into common plots so that building plots can be allotted in their place; relative shares are to be specified. They can also be excluded from distribution to the combined owners and allotted as compensation in whole or in part to several or to one owner with their consent. Such compensation shall be debited to the owners who get the allotment (improvement) Section 24 applies. The Commission has to try and induce this agreement. If the plots which are united are differently encumbered and encumbrances have to be continued on the plot to be allotted, (22) section 19 applies.

26. If the above described agreement is not attained, full compensation in money must be paid for the pooled plot

(1) on proposal of planning council if area is so small that no plot fit for building can be given in exchange and if in this case the object of re-distribution would be nullified or seriously prejudiced;

(2) on proposal of owners if the area in consequence of re-distribution would be so diminished that the plot to be allotted is not fit for building. Provisions of section 24 have corresponding application for estimating compensation on the understanding that the sum to be given in compensation is reduced by the amount which would otherwise have been charged the owner as contribution for re-distribution.

27. Commission decides after hearing interested parties on the question of suitability for building (25, 26)

28. Interested parties whose rights in a plot are extinguished (section 22) or amended by direction of the Commission must be especially compensated for the loss they suffer by re-distribution, in so far as compensation is not fully given by the transference of such rights to the allotted plot.

29. The Land Acquisition Act applies to compensation questions referred to in sections 20, 21, 26 and 28, the Municipality or, in the case of a future Municipality the Saisette Development Fund being considered the acquiring body. Rights on pooled plots not claimed before the Commission shall, if subsequently established in a court of law, be deemed transferred to the allotted plot in so far as they can be exercised thereon without prejudice to the objects of re-distribution and planning. The Board shall decide. If they cannot be exercised on the allotted plot for reasons which were not represented to the Commission, such rights shall be held to have lapsed.

30. A building plan for a planned area shall not be altered during re-distribution proceedings without the Commission's consent. The Commission can, however, propose to the Board to facilitate re-distribution, that the building plan be altered according to this Act.

31. Expenses under sections 20, 21, 23 and 28 are charged to the Municipality or in the case of a future Municipality to the Board in the first instance. Section 9 applies.

32. If a pooled plot is incumbered with claims which must be extinguished and cannot be transferred to the allotted plot (section 22) or compensated (section 28) the Commission can charge the owner with payment of money contribution to the extent of the depreciation in value of the pooled plot (Bonus). Section 28 applies. Such Bonus shall be paid to the Salsette Development Trust. An owner may be allowed to defer payment in full on payment of 4 per cent. interest on the amount till sale or utilization of plot for building.

33. In making the distribution scheme (section 17) the Commission has to arrive at its decision in co-operation with the interested parties and in particular also to encourage agreements by which compensation in money may be restricted or dispensed with as far as possible.

34. If an agreement is come to in the sense of section 15, para. 1, the Commission is bound by it.

If an agreement of the kind described in section 15, para. 2 is come to, the Board must decide whether the object of planning can still be obtained for all essential purposes by restricting operations to the plots affected by the agreement.

35. Expenses which a Municipality, or the Board on behalf of a future Municipality, incurs as payment for special values accruing to them are excluded from apportionment among owners. In particular the compensation to be paid under section 20, the 'improvement' allotted to a Municipality or to the Board in trust for a future Municipality in the case of an assignment to them (section 25) and compensation given by a Municipality or the Board under the Land Acquisition Act (section 29) are so treated.

The remaining expenses which are debited to the Municipality or the Board (section 31 [re-distribution expenses]) are to be distributed among owners as the planning council proposes (re-distribution contribution).

36. Apportionment of re-distribution expenses of a Municipality or the Board (section 35, para. 2) shall be guided by regard for advantages conferred by re-distribution to each individual owner, or, so far as the application of this standard of distribution appears impossible or inappropriate, by regard for frontage, area, and position or value of allotted plot.

On owners' proposals, the re-distribution contribution can be deferred till sale or building on plot on payment of interest at 4 per cent.

In apportioning this contribution, if the value of the allotment made under sections 18—21, neglecting re-distribution contribution would be less than the value of pooled plot, such owner is left out of account. The same is the case with the owners to be compensated under section 24.

If owners object to the distribution proposed on the grounds that such charges should fall wholly or partly on the rates of any future Municipal area, the Board shall decide after hearing both parties and their decision shall be final. Charges to be collected from owners in accordance with such decision shall, outside a Municipal area, be recovered as an arrear of land-revenue and in a Municipal area under Chapter VIII, Act III of 1901.

37. Interested parties shall so far as possible urge their claims before the Commission as soon as it is constituted. If this is not done the Commission can impose on the interested parties the costs arising from the subsequent representation.

38. The Commission has to draw up a scheme with map as directed in sections 17—38. This map must show original ownership and the new distribution and the projected as well as existing roads and open spaces. The arrangements made under section 23 and the compensation awarded under sections 18—21, 24—29, as well as the bonuses, improvements and re-distribution contributions to be imposed under sections 25, 32, 35 and 36 should be shown in the form appended (Schedule I). In the cases referred to in sections 19, paragraph 2 and 15, para 2 it must also be shown how these have been complied with.

39. The Commission shall negotiate with the interested parties over the scheme of distribution and map.

The interested parties shall be invited on the day fixed for discussion by service of notice with the warning that if those interested are absent, the discussion of the plan of distribution and in particular the allotment of plots, future money compensation, bonuses, improvements and re distribution contributions, payment or deposit of fixed money, compensations and arrangements permitted by section 25 will be decided in their absence.

Each interested person may appear on the day fixed and watch over his interests.

40. The Commission has to decide on the distribution scheme and map and in particular on the amendments or supplements proposed by the interested parties and, in case of necessity, to correct and complete the scheme and map in accordance with the decisions. Here too they must incorporate in the distribution scheme so far as they do not conflict with the object of planning, the results of agreements come to by the interested parties over the creation, abrogation, maintenance or alteration of rights.

Besides the Chairman at least one of the experts mentioned in section 16, para. 2, must take part in passing the resolutions.

41. After passing the resolutions the Commission has to keep distribution scheme and map open to everybody's inspection and to show the owners the allotted plots on the spot on a day to be fixed for the purpose. A copy of the distribution scheme and map is to be given to the Municipality or in case of future Municipality to the Board which shows it to planning council and owners, and intimation of plans, &c, being on view, is to be given to other interested parties mentioned in any resolution in the distribution plan.

Time to raise objections begins with the publication of the distribution scheme.

42. If objections are raised against the distribution scheme the Commission has to try and settle them by discussion. If a settlement is not possible all papers, &c., are to be put before the Board with a report. The latter decides finally on objections.

If objections are not raised or if they are decided, the distribution scheme is confirmed by final decision of the Board.

The confirmed distribution scheme shall be issued to owners, and intimation of confirmation shall be given to the other interested parties as directed therein.

Execution of scheme of distribution.

43. Execution of distribution scheme is not stopped by legal proceedings. Execution so effected by a declaration of assignment to be issued by final order of the Board. The day in which the alteration of rights with respect to plots to be re-distributed shall commence (re-distribution day) shall be specified in the order.

The re-distribution day shall be so fixed that at least one month intervenes between the intimation of declaration of assignment and the re-distribution day. The declaration of assignment can be published contemporaneously with the confirmation of the distribution scheme (section 42, paras. 2, 3) and be combined with the latter.

Besides the Municipality or planning council and owners the declaration of assignment shall be communicated to the other interested parties referred to in the scheme of distribution. Owners and all interested parties must give the Board full addresses to which communication should be sent in connection with all matters of planning and re-distribution and no proceedings will be invalid by reason of failure to give notice to any individual. The Board shall endeavour to do so in every case, but failing such notice, interested parties must obtain all the information they require from the Board's office, where all plans, &c., will be open to public inspection.

44. If the Declaration of Assignment is published, the distribution plan becomes effective with the re-distribution day. The effect is as given in section 21.

The Board (or other trustees for maintenance of roads) becomes owner of the land assigned for streets and places. (Section 17).

Supplementary Distribution Plan.

45. If the Salsette Development Trust's expenses (section 35, para. 2) rise in consequence of the result of appeals under the Land Acquisition Act the surplus must be divided among owners subsequently by the Commission on demand by the Board. Proposal to this effect should be made at the latest within a month of the end of the last pending suit.

If expenses are decreased from the above causes the difference shall be credited or reimbursed to owners in proportion to their contributions. If this is not agreed upon, the planning council shall propose to the Commission the preparation of a supplementary distribution plan.

Such proposal can also be made by the owner.

Sections 24, 35, 36, 38—42 apply to supplementary distribution plan.

46. Payments to be made to a Municipality or future Municipality according to distribution plan are collected in the case of a future Municipality by the Collector on behalf of the Board as arrears of land-revenue. Bonuses (section 22) improvements (section 25, para. 3) and re-distribution contributions (sections 34, 35, 45) shall be leviable as an arrear of land-revenue.

In the case of a Municipality the above shall be collected by the usual compulsory process applicable to the collection of Municipal dues.

Part III.

Resolutions.

47. The Board can further on demand of the Municipality or planning council concerned, suspend proceedings by resolution when, in consequence of any claim actually advanced for compensation or the fear of such claims, there is good ground for anxiety that the execution of re-distribution proceedings would be uneconomical or would entail disproportionate burdens on the Municipality or future Municipality or when the execution of proceedings appears unnecessary.

APPENDIX G.

Administration Reports.—

Annual Report of the Director of Public Instruction in
the Bombay Presidency for the year 1907-08

Educational Department.
No. 3361.

Bombay Castle,
13th December 1908.

Letter from the Director of Public Instruction, No. 7856, dated 5th November 1908—

Forwarding 7 copies of the Annual Report on Public Instruction in the Bombay Presidency for the year 1907-08 and stating that copies of the supplement will follow.

RESOLUTION.—The Report submitted by the Director of Public Instruction for the year 1907-08 contains evidence of steady progress in education. In all, the number of educational institutions has increased from 13,967 to 14,114, and of scholars from 720,547 to 740,391.

2. His Excellency the Governor in Council notices with satisfaction that primary education has kept pace with the general progress in number of institutions and in the registered attendance.

Primary Education.

There are now 9,662 primary schools for boys in the Presidency with an attendance of 542,121. The census of 1901 showed that the Province contains 41,022 inhabited towns and villages. It is clear therefore that not one village in four, on an average, at present enjoys the advantage of a primary school. His Excellency the Governor in Council is unable to regard this as a satisfactory condition of affairs; nor is the scale of salaries at present drawn by the majority of the masters in the existing schools adequate remuneration for their important duties. The increase of primary schools and the raising of the masters' salaries are therefore questions occupying His Excellency the Governor in Council's earnest attention. The remission of fees in existing schools, which has found advocates in some quarters, cannot be considered to be a practical proposal, so long as the schools are deficient in number owing to the want of adequate funds for their extension. His Excellency the Governor in Council proposes, as soon as funds can be made available, to increase largely the number of primary schools, and to revise the salaries of the masters. A preliminary step in the latter direction has already been taken by the orders contained in Government Resolution No. 2422, dated 2nd October 1908, raising the minimum pay of the masters to Rs. 9, rising to Rs. 10 after five years' service.

3. The total number of pupils drawn from aboriginal tribes and depressed classes attending educational institutions was 14,318 and 15,124 respectively, showing slight progress. The number is insignificant in view of the large proportion of the population of the Presidency which falls under these two heads. More progress is expected when the supply of trained masters from the same classes is increased.

Education of the Depressed
Classes.

4. The year's report shows an increase of 3,114 in the attendance of girls in primary schools, the total for the Presidency being now nearly 100,000.

Primary Education for Girls.

5. There was a slight increase during the year in both the schools and attendance included under secondary education. The Director of Public Instruction draws attention to the existing overcrowding and the need for more masters in these schools. Government are arranging to add to the accommodation in the Sholapur High School, to which the Director of Public Instruction specially refers. It is not desirable, however, in the opinion of Government, to devote funds to the general enlargement of secondary institutions until the pressing needs of primary education already referred to have been provided for. His Excellency the Governor in Council is pleased to notice among the pupils of a high school situated near Bombay Parbhush, Vanis, Marathas, Sonars, Bhandaris, Kasars, Panhalkasis, Simpis, Gavlis, Kolis and Chambhāras in addition to the highest castes, to whom secondary education is so largely confined.

Secondary Education.

6. The result of the work done in Arts and Science Colleges may be summarized in the fact that of 473 candidates for the B. A., 285 were successful, and of 54 candidates nearly half obtained the

College Education.

M. A. degree. His Excellency the Governor in Council regrets to notice that, out of the large number of applicants for an Arts degree only the insignificant number of 15 appeared for the B.Sc. Of these two-thirds were successful. Government have under consideration, in this connection, a scheme for completely reforming the course of Science teaching, both in connection with the Arts school and with the special graduation in Science. The existing system of training in both these directions appears to His Excellency the Governor in Council to have fallen very greatly behind modern requirements, and to fail to offer to Indian students reasonable opportunities for progress, on modern lines, in scientific studies.

7. The new College of Agriculture at Poona was opened during the year. It will shortly be housed in the new buildings in course of erection at Bhamburda. The Victoria Jubilee Technical Institute is steadily extending the scope of its operations, with the assistance of large grants from Government, and has met a demand of recent origin for motor-car mechanics by the institution of a special course of training in car management. Growing interest in commercial education is indicated by the large increase in candidates appearing for the London Chamber of Commerce Examinations.

8. His Excellency the Governor in Council cannot conclude these remarks on the work of the Educational Department of the Presidency without an expression of regret that the close of the year witnesses the retirement from the department of the Honourable Dr. Selby. During the many years spent by Dr. Selby as Principal of the Deccan College his force of character and intellectual achievements not only earned the cordial approval of Government, but also enlisted the support of parents and attracted the sympathy of his pupils. In losing the services of Dr. Selby, Government feel that they are parting with an officer who has stood forward, both in the capacity of Vice-Chancellor of the University and Director of Public Instruction, as an example of the best influence that Western education can bring to the moulding of character in the East.

R. E. ENTHOVEN,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Director of Public Instruction,
The Surgeon General with the Government of Bombay,
All Collectors including the Collectors and Deputy Commissioners in Sind,
The Director of Agriculture and of Co-operative Credit Societies,
All Political Officers, except the Agent for Sardars in the Deccan,
The Compiler, General Administration Report,
The Superintendent, Government Central Press,
The Revenue Department,
The General Department,
The Judicial Department,
The Political Department,
The Public Works Department,
The Editors' Table, Bombay,
The Editors' Table, Poona,
The Editors' Table, Belgaum,
The Editors' Table, Dharwar,
The Editors' Table, Karachi,
The Oriental Translator to Government,
The Under Secretary of State for India,
The Government of India, } (by letter).
The Director General of Education.

APPENDIX H.

Municipal Matters.—

Extension of the elective system in District Municipalities.

General Department.
No. 4614.

Bombay Castle,
16th July 1908.

Read again—

Government memorandum No. 4037, dated the 4th July 1907, to the Commissioner in Sind and the Commissioners of Divisions on the subject of the extension of the elective system and the introduction of communal representation in Municipalities.

Read replies to the above.

RESOLUTION.—The Governor in Council considers that the time has now come when a further advance may be made in the direction of increasing the representative element in the District Municipalities in the Bombay presidency, and freeing them from official control. The success which has attended the administration of those of the Municipalities in which the management of affairs has been left, to the greatest degree, in the hands of non-official members warrants the belief that the enlargement of the privilege of self-government will induce private individuals to take a greater and more practical interest in the administration of local affairs; and though the withdrawal of official guidance may, at first, and in some instances, result in a temporary abatement of efficiency, it may be expected that, when a wider field is opened, men of ability and public spirit will come forward, who, when they have gained the necessary experience, will prove fully competent to manage Municipal business. At the same time the necessity of relieving over-burdened district officers of some part of their heavy duties is daily becoming more apparent; and in no way can relief be afforded so speedily, and with so much advantage, as by transferring the responsibility for Municipal administration to non-official members of the community.

2. The Governor in Council has therefore decided that, in future, as a general rule, two-thirds of the members of a District Municipality shall be elected. This rule applies, for the present, only to Municipal areas with a population of at least 15,000, and is subject to any exclusions which may be recommended by the Commissioners on special grounds.

3. The privilege of selecting their own President will also be conferred generally on all Municipalities not excepted for special reasons. The selection must be approved by two-thirds of the whole body of Councillors, whereupon the appointment will be made by the Governor in Council in accordance with the wishes of the Municipality.

4. The Governor in Council has carefully considered the question of the representation of minorities. A system of communal representation, though attractive at first sight, is beset by practical difficulties, and is also open to the objection that it may stir up sectional animosities. The power reserved to the Governor in Council of nominating one-third of the Councillors will, as hitherto, be used for the purpose of securing the representation of those classes who, for any reason, are unable to elect candidates of their own. The desired object may also be obtained, in part, by a rearrangement of the wards, or by assigning two Councillors to a ward and giving each elector one vote.

5. In the opinion of the Governor in Council it is essential that, when the official element in the Municipalities is reduced, or altogether withdrawn, the executive authority of the Municipalities should be strengthened; and for this purpose it is intended that the system which has proved so successful in Bombay should be adopted, as far as may be. The City Municipalities will, therefore, be required under section 177 of the District Municipal Act, to appoint Chief Officers, who, in addition to the powers which they will exercise under sections 184 and 185, should also be invested with wider powers by rules issued under section 46 of the Act. The Municipalities will doubtless recognise the advantage of delegating the widest possible powers to Chief Officers, while retaining effective control over the administration in their own hands.

6. The Commissioners should now, in consultation with the Collectors and the Municipalities, undertake the revision of the constitutions of the Municipalities in their

Divisions on the lines indicated above, dealing first with those Municipalities in which the triennial period of office will most shortly expire. The Governor in Council trusts that the work will be accomplished with the least possible delay, and that the Commissioners will frame their proposals with an inclination to the greatest possible extension of the privilege of representation.

R. E. ENTHOVEN,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner S. D.,
All Collectors, including the Collectors and Deputy Commissioners in Sind,
The Remembrancer of Legal Affairs.

APPENDIX I.

Municipal Matters, East Khándesh district.—

Proposal to give the Faizpur Municipality the privilege of electing its President.

General Department,
No. 7010.

Bombay Castle,
25th November 1908.

Letter from the Commissioner, C. D., No. P.-1263, dated 6th November 1908:—

“With reference to Government Resolution No. 4614, dated 16th July 1908, I have the honour to report that the only Municipalities in this Division, in which the current triennial term of office will expire before 31st March 1910, are—

- (1) Faizpur, in East Khándesh, and
- (2) Poona Suburban;

in which the terms expire on 31st December 1908 and 31st July 1909, respectively.

“2. Faizpur is a town of about 10,000 inhabitants with a municipal income of Rs 7,000. The Municipal Board, as at present constituted, consists of six elected and six nominated Councillors. Of the latter, two are Government officials, viz., the Assistant Collector (who is *ex-officio* President) and the Mámiatdár. The only change to be made under the orders of 16th July 1908 is that the President should be elected by the Board in future. To this the Collector is opposed for the reason stated in his letter No. 9456, dated 31st October 1908, of which a copy is enclosed. I do not agree with Mr. Simcox for the following reasons:—

(1) the same objections might be urged against the conferment of the privilege on most of the small Municipalities in the Division, and if they are allowed to prevail there will be a considerable restriction of the freedom which Government wish to confer as municipal administration in the Presidency,

(2) admittedly the Faizpur Municipality has always hitherto been in leading strings; I see no reason why it should not be given a chance of showing what it can do for itself; the privilege can always be withdrawn if the Councillors prove themselves incompetent to exercise it judiciously;

(3) the Mámiatdár can still be retained on the Board as a nominated member.

I, therefore, beg to recommend that from 1st January 1909, the Faizpur Municipality be given the privilege of electing its President; if this is done, it will be necessary to cancel Government Notification No. 5841, dated 18th September 1901.

“3. I presume that Government do not intend to insist on the appointment of an Executive Officer, who is a Government servant, when only the privilege of electing the President is conferred and there is no increase in the proportionate number of elected members, my own opinion is that it should not be insisted on in such cases.

“4. A separate report on the Poona Suburban Municipality will be submitted shortly.”

RESOLUTION.—In modification of the orders contained in Government Resolution No. 5341, dated the 18th September 1901, His Excellency the Governor in Council is pleased to direct that with effect from the 1st January 1909 the Faizpur Municipality should be given the privilege of selecting its own President by a majority of two-thirds of its members.

2. His Excellency the Governor in Council concurs with the Commissioner, C. D., that it is not necessary to insist on the condition regarding the appointment of an Executive Officer when only the privilege of selecting their own Presidents is conferred on Municipalities.

R. E. ENTHOVEN,
Secretary to Government.

To

The Commissioner, C. D.,
The Commissioner, N. D.,
The Commissioner, S. D.,
The Commissioner in Sind,
The Collector of East Khândesh,
All other Collectors, including the Collectors and Deputy Commissioners in Sind.

APPENDIX J.

Suspensions and Remissions of Land— Revenue.

Amendment of No. 7 of the rules
regulating the grant of —.

No. 5324 of 1908.

REVENUE DEPARTMENT.

Bombay Castle, 27th May 1908.

RESOLUTION OF GOVERNMENT.

In a case recently before Government there appeared to be some doubt as to the proper manner of dealing with remissions of the portion of the assessment which represents the water-rate in the case of ordinary pátasthal lands, *i.e.*, lands which derive their water-supply from tanks or bandhárás not in charge of the Public Works Department. Such remissions fall within the terms of No. 7 of Part I of the Suspension and Remission rules, when there is a widespread failure of the monsoon, and are capable of being dealt with under Part II of those rules, when the failure is purely local. At the same time, in paragraphs 3 and 4 of Government Resolution No. 2759, dated 15th March 1907, instructions have been given regarding remissions in the case of lands deriving their water-supply from bandhárás not in charge of the Public Works Department, on which a rate for water advantages continues to be included in the assessment. On a full consideration of the circumstances, the Governor in Council is of opinion that it is not necessary to lay down separate directions regarding this particular class of lands only, and that it will suffice to include in No. 7 of Part I of the general Suspension and Remission rules orders applicable to all classes of lands on which the assessment includes a separate rate for water advantages. Government are therefore pleased to cancel paragraphs 3 and 4 of Government Resolution No. 2759, dated 15th March 1907, and to direct that the following shall be substituted for No. 7 of Part I of the Suspension and Remission rules issued under Government Resolution No. 650, dated 22nd January 1907. The new rule contains the instructions given in Government Resolution No. 5087,

dated 18th May 1907, and so much as it is necessary to retain of the instruction, given in paragraphs 3 and 4 of Government Resolution No. 2759, dated 15th March 1907.

Rule 7.—When the assessment includes a separate rate for water advantages, then if the water fails to such an extent that —

- (a) no irrigated crop, or an irrigated crop not exceeding 4 annas,
 (b) an irrigated crop exceeding 4 annas but not exceeding 6 annas,
 is grown,
 (a) the whole,
 (b) one-half,

of the portion of the assessment which represents the water-rate should, in the case of all occupants, be remitted without suspension. When such remissions are of inconsiderable amounts, the Collector should act on his own authority; but when they are extensive, he should first consult the Irrigation Officer of the district, and, in case of a wide difference of opinion, should refer the case to the Commissioner for orders.

J. E. C. JUKES,

Under Secretary to Government.

To

The Commissioner in Sind (with a copy of Government Resolution No. 2759, dated 15th March 1907),
 The Commissioner, N. D.,
 The Commissioner, C. D.,
 The Commissioner, S. D.,
 All Collectors in the Presidency proper,
 The Collectors and Deputy Commissioners in } With copies of Govern-
 Sind, } ment Resolution No. 2759,
 The Colonization Officer, Jámráo Canal, } dated 15th March 1907.
 The Settlement Commissioner and Director of Land Records,
 The Director of Agriculture,
 The Táluqdári Settlement Officer,
 The Accountant General,
 The Public Works Department of the Secretariat,
 The Financial Department of the Secretariat,
 The Government of India (by letter).

APPENDIX K.

QUESTIONS Nos. 4 AND 5 PUT BY THE HONOURABLE SYED ZAIN EL EDRUS AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWERS GIVEN BY GOVERNMENT.

4. Will Government be pleased to state whether they have considered or propose to consider the propriety of formulating the courses in Persian and Urdu at the various Vernacular Training Colleges so as to bring out better and more competent Munshis?

4. The Poona Training College teaches Urdu as a Vernacular, and Urdu and Persian as Second Languages; the Ahmedabad College teaches Urdu and Persian as a Second Language; the Dhárwár College teaches Urdu as a Vernacular and Persian as a Second Language; the Hyderabad College teaches Persian as a Second Language; the Dhulia Training School teaches Urdu as a Vernacular. Of the quality of these courses no complaint has hitherto been received, so far as is known. If specific criticisms or suggestions are offered they can be considered.

* The following *ad interim* reply was given by Government at the Council meeting of the 5th February 1909 :—
 "Inquiries are being made."

5. Will Government be pleased to state whether they propose to open Urdu Schools in some of the villages having a majority of Mahomedan population ?

5. It has been usual to open an Urdu School where there was a large Mahomedan population, except where the Mahomedans themselves preferred the schools teaching the local vernacular, as a large number of them do in all divisions. With the extension of primary education more Urdu Schools will naturally be opened where they are really wanted.

APPENDIX L.

QUESTION No. 3 PUT BY THE HONOURABLE Mr. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

Is it true that the road passing through the Pardhadi Ghát in the Nándgaon taluká of the Násik district has not been repaired since the toll-bar on the said road was abolished and that it is now in a very bad state of repair? What action do Government propose to take in the matter?

The Pardhadi Ghát Road belongs to the District Local Board, and Government learn that the only allotment the Board have sanctioned since the abolition of the toll is Rs. 446 in 1905. The actual expenditure amounted to Rs. 438. Since 1905 the Board have sanctioned no money for expenditure on the road. Any action that may be necessary should be taken by the District Local Board.

* The following *ad interim* reply was given by Government at the meeting of the Legislative Council held on the 5th February 1909 —

"The matter is being inquired into."

APPENDIX M.

QUESTION No. 12 PUT BY THE HONOURABLE Mr. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state whether the minimum quantity which the two experimental liquor-shops started by Government in Poona are allowed to sell to customers is half a dram while in the case of other shops it is one dram? Will they be pleased to state why the minimum has been reduced in the case of the aforesaid experimental shops?

Although the dram has been the minimum measure prescribed for shops it has always been the habit of shopkeepers to sell whatever quantity of liquor their customers actually asked for, the demand being usually made in terms of price and not of measure. The absence of a half dram measure therefore merely gave the shop-keeper a better chance of cheating the purchaser of that quantity, and to meet this the use of half dram measures in all shops has been recently sanctioned.

* The following *ad interim* reply was given by Government at the meeting of the Legislative Council held on the 5th February 1909 :—

"Inquiry will be made."

It was found necessary to introduce the half dram measure in the Kirkes and Bhawáni Peth shops in Poona because there was a constant demand for that quantity and the employés could not be left to make eye-measurements as would be done elsewhere.

APPENDIX N.

QUESTION No. 6 PUT BY THE HONOURABLE Mr. GOKULDAS K. PAREKH AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to say—

- (a) Whether under the orders of the Collector of Surat the Mámlatdár of Olpád has issued circular orders to the village-officers of each village of that táluká to require the villagers to keep a certain number of bullocks ready for being draughted into military service when wanted, that the names of the villagers from whom the bullocks should be taken are to be reported and that the bullocks should be delivered to Government on payment of the price and 15 *per cent.* thereof for compulsory acquisition?
- (b) Whether these orders have been issued in pursuance of the instructions of Government?
- (c) Whether the determination of the particular villagers upon whom the responsibility is to be thrown rests on the discretion of the village-officers?

It appears on inquiry that the circular referred to in the question was issued by the Mámlatdár through misapprehension of the instructions given to him by the Collector, which instructions were in accordance with the orders communicated to the Collector by Government. The circular has been withdrawn.

* The following *ad interim* reply was given by Government at the Council meeting of the 5th February 1909—

“Instructions on the subject referred to in the question have been issued by this Government in accordance with the directions of the Government of India. Inquiry will be made whether the orders issued by the Collector of Surat are of the nature stated in the question, and are consonant with the instructions issued by this Government.”

APPENDIX O.

QUESTION No. 2 PUT BY THE HONOURABLE SYED ZAIN EL EDRUS AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to state whether they propose to open Urdu classes at the Rájkot Training College?

From a report received from the Agent to the Governor, Káthiáwár, it appears that only 26 Mahomedan boys joined the Male Training College at Rájkot

* The following *ad interim* reply was given by Government at the Council meeting of the 5th February 1909 :—

“A report has been called for on the subject from the Agent to the Governor, Káthiáwár.”

during the period from 1886 to 1909; and that there was no Mahomedan student on the Register of the College in the years 1891—1894 and 1903—1905, nor any in the current year; and further that since its establishment in 1885 there has never been a Mahomedan pupil in the Female Training College. In the circumstances, although no doubt the opening of Urdu classes would stimulate the demand among Mahomedans for training at the College, Government are of opinion that the cost of starting the classes would not be justified until some reasonable demand is shown to exist.

APPENDIX P.

QUESTION No. 21 PUT BY THE HONOURABLE MR. HARI SITARAM DIKSHIT AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 20TH JUNE 1908.*

ANSWER GIVEN BY GOVERNMENT.

- (a) Will Government be pleased to state what facilities are given to agriculturists for obtaining stone for building wells?
 (b) Have Government considered the desirability of allowing them to take stone for the purpose from Government quarries free of charge?

A copy of Government Resolution No. 3588, dated the 13th April 1909, is laid on the Council Table.

* The following *ad interim* reply was given by Government at the Council meeting of the 20th June 1908:—

“(a) No special facilities are given.

(b) Various measures have been taken by Government for the encouragement of irrigation from wells, and in the 17 years ending 1903-04, the number of wells for irrigation has increased by nearly 45 per cent. It does not appear that progress has been impeded by the absence of special facilities for obtaining stone for building such wells. The propriety of providing such facilities will, however, be considered.”

APPENDIX Q.

No. 3588.

Revenue Department.

Bombay Castle, 13th April 1909.

* * * * *

RESOLUTION.—Under rule 39 (1) of the Land-Revenue Code Rules, the Collector has discretion to sell by public auction or otherwise dispose of the right to remove stone which is the property of Government, for such periods in such quantities and on such terms as he thinks fit. The Governor in Council is pleased to direct that in the case of stone required *bond fide* for building a well whether for the supply of water for drinking or for irrigation, the Collector may, in the exercise of his discretion, permit the removal, by any person, of stone, the property of Government, without payment of fee, from the bed of the sea or from the beds of creeks, rivers and nálas or from any unassessed

waste land not assigned for special purposes, within the limits of the taluká in which he resides, subject to the conditions mentioned in that rule and to any other conditions suitable to the particular case.

2. These orders necessitate the amendment of rule 40 of the Land-Revenue Code Rules in the direction indicated below:—

In rule 40—

(1) in sub-rule (1), clause (a), the word “and” shall be deleted, and

(2) the following clause shall be added to sub-rule (1) :—

“and (c) any person may, for the purpose of building a well, with the previous permission in writing of the Mámlatdár but without payment of fee, remove stone from the bed of the sea or from the beds of creeks, rivers and nálas or from any unassessed waste land not assigned for special purposes, within the limits of the taluká in which he resides.”

The requisite notification should be published in the *Bombay Government Gazette*.

3. The notification should be translated into Maráthi, Gujaráti and Kánarese, and printed copies of it in English and vernacular should be supplied to the District Officers, who should communicate their requirements direct to the Superintendent, Government Central Press.

4. The Remembrancer of Legal Affairs should prepare the requisite corrigendum for insertion in the Compilation of General Rules in force in the Revenue Department and forward it to the Superintendent, Government Central Press, who should furnish printed copies to the officers and Departments to whom copies of the Compilation have been supplied. Forty-two copies of the slip should be supplied to the Revenue Department.

5. Eight copies of the notification should be supplied to the Government of India, Department of Revenue and Agriculture, in accordance with the orders contained in Home Department letter No. 2891-2903, dated 8th September 1905.

APPENDIX R.

QUESTION No. 9 PUT BY THE HONOURABLE Mr. GOKULDAS K. PAREKH AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

(a) Has the attention of Government been drawn to the article in the *Sánj Vartmán* newspaper of the 16th instant under the heading of “the orders of the Collector of Kaira” in which it is complained that the Collector of Kaira in contravention of the orders of Government in the matter of suspension and remission of land-revenue makes a distinction between land-holders of the agriculturist class and those of the non-agriculturist class?

The season of 1907-08 being indifferent, the revenue of that year was suspended in whole or in part in different tracts. The season of 1908-09 being better, but not of the best, the demand for the year included the assessment of the year plus half of the suspended revenue of 1907-08, and in some tracts more than half that suspended revenue, according to the circumstances of the tracts. It is not in contravention of the orders of Government to make a distinction

* The following *ad interim* reply was given by Government at the Council meeting of the 5th February 1909:—

“Inquiry will be made.”

(b) Do Government propose to make an inquiry into this allegation ?

between land-holders of the agriculturist class and land-holders of the non-agriculturist class, when the latter do not cultivate their lands themselves. The Honourable Member is referred to No. 6 of the Suspension and Remission Rules, copies of which were laid on the Council Table at the meeting held on 18th April 1907.

APPENDIX S.

QUESTION No. 11 PUT BY THE HONOURABLE MR. GOKULDAS K. PAREKH AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

Do Government propose to consider whether looking to the condition of the Dohad taluká and the Jhálad mahál the application of the Revision Survey Assessment should be put off this year ?

A copy of Government Resolution in the Revenue Department, *Vide* Appendix T. No. 4523, dated the 10th May 1909, is laid on the Council Table.

* The following *ad interim* reply was given by Government at the Council meeting of the 5th February 1909 :—

“The introduction of the Revised Rates in the Dohad taluká was postponed last year until this year, for levy in the year 1909-1910. Government will consider whether a further postponement is advisable. For the Jhálad mahál the introduction has been deferred until 1911-12.”

APPENDIX T.

Revenue Survey and Assessment.

Panch Maháls.

Postponement of the introduction of the Revision Settlement in the Dohad taluká.

No. 4523.

REVENUE DEPARTMENT.

Bombay Castle, 10th May 1909.

Letter from the Collector of the Panch Maháls, No. 2.—226, dated 19th January 1909 —

“I have the honour to state that the revised survey rates in the Khalsa villages of the Dohad taluká were pronounced by the Superintendent, Land Records and Registration, N. D., in presence of my Deputy Collector on the 22nd and 23rd ultimo, and to request that you will be so good as to cause the accompanying draft notification to be published in the *Bombay Government Gazette*.”

Memorandum from the Commissioner, N. D., No. 850, dated 25th January 1909 :—

“Submitted to Government with a recommendation that the draft notification may be published in the *Bombay Government Gazette*.”

Government memorandum No. 1490, dated 11th February 1909 :—

“The undersigned presents compliments to the Commissioner, N. D., and with reference to his memorandum No. 850, dated 25th January 1909, is directed to forward a copy of question* No. 11 asked by the Honourable Mr. Parekh at the last meeting of the Legislative Council, and the reply* given by Government thereto, and to inquire whether, in the circumstances stated in the question as well as in question* No. 10, a copy of which, with reply, was forwarded to the Commissioner, under Government memorandum* No. 1454, dated 10th instant, he considers a further postponement of the introduction of the revised settlement into the Dohad taluká to be advisable.

* Not printed.

"2. In the draft notification submitted by the Collector with his letter No. B.—226, dated 19th January 1909, it is proposed to declare the revised assessments in the Dohad taluká fixed for a term of 15 years, commencing with the revenue year 1908-09 and ending with the revenue year 1922-23. It will however be seen from Government Resolution No. 2223, dated 3rd March 1908, that the introduction into the Dohad taluká of the revised rates was postponed last year until this year for levy in the year 1909-10. If therefore the Commissioner considers that the revised rates, should be introduced this year, they should be guaranteed for 15 years, from 1909-10 to 1923-24; and if the introduction is postponed for yet another year, the 15 years' guarantee will commence from the year 1910-11.

"3. It is requested that the reply to this reference may be submitted to Government through the Settlement Commissioner and Director of Land Records."

Memorandum from the Commissioner, N. D., No. 1391, dated 26th March 1909 :—

"With reference to Government memorandum No. 1490, dated 11th February 1909, the Commissioner, N. D., has the honour to state, after consulting the Collector of the Panch Maháls, that he is of opinion that in view of the past bad seasons and the poor current one, the levy of the revised rates in the Dohad taluká, where they have already been announced, may with advantage be postponed till the year 1910-11."

Memorandum from the Settlement Commissioner and Director of Land Records, No. 1462, dated 8th April 1909 :—

"Forwarded with compliments."

RESOLUTION.—The proposal made by the Commissioner in his memorandum No. 1391, dated 26th March 1909, is sanctioned.

2. The requisite notification should be published in the *Bombay Government Gazette*. The proofs, in triplicate, should be forwarded to the Commissioner, for approval.

H. B. CLAYTON,
Acting Under Secretary to Government.

To

The Commissioner, N. D.,
The Collector of the Panch Maháls,
The Settlement Commissioner and Director of Land Records,
The Director of Agriculture,
The Talukdári Settlement Officer,
The Accountant General,
The Public Works Department of the Secretariat,
The Superintendent, Government Central Press (with the notification).

APPENDIX U.

77-79, APOLLO STREET :
Bombay, 19th May 1909.

From

THE PRESIDENT, THE INDIAN MERCHANTS'
CHAMBER AND BUREAU,
Bombay;

To

THE SECRETARY, LEGISLATIVE DEPARTMENT,
Government of Bombay,
Bombay.

SIR,

I have the honour by direction of the Committee of the Indian Merchants' Chamber and Bureau to submit the following representation regarding the proposed amendment of the Bombay Port Trust Act of 1879 by Bill No. I of 1909.

2. My Committee welcome the proposed increase in the number of Trustees. The Port Trust was formed 30 years back when the trade of the Port was far less than it is now. The seats then allowed were reasonably fair. But with the growing trade of the Port for some years past, it has been felt that that number is inadequate for representing the larger and varied interests that have been considerably prominent. For an adequate representation of those interests, my Committee are of opinion that the four additional seats proposed in the amending Bill are not enough.

3. My Committee respectfully beg to draw the serious attention of the Government to the following fact:—Under the existing Act it is provided that the number of Indian Trustees nominated by Government shall not be less than three. It is proposed to raise this number to four in the Bill, now before the Legislative Council. In view of the fact that during the last 30 years, the minimum number of Indian Trustees has not even once been exceeded, my Committee are justified in fearing that if the amendment is passed in the form proposed, the maximum number of Indian Trustees will remain at four. It appears anomalous that while the Bombay Chamber of Commerce representing European Trade interests only has the privilege of electing five representatives to the Port Trust, the Indian Commercial Community which commands an important portion of the trade of the Port is asked to be content with only four representatives nominated by Government. My Committee respectfully hope that this anomaly will now be remedied by providing the same number of seats, *viz.*, five, as are allotted to the European Chamber.

4. My Committee further beg to invite the attention of the Government to the fact that the proposed amendment in the Act perpetuates the system of nomination for the representation of the Indian Commercial Community. They are emphatically of opinion that the time has now arrived for conceding to the Indian merchants the full privilege of election.

5. Only very recently the Secretary of State observed as follows in his Despatch on the Reform Bill as to the system of nomination:—"Their choice could in that event be exercised in the best possible way, *viz.*, that of popular election instead of requiring Government to supply deficiencies by the dubious method of nomination."

6. Such a system of nomination may have been justifiable in the past when Indian Merchants had not learnt to organise themselves in a body of their own and had no representative associations to exercise the right of election. They no longer remain under such a disability, as they have in the Indian Merchants' Chamber and Bureau, a fully representative and most influential body of their own. My Committee, therefore, pray that the full right of electing at least three, if not five, Indian Trustees on the Board should now be conceded to them. My Committee beg respectfully to urge that this request is exceedingly fair and reasonable, and that the Legislature will not hesitate now to put the representation of Indian interests on an equality with that of the European.

I beg to remain,

Sir,

Your most obedient Servant,

PURSHOTAMDAS THAKORDAS,
Vice-President.

JAYSUKHLAL KRISHNALAL MEHTA,
Secretary.

APPENDIX V.

QUESTION No. 10 (c) PUT BY THE
HONOURABLE MR. GOKULDAS K.
PAREKH AT THE MEETING OF THE
LEGISLATIVE COUNCIL HELD ON
THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

Will Government be pleased to say—

* * * * *

(c) Whether orders have been issued to collect $1\frac{1}{2}$ times the annual assessment in these, (i.e., Dohad taluká and the Jhalod mahál) maháls?

Dohad taluká.—In 13 villages of this taluká the average anna valuation was from 6 to 7 annas, in 17 it was 5, and in 46 four and under. In the 13 villages full collection for 1908-09 and nothing more is to be made, in the 17 villages half the assessment is collected and the other half suspended. In the 46 villages no collection is to be made, the amounts being fully suspended. In the other lease-hold villages of the three Naiks of Tanda, Katwara and Chandwana and the inám villages no suspensions have been given, as the Naiks and Inámdárs have not agreed to give corresponding suspensions to their tenants and have collected the current year's demands, stating that the kharif crops in their villages averaged six annas. Under the rules for remission and suspension of land-revenue, remission of half the suspended assessment for 1907-08 in the 17 villages mentioned above, and of full suspended assessment for that year in 46 villages has been granted.

Jhalod mahál.—In 14 villages the average anna valuation was from 6 to 7 annas, in 28 it was 5 annas and in 29 below four annas. As in Dohad taluká the villages have been treated according to standing orders, and remarks as regards Talukdári and inám villages apply equally to such villages in this mahál.

* The following *ad interim* reply was given by Government at the Council meeting of the 5th February 1909:—

“ (c) Inquiry will be made.”

APPENDIX W.

QUESTION No. 1 PUT BY THE HONOURABLE MEHERBA'N NARAYANRAO GOVIND ALIAS BABA SA'HEB GHORPADE, JA'GHIRDA'R OF ICHAL-KARANJI, AT THE MEETING OF THE LEGISLATIVE COUNCIL HELD ON THE 5TH FEBRUARY 1909.*

ANSWER GIVEN BY GOVERNMENT.

- (a) Will Government be pleased to state whether it is a fact that on the Kolhápúr-Belgaum Road there are three toll-bars within a distance of 31 miles from Kolhápúr?
- (b) If so, is not this number much larger in comparison with the number of toll-bars on the other roads?
- (c) In pursuance of the remarks made by His Excellency regarding toll-bars in the meeting of the Legislative Council held on the 20th June 1908, will Government be pleased to reduce the number of the toll-bars?

(a) and (b) The answer is in affirmative. Government hope that it may be possible to substitute a toll-bar at Nipáni for the two bars at Saondalga and Kanangla, but before coming to a decision, they are awaiting a report that has been called for.

(c) In addition to the 25 toll-bars yielding a revenue of about Rs. 50,000 abolished last year, Government have sanctioned the abolition of 52 toll-bars yielding a revenue of about Rs. 50,500 during the current year, as per list attached.

Vide Appendix X

* The following *ad interim* reply was given by Government at the Council meeting of the 5th February 1909.—

“(a) and (b) Government are still awaiting information which has been asked for regarding these toll-bars.

“(c) This year Government ordered the reduction of 25 toll-bars yielding a revenue of about Rs. 50,000. Government intend to continue this policy in the coming year and to abolish tolls yielding another half lákhs of rupees. The number of toll-bars to be removed are in the Northern Division 14 and in the Central Division 19 and in addition all tolls on the Pandharpur-Poona and Sholápur-Akalkot Roads, the number of which is not yet known, in the Sholápur district. The number that will be abolished in the Southern Division is not yet decided.”

APPENDIX X.

List of Toll-bars.

No.	District.	Name of Road.	Name of toll-bar.	Revenue.	
				Ra.	Ra.
<i>Northern Division.</i>					
1	Thána	Vada-Shirghat	Dehi	400	
2	Do.	Do.	Khodala	725	
3	Do.	Bhivandi-Kon	Kon	1,480	
4	Surat	Párdi-Chival	Vagchipa-Pardi	175	
5	Do.	Billmora-Bansda	Thala	520	
6	Do.	Do.	Samroli	480	
7	Kaira	Mehmadabad-Dakor (Section I).	Wanthvali	870	
8	Do.	Mehmadabad-Dakor (Section II).	Sastapur	270	
9	Do.	Kápadwanj-Bibipura	Vav	230	
10	Do.	Do.	Sunda	480	
11	Panch Maháls	Godhra-Shera	Khandia	510	
12	Do.	Do.	Baravav	930	
13	Ahmedabad	Harsol-Modása	Sákri	1,220	
14	Do.	Do.	Vadgaon		
<i>Central Division.</i>					
15	Poona	Poona-Sholápur	Indápur	515	
16	Do.	Do	Kumbhárgaon	1,400	
17	Do.	Indápur-Baránati	Gokhal	475	
18	Do.	Do.	Pimpli	725	
19	Sholápur	Pandharpur-Poona	Vakhari	700	
20	Do.	Do.	Vellápur		
21	Do.	Sholápur-Akalkot	Between 3rd and 4th mile.	1,780	
22	Ahmednagar	Ahmednagar-Málegaon	Sávedi	2,000	
23	Do	Do.	Dehra		
24	Do.	Do.	Ráhuri		
25	Do.	Do.	Kolhar		
26	Do.	Do.	Raháte		
27	Do.	Do.	Kopargao		
Carried over				7,595	7,770

No.	District	Name of Road	Name of toll bar	Revenue.	
				Rs.	Rs.
		<i>Central Division—continued.</i>			
			Brought over ...	7,595	7,770
28	East Khándesh ...	Dhulia-Bhusáwal ...	Sarwa ..	1,225	
29	Do. ...	Do. ...	Bambori .	2,200	
30	West Khándesh...	Songir-Nandurbár-Taloda ...	Songir ..	1,185	
31	Do. ..	Do. ...	Vikhrám (with pot nákas)	900	
32	Násik .	Bombay-Agra ..	Kokangaon ..	1,350	
33	Do. ...	Nanash-Balsad ...	Karanjali ...	900	
34	Do. ..	Khándesh-Nizam's Frontier ..	Deshmáne ...	530	
35	Sátara ...	Sátara-Kolhápúr ...	Warna Bridge ..	} 2,600	
26	Do. ...	Do. ...	Wahágaon ...		
37	Do. ...	Do. ...	Kogna Bridge ...		
		<i>Southern Division.</i>			18,485
38	Dhárwár ...	.....	Belikop ..	1,680	
39	Do ...	.....	Bhandwad ..	1,831	
40	Batnáguri ...	Sangmeshwar and Ambághát ...	Sákharge ...	} 5,200	
41	Do. ...	.....	Lovala ...		
42	Kánara ..	.....	Gundbale ...	411	
43	Do. ...	.....	Bargi ..	535	
44	Do. ...	.....	Mensi ...	1,400	
45	Do. ...	.. ..	Unchnalli ..	1,855	
46	Do. ...	.....	Anmode (Tina) ...	280	
47	Belgaum ...	.....	Piranwádi ...	2,708	
48	Kolába ...	Albág-Dharamtar ...	Kárlé ...	1,867	
49	Do. ...	Nagotna-Mabád ...	Warasgaon ...	1,728	
50	Do. ..	Mahád-Maháleshwar ...	Kineshwar ...	1,835	
51	Bijápur ...	Sholápur-Hubli ...	Mahábhágayat ...	1,790	
52	Do. ...	Do. ...	Kerur ...	1,180	
					24,250
					Total ... 50,505

APPENDIX Y.

TELEGRAM.

Dated 16th June 1909.

From

CHAIRMAN, BOMBAY CHAMBER OF COMMERCE,
BOMBAY.

To

PRIVATE SECRETARY TO HIS EXCELLENCY
THE GOVERNOR OF BOMBAY, GANESHKHAND.

Committee Bombay Chamber of Commerce respectfully request that Report of Select Committee amending Port Trust Act be recorded. They consider only one additional Railway representative necessary as previously recommended. Otherwise Committee consider present Board fairly represents all interests and is large enough.

APPENDIX Z.

Financial Statement of the Government of Bombay for the year 1909-10.

This statement deals as usual with the final Accounts of the year 1907-08, with the Revised Estimates of 1908-09, and with the Budget Estimates of 1909-10 concerning the services which under the existing financial system have been placed under the control of the Government of Bombay. The provincialised services are described in Appendix AA, and except where the context shows otherwise, the figures throughout represent thousands of rupees.

Part I is a preliminary conspectus in which it is attempted to give a brief but fairly comprehensive idea of the financial position, and in particular, in paragraphs relating to the Budget Estimates, to indicate the character of the principal and most interesting objects of expenditure.

Part II is a detailed statement in which fuller particulars are given separately under each head of receipts and expenditure.

For more detail still reference must be made to the Civil Estimates, a copy of which is furnished to each Honourable Member.

PART I.

Accounts of 1907-08.

2. The Accounts of the year 1907-08 opened with a balance of 98,18. The closing balance was estimated in the Revised at 84,93, which in the Accounts was raised to 96,02. The total Provincial revenue amounted to 5,76,21 and compared with the Budget, the actuals show a drop of only 77 against one of 7,48 calculated in the Revised. The improvement over the Revised was due mainly to the advance realization in March 1908 in some districts of certain amounts of land-revenue due in April 1908. A sum of 1,92 was also credited to Provincial revenues on account of the balance of the Government Central Book Depot Fund, which was abolished on 31st March 1908. The total Provincial expenditure amounted to 5,80,29 as compared with 5,82,70 estimated in the Revised. The difference is 2,41, or less than one-half per cent., and calls for no comment.

Revised Estimates of 1908-09.

3. The opening balance of the year 1908-09 taken in the Budget at 84,98 is now estimated at 96,02, the equivalent, of course, of the closing balance settled by the Accounts of 1907-08.

4. The total Provincial revenue is estimated at 5,87,32 against 6,04,04 entered in the Budget. The drop of 16,72 is accounted for mainly by the failure of the winter

rains in parts of the Presidency proper, partly counterbalanced by additional Imperial assignments for certain objects.

5. The total Provincial expenditure is estimated at 6,13,72 against 6,09,13 entered in the Budget. The increase is due mainly to (i) larger expenditure on account of (a) grain compensation, which owing to the prolonged continuance of high prices had to be granted for a longer period than was anticipated in the Budget and is now paid to Government servants drawing not more than Rs. 30 a month instead of to those drawing not more than Rs. 16, (b) civil works, (c) refunds of land and excise revenues, and (d) dietary charges, consequent on high prices of food grains, and (ii) the grant of the royal bonus in commemoration of the fiftieth anniversary of the assumption of the Government of India by the Crown, which is fully covered by a special assignment from Imperial to Provincial revenues. The increase is partially counterbalanced by savings anticipated under a few heads, chiefly *Education* and *Medical*.

6. The closing balance of the year is estimated at 69,62, or a decline of 11,14 from the Budget. Important variations between the Budget and Revised estimates are explained in detail in Section II of Part II.

7. Indirect famine expenditure in 1908-1909 is estimated in the Revised at 7,19 against 3,89* in the Budget, the increase being due mainly to larger expenditure on account of grain compensation and other allowances in connection with the scarcity. In accordance with the arrangement announced in paragraph 15 of the Financial Statement of 1907-08 expenditure on direct famine relief is borne by Imperial revenues. When the Budget for 1908-09 was framed, it was apprehended that the grant of direct famine relief would be necessary in several districts and a provision of 5,00 was made for the purpose. But eventually famine had to be declared only in a part of the Panch Maháls. As regards other districts, gratuitous relief on a small scale to the decrepit and poor had to be given in West Khándesh, Poona, and Bijápúr, and some forest works had to be provided for the relief of hill-tribes in parts of West Khándesh. The necessity for giving further direct relief was obviated by the liberal grant of takávi advances, and the suspension and remission of land-revenue. The large irrigation works in progress in several districts bordering on the Sahyádrí Gháts provided labour at remunerative rates for a large body of workers for whom it might otherwise have been necessary to make special arrangements. In the Revised estimates the expenditure on direct famine relief in 1908-09 is taken at 1,53 (35 in the Civil and 1,48 in the Public Works Department). The bulk of the expenditure in the Public Works Department, however, represents a book adjustment of the cost of earth-work done by famine labour in previous years on the extension of the Khari Cut Canal, which was originally taken as a charge against the project.

8. The disbursements of takávi and other loans in the Provincial Advance and Loan Account are estimated at 44,21 compared with 45,15 entered in the Budget, the difference being due to a decrease in the advances taken by the Gujarát Tálukdárs and by local bodies, partly counterbalanced by an increase in takávi dispensed to cultivators. The recoveries are estimated at 37,13 against 28,95 entered in the Budget, the increase being due to increased repayments expected from cultivators and from the Ahmedabad Municipality. The outstanding balances of the loans granted to the Dhárwár and Poona City Municipalities for plague and Manjri Farm expenditure were also adjusted against equal amounts sanctioned as grants-in-aid to those bodies to enable them to finance water-supply and drainage schemes.

Budget Estimates for 1909-10.

9. In preparing the current year's Provincial Budget the non-official Members of the Council were for the first time afforded an opportunity of assisting Government in framing it. The provisions made in the Budget on account of several objects, chiefly educational, were explained and discussed at a Conference held on 3rd February 1909. Government also proposed to present the Financial Statement to the Council in the first week of April; but in deference to the wishes of the non-official Members expressed at the Conference it was decided to take the Statement as hitherto early in the monsoon session of the Council.

*Note.—The estimate of 3,43 mentioned in paragraph 19 of the last year's Financial Statement should be read as 3,83.

10. The figures of the estimates for 1909-10 which were furnished to non-official Members of the Council in January last are compared below with the estimates as finally passed by the Government of India :—

	Budget framed in January.	Budget finally passed.
Opening balance	81,51	69,62
Revenue	6,14,71	6,20,87
Expenditure	6,81,70	6,28,07
Closing balance	64,52	64,42

Later information regarding the progress of revenue collection and disbursements of expenditure in 1908-09 showed that the Revised estimates of revenue for that year adopted in January were sanguine and not likely to be realised, mainly under the heads *Land-Revenue, Interest and Irrigation*, and that the estimates of expenditure under several heads—mainly *Courts of Law, Police, Scientific and other Minor Departments*, and *Miscellaneous*—were likely to be exceeded. The net result of the changes in the Revised for 1908-09 made after January 1909 was a drop of 9,23 in revenue, and a rise of 2,68 in expenditure. The opening balance for the current year estimated at 81,51 was thus reduced by 11,89. The necessity of observing economy of expenditure announced by the Government of India has been reflected in the Provincial Budget, and in order that the closing balance for the current year may not fall much below the figure originally taken in January, it became necessary to re-examine the provisions first made in the estimates for the year. On the revenue side, additional assignments were sanctioned by the Government of India, mainly on account of Police reforms and the transfer of the Sind Railway Police charges to this Government, and additions were made to the estimates under a few heads, such as *Excise, Assessed Taxes, and Forest*. On the expenditure side, reductions were made chiefly under the heads *Forest, Education, Medical and Civil Works*. The net result of these changes is an increase of 6,16 in the estimated revenue and a decrease of 5,63 in the estimated expenditure for 1909-10. The closing balance of the year is thus estimated at 64,42.

These reductions have made it impossible to include in the Budget several items which were suggested by members of the Committee held in Bombay and this is greatly regretted. The orders of the Government of India are, however, final, and are not open to discussion in this Council.

11. The revenue estimates for 1909-10 are, as usual, framed in anticipation of a normal season, and allow for expected increases, chiefly under the heads of *Land-Revenue and Excise*.

12. The estimate of *Land-Revenue* (including the portion due to Irrigation) is taken at the record figure of 4,40,00 (Provincial share = 2,20,00) in the expectation that with a normal season it will be possible to collect a part of the suspended revenue in addition to the current demand for 1909-10. The figures of the estimated demand, collections, remissions and suspensions for the years 1908-09 and 1909-10 are given below :—

	1908-09, Revised.	1909-10, Budget.
Balance	1,47,69	1,42,72
Demand	4,13,03	4,27,43
	5,60,72	5,70,15
Collections	3,82,00	4,40,00
Remissions	36,00	24,27
	4,18,00	4,63,27
Balance { Suspensions ...	70,38	35,21
{ Arrears ...	72,34	71,67
	1,42,72	1,06,88

It will be seen that due allowance has been made for the grant of suspensions and remissions necessitated by the insufficiency of the winter rains of 1908-09. The calculation is that suspended revenue will be reduced by 35,17, of which, however, only 11,90 will be collected while 23,27 will become due for remission of arrears more than three years old. The estimated collections amount to not quite 3 per cent. over the current demand and cannot be regarded as otherwise than moderate.

13. As observed in paragraph 13 of the last year's Financial Statement, a continuous growth of the *Excise* revenue is anticipated for some time to come. It is due chiefly to increase of duty and improvements of system and administration, which result in a better revenue in proportion to the amount consumed and a diminution of illicit drinking. The facts and figures given in the Excise Administration Report for 1907-08 indicate that in that year there was very little trace of any restraint on the increase in the consumption of country liquor induced by the efforts of the public. The method of auctioning the privilege of vend of country liquor was considered by the Local Government to be open to serious objections. As the result of correspondence with the Government of India, sanction has been obtained to the introduction, during the current year, in three districts, of the system of fixing the fees for shops on the basis of their sales, and, in place of putting the shops up to auction, of allotting each shop to a candidate selected from amongst approved applicants. The result of this experiment will be watched, and, it is hoped, will be found to justify the extension of the system to other districts.

14. The estimate of *Registration* revenue is somewhat affected by the contemplated reduction of copying fees from 2½ annas to 2 annas per 100 words. The scheme is estimated to involve an annual loss of 36, and is expected to be in operation for a part of the year.

15. As announced in paragraph 14 of the last year's Financial Statement, the policy of abolishing tolls on Provincial roads is being extended in the current year. In addition to the tolls to the amount of 50 abolished last year, Government have directed the abolition, with effect from 1st April 1909, of certain toll-bars, the net revenue from which amounted to:—

24 in the Southern Division,
18 in the Central Division, and
8 in the Northern Division.

—
Total ... 50.

Government have further decided to disallow the establishment of fresh toll-bars by Local Boards on Local roads. With a view to preventing the roads from falling into disrepair, Government intend to sanction grants from Provincial funds proportioned in amount to the revenue expected to be derived from the proposed toll-bars, if they had been sanctioned. Such grants will be admissible in deserving cases only, *i.e.*, in cases in which but for the adoption of the policy of abolishing tolls Government would have sanctioned the establishment of the toll-bars. Before the grant is paid, the Local Board concerned will be required to satisfy the Executive Engineer of the district that the amount is spent on the road, and that the road is maintained in proper repair. A provision of 5 for the purpose is made in the current year's Budget under the head 45, Civil Works (Civil Department). The attention of the District Local Boards has been invited to the policy initiated by Government of abolishing tolls, and they have been asked to consider whether restrictions to traffic on Local Fund roads cannot be gradually removed. It has been suggested that a commencement might be made by abolishing toll-bars which yield only an insignificant amount of net revenue. It is satisfactory to note that the District Local Board, East Khándesh, has abolished, with effect from 1st April 1909, all tolls on Local roads in that district yielding a gross annual revenue of about Rs. 31,000. Three Local roads in the district, the annual maintenance charges of which amount to about Rs. 10,000, have been provincialised with effect from the same date.

16. In pursuance of the system explained in paragraph 16 of the last year's Financial Statement lump deductions for "Probable Savings" have been made from twelve major heads in the current year's expenditure Budget to the amount of 6,99 as

compared with 8,21 under eight major heads in the Budget of 1908-09. The expenditure Budget includes provision for the following items of special interest :—

- (i) temporary establishments for city survey and other purposes in the Revenue Department,
- (ii) revision of certain services in the Revenue and Forest Departments,
- (iii) revision of the scale of Sub-Registrars and the entertainment of peons for some of them,
- (iv) grant of allowances to certain officers and establishments in superior service employed in Bombay and Karáchi,
- (v) extension of Police reorganization and reforms,
- (vi) improvement of the pay of teachers in primary schools and extension of primary education,
- (vii) compensation payable to the Trustees of the St. Peter's Boys School in Bombay,
- (viii) additional stipends to students in Training Colleges,
- (ix) additional staff and books required for the Educational Department,
- (x) grants to indigenous schools for books and slates,
- (xi) grants-in-aid to local bodies in respect of sanitary projects,
- (xii) equipment of hospitals,
- (xiii) additional staff for the Grant Medical College and the Medical Schools,
- (xiv) grants to new medical institutions,
- (xv) investigation in connection with the epidemic of malaria in Bombay,
- (xvi) separation of the Civil administrative duties of the Principal Medical Officer, Sind, from the Military,
- (xvii) grant of time scale pay to Military Officers employed in the Bombay Political Department, and reorganization of the cadre of Deputy Assistant Political Agents,
- (xviii) increased expenditure in connection with the Agricultural Department,
- (xix) acquisition of land for the Northoote Cattle Farm,
- (xx) reorganization of the Subordinate Civil Veterinary Service,
- (xxi) additional expenditure on inspection of factories, and
- (xxii) survey of metal industry.

17. The temporary establishments referred to in item (i) are required for the purpose of ascertaining encroachments on Government land and for record of rights work in certain towns, and for special schemes in connection with the development of Sálsette, the introduction of new tagái forms, the calend-ring of the Peshwa's diary, and other minor objects.

Item (ii) refers to the provisions made for (a) the amalgamation of the lists of Deputy Collectors in the Presidency proper and Sind, and (b) the regrading of mámlatdárs, head accountants, and talátis. The schemes for the Deputy Collectors and mámlatdárs are still under consideration, and that for head accountants has been sanctioned. The long-standing grievance of talátis is now removed by their inclusion in superior service for the purposes of pension, the ultimate increase of pension charges being estimated at about Rs. 48,000 per annum. The regrading in their case is limited to the elimination of the few posts on less than Rs. 10 in the Kolába district and the equalization of the grades in the Panch Maháls to those of the other districts of Gujarát.

The strength of the Provincial Forest Service was found inadequate to cope with the work of the department and an addition of five officers has lately been made to the sanctioned cadre. In consequence of the retrenchments in the expenditure estimate insisted on by the Government of India, the provision originally made for the reorganization of subordinate forest establishments has had to be omitted, much to the regret of this Government. Portions of this scheme have been accepted by the Government of India, who have called for revised proposals on certain points, in connection with which a report by Mr. Eardley Wilmot, late Inspector-General of Forests, who was specially deputed to this Presidency for further examination of the scheme on the spot, is under

consideration. It is believed that agreement will be reached and that sanction to the whole scheme will be obtained during the course of the year. Should that be the case every endeavour will be made to find funds for its introduction by reappropriation or by application to the Government of India for an increased grant against cash balances.

Item (iii) includes provision for the large increase in the work of the Registration Department in Bombay City, involving the appointment of an additional Sub-Registrar and an increase in the pay of the present Sub-Registrar. It has also been found necessary to sanction the entertainment of eighteen probationary Sub-Registrars in the Presidency proper and to grade the District Registry clerks with Sub-Registrars. Provision is also made for the opening of additional Sub-Registry offices, and for the entertainment of peons for the more important Sub-Registry offices.

Since last year clerical establishments employed in Bombay City, whose salary does not exceed Rs. 200 a month and has not been revised in recent years in view of the existing conditions of living, have been granted local allowances, varying from 10 to 20 per cent. of salary, on account of the increased cost of living in the City. The question of extending the concession to Government employees in superior service who are not specifically designated clerks, and of granting similar local allowances to Government servants employed in the City of Karáchi is under consideration. In view of the difficulty of obtaining suitable houses at reasonable rent in Bombay City, Government are also considering the question of the provision of quarters and the extended grant of house rent allowances to certain gazetted officers stationed in Bombay. Item (iv) deals with the provision for the grant, for a part of the year, of house rent allowances to these officers and of the local allowances referred to above.

As stated last year, efforts are being continued to introduce the reforms (item (v)) proposed by the Police Commission and approved by the Government of India and the Secretary of State. Additional constables have been sanctioned for the District Police, and all constables in the Presidency proper drawing not more than Rs. 11 per mensem have been granted a local allowance of Re. 1 per mensem. Schemes for further reorganization of the Police in the districts and on railways are being framed and it is hoped that considerable progress will be made in the current year. The total additional cost involved by the proposals of the Police Commission is estimated at over Rs. 30 lákhs per annum. The special assignment sanctioned by the Government of India for Police reforms now amounts to Rs. 16½ lákhs per annum, and is likely to be increased to Rs. 20 lákhs. Any expenditure over and above this limit will eventually fall on Provincial revenues.

The increase of the minimum pay of teachers in primary schools to Rs. 9 per mensem has been carried out with effect from 1st September 1908 at an extra cost of 98 per annum. As local bodies in several districts are at present unable to make any contribution towards the cost and as it was deemed undesirable to defer it further until they were in a position to do so, the whole of the extra charge in the Presidency Proper will be borne by Government for three years, at the end of which period one-half of it will be required from the local bodies concerned. In the half the cost will be recovered from the local bodies at once. Item (vi) includes a provision of 1.44 for further improving the pay of the teachers in addition to the sum of 98 referred to above. Proposals submitted by the Director of Public Instruction for opening about 1,650 new primary schools involve an additional expenditure of 3.29 recurring and 88 non-recurring. It is not, however, possible to carry out the proposals all at once, and in view of the necessity of observing economy a provision of 60 only could be made as a small instalment. The sum originally provided under this head was 1.14, being the amount which it was calculated could be laid out satisfactorily in the current year. The Government of India however insisted on considerable retrenchments of specific items in the Educational Budget, which necessitated the reduction of the provision to 60. It is however, the intention of Government to provide the full sum of 1.14 by reappropriation from the grant under 45, *Civil Works*, or under other heads as may be found practicable. The Government of India were moved without success for an assignment from Imperial revenues to enable this Government to meet this expenditure as well as that connected with the revision of the salaries of primary school-masters.

In consequence of the contemplated removal of St. Peter's Boys School at Mazagaon to a new site secured by the Trustees of the School, Government have, in accordance with

the terms of a trust deed of 1881, resumed possession of the existing site and buildings standing thereon. Government have already paid 1.06 as the price of the new site, and item (vii) refers to a provision of 46 payable as compensation for the buildings on the existing site. The existing site and buildings will be disposed of by Government, but as the sale proceeds will, in accordance with account rules, be classed as Imperial, the Government of India have sanctioned a grant to Provincial revenues of 1.52 or of the sale proceeds of the site and buildings, whichever is less, to enable this Government to complete the transaction without loss.

Out of the assignment of 5.00 made by the Government of India since 1905-06 for expenditure on primary education a sum of 24 was originally allotted for the purpose of establishing continuation schools for each district. In most cases they were to be really "classes" attached to District Local Board Schools and were to be maintained by grants to the Boards. Subsequently, however, it was found that the Local Boards were unable to provide stipends for students in Training Colleges who ought to be free from anxiety as to the means of living. Item (viii) therefore includes a sum of 23 for these stipends, the balance of 1 being assigned for scholarships to selected girls in the Southern Division while undergoing training in approved schools preparatory to the passing of the entrance examination of the Female Training College, Dhárwár.

Item (ix) includes provision for a separate Deputy Educational Inspector for the Thar and Párkár district where the development of education has necessitated the creation of a separate charge. Provision is also made for (a) a Personal Assistant to the Deputy Educational Inspector, Dhárwár, (b) two itinerant masters to supervise village schools in the above-ghát talukás of the Kánara district, the inspecting staff of which is owing to the peculiar condition of the tract unable to supervise efficiently the work of the teachers, much less to create and foster a desire for education, and (c) additional staff and accommodation for the Sholápur High School, where the number of students has increased. A special provision of 10 is also made for expenditure in connection with the production of the New Girls' Readers in the three vernaculars of the Presidency and of other departmental books for use in schools.

In connection with certain proposals received by the Government of India for the diffusion of elementary primary education in India, they suggested an addition to the existing provisions of Chapter III of the Bombay Grant-in-aid Code (Grants-in-aid to indigenous schools) of a clause providing for a small grant for books and slates when such a grant appears to be required. Item (x) refers to a charge of 14 entailed by this addition.

Out of the amount of 4.50 assigned from Imperial revenues and 1.00 provided from Provincial revenues for expenditure on sanitary improvements 5.33 were last year distributed as grants-in-aid to the Pandharpur (2.00), Dhárwár (77), Ahmedabad (50), Surat (50), Belgaum (50), Hubli (50), Poona City (40), Sholápur (10), and Roha Ashtami (6) Municipalities. In the case of Dhárwár Government have also sanctioned the remission of the outstanding balance (23) of the plague loan granted to the Municipality in 1900-01. This further assistance was necessary to enable that body to finance its water-supply scheme. Projects for the drainage of the City of Poona and improvement of its water-supply have been approved and will be carried out from the funds which will be made available by Government by way of loan and subvention. With the object of assisting the Poona City Municipality in meeting the annual liability in respect of the loan Government have sanctioned the remission of a floating debt of 35 on account of plague expenditure, and of the outstanding balances (1.97) of the plague and Manjri Farm loans granted to that body. Government have also promised a subvention of 6.00 from Provincial revenues. The Bijápur Municipality has been promised a grant-in-aid of 2.00 towards the cost of its water-works; and the Pandharpur Municipality is to receive a further subvention of 2.25 for the completion of its water-supply project, while measures of sanitary improvements in several other towns are under consideration. In view of these demands item (xi) provides 2.70 over and above the Imperial assignment of 4.50.

For placing the hospitals in this Presidency in a more satisfactory condition in point of equipment the Surgeon General's estimates aggregated 1.90. Of this amount 10 were made available in 1907-08 and 1.21 in 1908-09. Item (xii) refers to a further provision of 50 now made for the purpose.

The provision made in the last year's budget for strengthening the superior staff of the Grant Medical College and the J. J. Hospital in pursuance of the recommendations which were made some time back by the Grant Medical College Reorganisation Committee was not utilised, as details have not been finally considered. Item (xiii) refers to the provision repeated for this purpose in this year's budget, as well as to that for the increase of the staff employed at the Medical Schools at Ahmedabad, Poona and Hyderabad, which has been found inadequate.

Item (xiv) includes provision for small grants-in-aid to the Pasteur Institutes at Kasauli and Coonoor and to new leper asylums at Poona and Sátara. Provision is also made for the first moiety of the grant of 80 sanctioned to the United Free Church of Scotland Mission in aid of the cost of the construction of a hospital building in the City of Poona, one of the conditions of the grant being that the hospital should be open to all classes irrespective of religious distinctions.

Under item (xv) a provision of 13 is made for the current year's charges on account of the Special Officer (and his establishment) deputed to investigate the causes of the outbreak of malaria in Bombay and to devise measures for its prevention in future. The total cost is estimated at 20, to which the Bombay Municipality, the Bombay Port Trust and the B. B. & C. I. Railway Company have agreed to make contributions, which will amount to 9. The G. I. P. Railway Company refused to contribute.

The Government of India having desired that the Civil administrative duties of the Principal Medical Officer, Sind, should be completely separated from the Military, it is proposed to transfer most of these duties to the Civil Surgeon, Karáchi. Item (xvi) provides for the charges involved in this arrangement, which will impose additional work and responsibility on the Civil Surgeon.

The pay and prospects of Military Officers employed in the Political Department having been found to be inadequate, a scheme for the grant of time scale pay to these officers is under consideration. It has also been proposed to raise the initial and maximum pay of Deputy Assistant Political Agents and to ensure the grant of promotion to them at the end of fixed periods of service. Item (xvii) refers to the provision for these charges for a part of the year.

Under item (xviii) 38 are provided for new experimental or demonstration farms proposed to be started at Gadag, Gokák and Kárwár in the Presidency proper and at Daur in Sind, for salt land reclamation experiments on the Nira Canal, for dry farming experiments in the Ahmednagar district, and for storage of fodder and other miscellaneous experiments. Special provision of 20 is made for an Agricultural and Mechanical Engineering establishment and for the purchase of oil engines and pumps for wells and rivers. In connection with several existing farms additional expenditure of about 30 is contemplated in respect of establishments, buildings and other petty works, implements, livestock, etc. Provision is also made for larger expenditure on account of demonstrations on farms and contributions to agricultural shows, for the pay of the scholars sent to England to study agriculture and expected to return in the course of the current year, and for a larger number of scholarships at, and the improvement of the library of, the Agricultural College.

Item (xix) refers to the provision made for the compensation payable to the owners of the land included in the Northcoote Cattle Farm at Chharodi, which, now that the farm has been taken over by Government, it is considered desirable to acquire under the Land Acquisition Act.

The reorganisation of the Subordinate Civil Veterinary Service has been sanctioned for the Presidency proper, while proposals for a reorganisation of the service in Sind are expected. Item (xx) refers to a provision of 40 for the extra charge likely to be incurred on this account and of 20 for grants to District Local Boards in aid of the construction of new veterinary dispensaries.

Item (xxi) provides for a full time officer for the medical inspection of factories whose appointment has been recommended by the Indian Factory Labour Commission, and for the contemplated revision of the scale of officers on the combined Factory Excise establishment.

In connection with the Industrial Survey of the Bombay Presidency, which has commenced since last year, it is intended to appoint an officer to conduct the survey of metal industry this year. Item (xii) represents the charge likely to be involved on this account.

18. Indirect famine expenditure in 1909-10 is estimated at 4,16, chiefly on account of grain compensation, temporary establishments, and doles to village servants. For direct famine expenditure a small provision of 40 is made, mainly for the grant of gratuitous relief to the decrepit and infirm and for small works to be carried out by Civil agency. The direct expenditure will be borne by Imperial revenues. The provision for plague expenditure in 1909-10 amounts to 4,73 (2,00 direct and 2,73 indirect), and about three-fourths of 1,38 provided for the Bombay Bacteriological Laboratory may be regarded as a further plague liability.

19. As stated in paragraph 20 of the last year's Financial Statement, the amounts provided for large Protective Works are furnished by the Government of India and do not appear in the Provincial Budget. The allotment for the current year is 23,59, and will be spent principally upon the two storage works on the Godavari and Pravara rivers. The proposals made by this Government for securing an assured provision of funds for costly Protective Schemes are still under the consideration of the Government of India. But the amount allotted for the current year is substantially larger than the grant for the last year and will be sufficient to meet the expenditure which can be incurred in one year on the two schemes mentioned above.

20. In the Provincial Advance and Loan Account the payments of takávi and other loans are estimated at 42,09 and the recoveries at 36,60. The former figure differs from the current year's Revised estimate owing to a decrease of nearly 11,00 under advances to cultivators, partially counterbalanced by an increase of nearly 9,00 under loans to local bodies for sanitary and other improvements.

Out of the total it is expected that provision will be made without difficulty for any loans which are likely to be required by representatives of ancient families in reduced circumstances. It is rarely possible to make actual gifts in such cases. For those which occur money can easily be found by reappropriation.

I had hoped under this paragraph to be able to give some account of the year's working of the experimental advance system in the Nira Canal tract. The report, however, has not yet been received.

21. This is the last budget which will be presented to the Council under the existing and expiring system. We have not been able to do all we are in a position to do. Still less have we been able to do all we wished to do; and, indeed, few Governments are at any time in that happy situation. Nevertheless there are some grounds for satisfaction in the ample provision which has been made for Civil Works, and in the means provided for reform and improvement in many branches of the administration. Our Budget shows another "record" expenditure, a sound financial position with a still handsome balance. I earnestly trust that the next Budget will follow a generally favourable season, of the kind for which we have so long been waiting, and that the enlarged Council with its extended powers of discussing and framing the Budget may have at its command such ample resources as may enable it to provide liberally for the numerous objects on which expenditure is required, to enable the Presidency to advance in prosperity and satisfy the wants of the people.

J. W. P. MUIR MACKENZIE.

PART II.

SECTION I.

Accounts of 1907-08.

22. The estimated and actual transactions of the year 1907-08 are given below :—

	Budget Estimate.	Revised Estimate.	Actuals.
Opening balance ...	1,00,36	98,18	98,18
Revenue ...	5,76,98	5,69,50	{ 5,76,21
Expenditure ..	5,85,46	5,82,70	{ (a)+1,92
Closing balance ...	91,88	84,98	5,80,29 96,02

(a) This represents the balance of the Government Central Book Depot Fund merged in Provincial revenues on 31st March 1908.

The important differences between the Budget and Revised estimates of 1907-08 have been explained in Part II, Section II, of the last year's Financial Statement. Important variations of the Actuals from the Revised estimates are noticed below.

23. On the revenue side, the Actuals show a net increase of 6,71 over the Revised estimate. The following is the explanation of the principal differences :—

I, Land-Revenue.—The net increase of 6,99 was due chiefly to—

- (a) an increase of 15,93 in the divisible revenue owing to collections in some districts due in April 1908 having been received in the previous month; and
- (ii) a decrease of 8,83 in the Imperial contributions to Provincial revenues, due to the absence of the assignment to make up the Provincial share of Land-Revenue, which exceeded the fixed minimum guaranteed under the Settlement, partially counterbalanced by the Imperial contributions towards the Rajkot Chiefs' College and in connection with the provincialization of expenditure on cemeteries and tombs not attached to churches.

V, Excise.—The increase of 1,68 was due to sufficient allowance not having been made in the Revised estimate for advance recoveries of part of license fees for 1908-09 consequent on the introduction from 1st April 1908 of the separate shop and auction vend system in certain districts in place of the minimum guarantee system.

VIII, Assessed Taxes.—The increase of 62 was due to collections in the month of March 1908 having been made more promptly than was anticipated.

XXIX, Irrigation—Portion of Land-Revenue due to Irrigation.—The decrease of 2,89 was due to the deficiency of water in some of the Canals in Sind caused by an unfavourable inundation.

24. The expenditure of the year fell short of the Revised by 2,41. The principal differences are explained below :—

3, Land-Revenue.—The decrease of 59 was due mainly to payments of allowances to village servants remaining in arrears, and to the non-utilization to the extent anticipated of the lump provision for the revision of kanungo establishments in Sind. The decrease due to these causes was partially counterbalanced by larger expenditure on the construction and repairs of chowdis and purchase of furniture incurred in the month of March 1908.

19-A, Law and Justice—Courts of Law.—The increase of 56 was due to the purchase of books for the High Court Library and larger payments on account of law charges, partially counterbalanced by smaller expenditure under "Criminal Courts" on account of travelling allowances and payments to officers of other provinces.

20, Police.—The decrease of 78 was due mainly to smaller expenditure under "District Executive Force" on account of supplies and services, the Police Training School, and payments to officers of other provinces.

30, Stationery and Printing.—The increase of 1,09 was due chiefly to an underestimate of the amount adjustable on account of stationery supplied from Central Stores.

45, Civil Works.—The decrease of 1,70 was due mainly to (i) lapse of grants sanctioned for certain works owing to various causes, such as scarcity of labour, late transfer of sites for works, and failure of contractors to push on the works, (ii) delay in the completion of the purchase of certain bungalows at Ahmednagar, Belgaum and Mahabaleshwar, and (iii) payment for stores ordered from England not having been made to the full extent anticipated.

SECTION II.
Revised Estimates of 1908-09.

25. The Budget and Revised estimates of 1908-09 are shown below :—

REVENUE.				No.	Heads.	No.	EXPENDITURE.			
Budget.	Revised.	Revised.					Budget.	Revised.	Revised.	
		Better	Worse.						Better	Worse.
...	...	...	...	...	Refunds and Drawbacks ...	1	2,67	3,79	...	1,12
...	...	...	...	...	Assignments and (Cash Compensations. { Alienations... }	2	9,55 79,46	9,16 79,61	89	...
					Land-Revenue—					
1,97,66	1,76,75	...	20,91	...	{ Provincial share	...	...	...	...	...
91,73	92,01	28	...	I	{ Alienations	...	...	...	...	...
88,68	92,21	3,58	...	...	{ Fixed Allotment, etc.	...	...	...	...	...
...	...	...	...	...	{ Cash ..	3	73,73	73,32	...	60
...	...	...	...	...	{ Alienations ..	...	7,23	7,43	...	16
32,85	32,36	..	...	IV	Stamps	6	1,16	1,10	6	...
82,50	85,00	2,50	...	V	Excise	7	4,88	5,13	...	15
23,98	24,21	23	...	VIII	Assessed Taxes	10	45	45	...	...
19,00	18,00	...	1,00	IX	Forest	11	10,50	10,50	...	...
7,20	7,00	...	20	X	Registration	12	3,42	3,50	...	8
7,64	6,70	...	94	XII	Interest	13	6,90	6,23	62	...
...	...	...	...	...	General Administration	13	16,50	16,10	40	...
5,50	5,80	30	...	XVI-A	Law and Justice—Courts of Law.	19-A	52,20	53,00	...	80
2,30	2,20	...	10	XVI-B	Law and Justice—Jails	19-B	9,00	9,85	...	85
4,25	4,10	...	15	XVII	Police { Cash ...	20	83,26	84,53	...	1,27
...	...	...	...	...	{ Alienations ... }	...	4,99	4,97	2	...
1,00	90	...	10	XVIII	Ports and Pilotage	21	57	52	5	...
4,20	4,05	...	15	XIX	Education	22	43,82	40,60	3,22	...
2,22	2,22	...	...	XX	Medical	24	27,88	26,30	1,58	...
...	...	...	...	...	Political	25	4,25	4,10	18	...
87	70	...	17	XXI	Scientific and other Minor De- partments	26	6,69	6,93	...	24
2,20	2,05	...	15	XXII	Superannuation Allowances, etc.	29	27,02	27,74	...	72
86	1,08	17	...	XXIII	Stationery and Printing	30	11,91	12,58	...	67
28	1,03	25	...	XXV	Miscellaneous	32	2,89	3,05	...	17
...	...	...	...	...	Reduction or Avoidance of Debt	36	13,70	13,70	...	...
...	...	...	...	...	Miscellaneous Railway Expendi- ture	41	21	11	10	...
14,84	14,25	...	59	XXIX	Irrigation—Portion of Land- Revenue due to irrigation	...	...	...	...	...
5,76	5,17	...	58	XXIX	Irrigation—Major Works— Direct Receipts— Working Expenses Interest	42	5,24 8,35	5,78 8,26	9	44
1,61	1,92	81	...	XXX	Irrigation—Minor Works	43	16,11	15,85	26	...
6,97	7,67	70	...	XXXI	Civil Works	45	75,43	79,68	...	4,16
6,04,04	5,87,32	8,27	24,99	...	Total	...	6,09,13	6,13,72	6,97	11,69
84,98(a)	96,03	11,04	...	Opening	Balance	Closing	80,75	69,62	...	11,14

(a) Exclusive of 87 estimated in the Budget on account of the balance of the Government Central Book Depot Fund, which was abolished on 31st March 1908.

26. The Revised estimates of revenue show a net deficit of 16,72 on the Budget. The important decreases anticipated are under the following heads :—

I, Land-Revenue.—17,10 made up of—

- (i) a decrease of 20,91 under “Provincial $\frac{1}{2}$ share” of land-revenue, due to unfavourable rabi crops in the Deccan and parts of Gujarát and Karnátak resulting from the want of later rains ;
- (ii) an increase of 28 under “Alienations,” due to underestimates and revision of surveys in some districts, and
- (iii) an increase of 3,53 under “Fixed allotment and adjustments,” due to the Imperial assignments on account of (a) the grant of the royal bonus equal to one week’s pay to permanent Government servants drawing not more than Rs 50 a month, (b) the transfer of railway police charges in Sind from the Punjáb to the Bombay Government, (c) the Rájkot Chiefs’ College, (d) the abolition of audit fees formerly charged to certain local bodies, (e) the provincialization of expenditure on cemeteries and tombs not attached to churches and (f) archaeological expenditure.

IX, Forest.—1,00, due mainly to the depletion of stock in the depôts of North and East Kánara owing to the partial failure of contractors, to smaller quantities of timber being cut departmentally in the Central Circle, and to a reduction in the collection of myrabolams.

XII, Interest.—94, due chiefly to smaller receipts on account of interest on advances to cultivators owing to the unfavourable season.

XXIX, Irrigation—Major Works—Portion of Land-Revenue due to Irrigation.—59, due to less cultivation and floods on the Eastern Nara, and to less cultivation on the Jámráo owing to deficiency of water and scarcity of labour.

XXIX, Irrigation—Major Works—Direct Receipts.—53, due to smaller receipts from the Mutha and Krishna Canals, the Kadya River works and the Mhaswad Tank in the Presidency proper, and the Desert Canal and the Eastern Nara in Sind.

27. On the other hand, the Revised estimates indicate increases of revenue principally under the following heads :—

V, Excise.—2,50, due to larger realizations on account of country spirits and transit duty on excise opium.

XXXI, Civil Works.—70, due to larger receipts under (i) rents of buildings consequent on the construction and purchase of new residential buildings, and (ii) tolls on roads owing to increased bids, and to a recovery of 20 from the Bombay City Improvement Trust on account of the General Mews and site taken over by that body.

28. On the expenditure side, the Revised estimates indicate a net increase of 4,59 over the Budget. The important increases anticipated are under the following heads :—

1, Refunds and Drawbacks.—1,12, due to larger expenditure mainly on account of land-revenue, stamps and excise refunds.

3, Land-Revenue.—75, due mainly to larger expenditure on account of grain compensation and plague allowances and the grant of the royal bonus to Government servants. But for these charges the estimate of “Probable Savings” on the total major head figure made in accordance with the system explained in paragraph 16 of the last year’s Financial Statement would have been practically realised, large savings having accrued in the provision for discretionary grants and for the survey of tálukdári villages, and under “Allowances to District and Village-Officers.”

19-A, Law and Justice—Courts of Law.—80, due to increased provision in the Revised chiefly on account of (i) High Court Judges on privilege leave and on deputation, (ii) changes in the personnel of Judicial Commissioners of Sind, and (iii) law charges. On the other hand, savings accrued under “Criminal Courts,” owing to a larger number of absentees, and under, “Dekkhan Agriculturists” Relief Courts,” and these far exceeded the estimate of “Probable Savings” on the total major head figure made under the plan referred to above.

19-B, *Law and Justice—Jails.*—85, due mainly to heavy dietary charges consequent on high prices of food-grains, partly counterbalanced by savings due to delay in the revision of warders' establishments.

20, *Police.*—1,25, due mainly to (i) larger payments on account of grain compensation, (ii) the grant of the royal bonus, and (iii) the transfer since August 1908 of railway police charges in Sind from the Punjab to this Government. On the other hand, the provisions for police reorganization and for the Training School were not fully utilised.

29, *Superannuation allowances and pensions.*—72, due to sufficient allowance not having been made for the growth of pensionary charges.

30, *Stationery and Printing.*—67, due mainly to larger expenditure on account of (i) revised rates of wages of piecework compositors at the Government Central Press, (ii) contingencies at the Yeravda Prison Press, and (iii) stationery supplied from Central Stores.

45, *Civil Works.*—4,15, due to additional allotments sanctioned for works in the course of the year, partly by transfers from other heads and partly from the Provincial balance.

29. The Revised estimates indicate noticeable decreases of expenditure under the following heads:—

13, *Interest on Ordinary Debt.*—62, due to the falling off of the mean balance on which interest is chargeable to Provincial revenues, consequent on larger recoveries and smaller payments made in 1907-08 and now estimated for 1908-09.

22, *Education.*—3,22 over and above the sum of 2,00 estimated in the Budget as "Probable Savings" on the total major head figure under the plan referred to above. The decrease is due mainly to (i) saving in salaries owing to the posts of the Assistant to the Director of Public Instruction and some Professors being held by acting officers, (ii) a larger contribution from the Ráj Kumár College Fund, (iii) the non-utilization of the provision for (a) hostels in connection with High Schools, (b) revision of salaries of Head Masters of High Schools, and (c) equipment of the proposed laboratory at the College of Science, which is to be designed by the new Professor of Mechanical Engineering, and (iv) the transfer of funds to the Public Works Department for the construction of educational buildings. Out of the provision of 1,31 for grants for primary school buildings in Bombay City, 1,00 were paid during the year as the Municipal Corporation was not ready with a full programme of the buildings to be constructed.

24, *Medical.*—1,58 over and above the sum of 1,45 estimated in the Budget as "Probable Savings" on the total major head figure under the plan referred to above. The decrease is due mainly to (i) savings in salaries of gazetted officers, (ii) smaller expenditure on plague operations and the Bacteriological Laboratory, and (c) the non-utilization of the provision for the teaching of the M.B., B.S. course, the scheme for which is not finally sanctioned.

30. The opening balance of the year 1908-09 estimated in the Budget at 84,98 is now raised to 96,02 as explained in paragraph 3. According to the Revised estimates, the expenditure during the year exceeds the revenue by 26,40 and the closing balance is therefore estimated at 69,62.

SECTION III.

Budget Estimates of 1909-10.

31. The year 1909-10 is estimated to open with a balance of 69,62 and to close with a balance of 64,42 to the credit of the Provincial account as shown in the following table:—

	1908-09.		1909-10.		1909-10 more (+), or less (-), than 1908-09.
	Budget.	Revised.	Budget.	Budget.	
				Revised.	
Opening balance ...	{ 84,98 + 87*	} 96 02	69,62	- 16,23	- 26 40
Revenue ...	6,04,04	5,87,82	6,00,87	+ 16,88	+ 23,55
Expenditure ...	6,09,18	6,18,72	6,26,07	+ 16,94	+ 12,35
Closing balance ...	80,76	69,62	64,42	- 13,34	- 5,20

* This represents the estimated balance of the Government Central Book Dept Fund merged in Provincial revenues.

The details of the revenue and expenditure figures by major heads are given in Appendix AB.

Refunds—1.

32. The Provincial figures are:—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Refunds	2,99	2,53	3,24	2,67	3,79	2,69

The new Budget provides for normal charges. The Revised for the last year is high owing to larger refunds of land-revenue, stamps and income-tax receipts, and to special refunds of still-head duty to retiring farmers in some districts.

Assignments and Compensations—2.

33. The Provincial figures are:—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Cash ...	9,00	8,65	8,43	9,55	9,16	9,43
Alienations	78,56	79,04	79,32	79,46	79,61	79,63
Total	87,56	87,69	87,75	89,01	88,77	89,06

Under cash payments the last year's Revised is low mainly owing to the non-utilisation of the provision made for the payment of excise compensation to the Sachin State in connection with the proposed lease of its A'bkári revenue and to the Miraj (Junior) State for the loss of its toddy revenue. The new Budget provides for normal charges. Under "Alienations" the new Budget follows the last year's Revised, the increase as compared with the Budget of 1908-09 being due to underestimates and to the revision of surveys in some districts.

I.—Land-Revenue—3.

34. The Provincial figures are:—

	● Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised	Budget.
Revenue.						
Provincial						
½ share ...	1,77,13	2,09,57	1,82,23	1,97,66	1,76,75	2,05,66
Alienated ...	90,62	91,26	91,68	91,73	92,01	92,04
Fixed allotment and adjustments ..	69,63	75,61	80,40	88,98	92,21	98,60
Total ...	3,37,38	3,76,44	3,54,20	3,78,07	3,60,97	3,91,20
Expenditure.						
Charges of District Administration ...	82,04	33,54	84,74	86,70	36,00	37,00
Survey and Settlement, Land Records	108	88	109	1,80	1,25	1,40
Allowances to District and Village Officers ...	13,28	13,24	13,28	13,48	13,20	13,53
Lump deduction for Probable savings ...	...	...	...	-1,67	...	-1,00
Total	69,28	75,06	76,95	80,00	80,75	81,78

Until the year 1907-08 it was the practice to divide the gross land-revenue collections between Imperial and Provincial before deducting from them the portion due to irrigation, the deduction being wholly made from the Imperial share of land-revenue and credited to the head *XXIX, Irrigation—Major Works* as an Imperial receipt. The revenue due to irrigation is now deducted from the head *I, Land-Revenue* and transferred to the head *XXIX, Irrigation—Major Works*, where it is shared equally between Imperial and Provincial. Taking the heads *I* and *XXIX* together, the reclassification does not involve any loss or gain to Provincial or Imperial.

(a) The new Budget under "Provincial ½ share" of divided revenue is the highest on record, and is framed on the assumption that the agricultural conditions of the year will be favourable enough for the collection of a portion of the suspended revenue of the last year in addition to the normal demand for the current year. The unsatisfactory character of the rabi season of 1908 necessitated the grant of large remissions and suspensions.

Under "Alienations" the Budget follows the last year's Revised, the increase over the last year's Budget being due to under-estimates and to the revision of surveys in some districts.

The provision of 93,50 under "Fixed allotment and adjustments" includes the fixed assignment of 42,77 under the Provincial Settlement and the further allotments made since 1905-06 by the Government of India for various objects. The net increase of 4,82 over the last year's Budget is explained below:—

(i) Additional assignment for Police reforms ...	...	...	...	...	+3,00
(ii) Assignment in connection with the credit to Imperial revenues of the sale proceeds of the site and buildings of the St. Peter's Boys School in Bombay ..	...	...	...	...	+1,52
(iii) Transfer of Railway Police charges in Sind from the Punjab to the Bombay Government	...	...	...	...	+1,00
(iv) Discontinuance of the assignment for grants to the University and aided Colleges...	...	...	...	...	-85
(v) Absence of the assignment for arrears of grants-in-aid to the Rajkot Chiefs' College included in the last year's Budget	...	...	...	...	-61

(vi) Additional assignment in connection with the remission of audit fees hitherto recovered from certain local bodies	...	...	...	...	...	+36
(vii) Provincialization of expenditure on cemeteries and tombs not attached to churches	...	...	...	...	...	+13
(viii) Compensation to Provincial on account of the exemption of the Rájikumar College Staff from the payment of leave and pension contributions	...	...	...	...	...	+9
(ix) Transfer to Imperial revenues of police charges connected with the Baroda Cantonment	...	...	...	...	...	-2
Net total						4,82

(b) The small increase of 30 under "Charges of District Administration" is due mainly to larger provision for salaries and allowances, for officers on special duty, and for supplies and services, partly counterbalanced by the absence of the provision for discretionary grants to Commissioners and other officers and by smaller provision for the survey of talukdári villages. Under "Survey and Settlement" a provision of 13 is made for the equipment and strengthening of the Government Photozincographic Office. The increase under "Land Records" is due mainly to larger provision for temporary survey establishments, for kanungo establishment in Sind, and for grain compensation charges. Under "Allowances to District and Village-Officers" the Budget differs but slightly from that for the last year, the Revised for that year being low owing to savings in the provision made for allowances and supplies and services of village executive officers. A smaller deduction is made for "Probable Savings" in the new Budget, the allowance made for the purpose in the last year's Budget having not been realised to the full extent anticipated.

IV.—Stamps—6.

35. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ...	32,40	81,81	82,33	82,85	82,85	32,60
Expenditure	1,19	1,05	1,10	1,16	1,10	1,16

(a) The revenue Budget allows for a small increase over the last year's estimates, the falling off in the sales of general stamps being more than compensated by increased sales of court-fee stamps.

(b) The expenditure Budget is normal.

V.—Excise—7.

36. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue .	71,84	74,18	81,93	82,50	85,00	87,00
Expenditure.	2,61	2,69	2,25	4,88*	5,03	4,90

* This is the major head estimate after deduction of 56 for probable savings, the total of the details in the Civil Estimates for 1908-09 being 5,44.

(a) The increase of revenue is due mainly to the raising of the still-head duty in some districts, and to closer supervision.

(b) The expenditure Budget includes lump provisions of (i) 5 for the grant of local allowances to members of establishments in superior service in Bombay City who are not designated clerks, and to Government establishments employed in Karachi, and (ii) 3 for additional clerical establishments in district offices. The excess in the last year's Revised

is due to the large allowance made for probable savings not having been realised to the full extent anticipated. No deduction is made for such savings in the new Budget, in which the special provision (47) made last year for the purchase of certain distillery plant is also absent.

VIII.—Assessed Taxes—10.

37. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
REVENUE.						
Salaries and Pensions	4,16	4,48	4,75	4,65	4,85	4,85
Profits of Companies.	3,10	5,00	4,49	4,75	4,08	3,89
Interest on Securities...	1,62	1,75	1,90	1,92	1,93	1,95
Other sources of income..	10,97	11,92	12,97	12,68	13,35	13,50
Total	18,85	23,10	24,11	23,98	24,21	24,19
Expenditure.	89	42	42	45	45	43

(a) The decrease under tax on "Profits of Companies," due to the falling off in trade and in the profits of the Mill Industry, is expected to be more than made up by increased receipts mainly under "Other sources of income."

(b) The expenditure Budget includes a lump provision of 2 for additional charges on account of the Income Tax Office, Bombay.

IX.—Forest—11.

38. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue	17,42	17,11	18,23	19,00	18,00	19,50
Expenditure	10,83	9,95	9,73	10,50*	10,50	10,53*

* This is the major head estimate after deduction of 55 in the last year's Budget and 20 in the current year's Budget for probable savings, the total of the details in the Civil Estimates for 1908-10 being 10,78.

(a) The decrease in the current year's revenue Budget as compared with the last year's Budget is due mainly to smaller receipts anticipated from timber removed by Government agency in the Southern Circle, to the completion of the clearance of *marki* teak, and to increased reservation of teak in *gurcharan* lands in Thána.

(b) The expenditure Budget includes provision for the strengthening of the Provincial Forest Service, and differs from the last year's Budget, chiefly owing to (i) smaller provision for communications and buildings, (ii) smaller deduction for probable savings, and (iii) the absence of the provision (18 in 1908-09) for the re-organization of subordinate forest establishments.

X.—Registration—12.

39. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue	6,74	6,55	6,95	7,20	7,00	7,04
Expenditure	3,09	3,11	3,28	3,42	3,50	3,52*

* This is the major head estimate after deduction of 25 for probable savings, the total of the details in the Civil Estimates being 3,57.

(a) The revenue Budget provides for a small increase over the last year's Revised estimate and for the contemplated reduction of copying fees.

(b) The expenditure Budget includes provision for (i) an increase in the pay of the existing Sub-Registrar and the appointment of an additional Sub-Registrar for Bombay City, (ii) the creation of higher posts of Sub-Registrars consequent on the grading of the District Registry clerks with Sub-Registrars, (iii) the opening of new Sub-Registry offices, (iv) probationary Sub-Registrars, (v) the entertainment of peons under Sub-Registrars, and (vi) the increase of temporary establishments.

XII.—Interest—13.

40. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
	Revenue ..	4,70	5,38	8,05	7,64	6,70	7,67
Expenditure.	6,10	6,80	6,29	6,90	6,28	6,52

(a) The increase in the revenue Budget as compared with the last year's estimates is due chiefly to larger receipts expected from interest on loans to cultivators on the assumption of a normal season.

(b) The decrease in the expenditure Budget as compared with the last year's Budget is due to smaller provision for advances to, and larger recoveries expected from cultivators in anticipation of a normal season, and for the grant of loans to Gujarát Tálukdárs in connection with the settlement of their debts. The decrease is partially counter-balanced by a larger provision for loans to local bodies on account of sanitary and other improvements.

41. The amount allotted by the Government of India for loans is distributed as shown below :—

(i) Loans to cultivators—						
Northern Division	...	...	...	...	...	5,75
Central „	...	...	...	...	...	10,85
Southern „	...	...	...	...	...	3,80
Sind	...	...	...	...	...	7,04
Reserve with Government	...	...	...	...	...	1,00
						<u>28,44</u>
(ii) Loans to Tálukdárs in Gujarát	...	...	...	...	...	4,05
(iii) Loans to land-holders and notabilities apart from the provisions of any law.						10
(iv) Loans to local bodies on account of public works						9,00
(v) Loans for the purposes of the Co-operative Credit Societies Act						50
						<u>Total ... 42,09</u>

General Administration—18.

42. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
	Expenditure.	15,68	14,57	15,67	16,50	16,10	16,65*

* This is the major head estimate after deduction of 25 for probable savings, the total of the details in the Civil Estimates being 16,90.

The increase over the last year's Budget is due mainly to the lump provisions amounting to 79 for (i) the grant of local allowances on account of the high cost of living (a) to Provincial establishments employed in the city of Karachi and (b) to members of establishments in superior service in Bombay who are not designated clerks, and (ii) the grant of house-rent allowances to certain gazetted officers in Bombay. The Budget for the last year included a lump provision of 71 for the grant of local allowances to Provincial clerical establishments in Bombay City. Provision for this purpose is now made under the various major heads concerned, the amount provided under this head being 28. The decrease in the last year's Revised is due mainly to the transfer of grants out of the lump provision of 71 to other heads.

XVI-A.—Law and Justice, Courts of Law—19-A.

43. The figures are :—

	Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue	4,78	5,08	5,30	5,50	5,80	5,80
Expenditure...	50,00	50,92	51,81	52,20*	53,00	52,49*

* This is the major head estimate after deduction of 50 in the last year's Budget and 75 in the current year's Budget for probable savings, the total of the details in the Civil Estimates for 1909-10 being 53,24.

(a) The revenue Budget provides for larger receipts from fees, fines and miscellaneous items. The last year's estimates include larger receipts from sale-proceeds of unclaimed property.

(b) The increase in the expenditure Budget as compared with the last year's Budget is due mainly to larger provision for law charges, and for general establishment under "Criminal Courts," and to provision for revision of establishments and grant of local allowances to clerical establishments in Bombay City. The Revised for the last year includes (i) increased charges on account of salaries of acting Judges of the High Court, fees in criminal cases, and purchase of books in Civil Courts, and (ii) smaller payments under "Dekkan Agriculturists' Relief Courts."

XVI-B.—Law and Justice, Jails—19-B.

44. The figures are :—

	Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ...	1,92	2,21	2,14	2,30	2,20	2,35
Expenditure .	8,26	8,93	8,63	9,00*	9,85	9,84*

* This is the major head estimate after deduction of 25 for probable savings, the total of the details in the Civil Estimates for 1909-10 being 10,08.

(a) In view of activity in jail industries a small increase is provided for in the revenue Budget.

(b) The increase in the expenditure Budget is due chiefly to larger provision for dietary charges in view of increased prices, and to the contemplated re-opening of the Shikarpur Prison in order to relieve over-crowding in Sind Jails. The scheme for the revision of warder establishments has now been sanctioned and the provision of 83, which was made for it in the last year's Budget but not fully utilised, is repeated in the new Budget.

XVII.—Police—20.

45. The figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised	Budget.
Revenue ...	4,18	4,46	4,49	4,25	4,10	4,40
Expenditure—						
Cash ...	59,87	66,05	71,45	83,26	84,63	89,10
Alienations .	4,93	4,98	4,96	4,99	4,97	4,98
Total ...	64,80	71,08	76,41	88,25*	89,50	93,08*

* This is the major head estimate after deduction of 1,23 in the last year's Budget and 1,00 in the current year's Budget on account of probable savings, the total of the details in the Civil Estimates for 1909-10 being 94,08.

(a) The increase in the revenue Budget as compared with the last year's Budget is due mainly to the provision for contributions from Abkari farmers towards the cost of Excise police in districts where the Contract Supply system has not been introduced, and to the increase of Port Trust contributions towards the Harbour Police, partially counter-balanced by a falling off in the recoveries from employers of private watchmen. The increase as compared with the last year's Revised is due to larger receipts on account of the two items last mentioned.

(b) The increase in the expenditure Budget as compared with the last year's estimates is due mainly to (i) larger provision on account of (a) the reorganization of the police force (including the grant of local allowance to constables drawing not more than Rs. 11 per mensem), (b) railway police charges in Sind lately transferred from the Punjab to the Bombay Government, (c) rent charges in respect of Improvement Trust lines and quarters for police in Bombay City, and (d) "Travelling Allowances," "Supplies and Services," and "Contingencies" of the "District Executive Force," partly counter-balanced by the absence of the provision made in the last year's Revised of 83 on account of the royal bonus and of 55 on account of extra allowances to village-officers in connection with scarcity. The new Budget provides for (a) an additional Deputy Commissioner for Bombay City, (b) the strengthening of the Criminal Investigation Department, (c) the appointment of a Special Assistant to the Inspector General of Police, and (d) armed reserve guard in Káthiáwar. The provision of 1,14 for the Police Training School is short of the last year's Budget by 41, but exceeds the Revised for that year by 24, while that for grain compensation charges is 1,55 as compared with 1,02 and 2,57 in the last year's Budget and Revised estimates respectively.

XVIII.—Ports and Pilotage—21.

46. The figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ...	79	84	94	1,00	90	90
Expenditure.	41	45	54	57	53	57

(a) The revenue Budget follows the last year's Revised. The decrease as compared with the last year's Budget is under registration and other fees due to depression in trade.

(b) The expenditure Budget is normal.

XIX.—Education—22.

47. The figures are :—

	Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ...	3,57	3,73	3,78	4,30	4,05	4,10
Expenditure.	24,35	26,96	28,05	48,82*	46,60	44,73*

* This is the major head estimate after deduction of 2,00 in the last year's Budget and 54 in the current year's Budget for probable savings, the total of the details in the Civil Estimates for 1909-10 being 46,27.

(a) The decrease in the revenue Budget as compared with the last year's Budget is due to smaller receipts expected from fees at the Government Colleges and from sale-proceeds of books.

(b) The increase in the expenditure Budget is due mainly to the provision made for the following items :—

(i) Additional provision for increase in the pay of teachers in primary schools. .	1,92
(ii) Extension of primary education	60*
(iii) Compensation payable to the Trustees of the St. Peter's Boys School, Mazagaon	46
(iv) Grants to indigenous schools for books and slates	14
(v) Cost of new Girls' Readers and other Departmental books	10
(vi) Additional Deputy Educational Inspector and establishment	6
(vii) Charges connected with Indian students in England	3

On the other hand, the provisions for hostels and play-grounds in connection with High Schools (2,12), for the revision of the pay of Head Masters of these Schools (17), and for arrears of grants-in-aid to the Rajkumar College (61) made in the last year's Budget have not been repeated in the current year's Budget.

The provision of 50 made in the last year's Budget for the equipment of the Engineering Laboratory of the College of Science, Poona, was not utilised owing to the late arrival of the new Professor of Mechanical Engineering, who was to design the proposed laboratory. As the Laboratory is not likely to be ready this year, no provision is now made for its equipment. The period of five years for which an annual assignment of 65 was sanctioned by the Government of India in connection with the reforms necessitated by the Indian Universities Act, 1904, expired on 31st March 1909. As the assignment has not been sanctioned by that Government for a further period, no provision for the grants made from it is entered in the current year's Budget. The provision of 4,00 for building grants is made up of (i) the normal provision of 1,50, (ii) 1,00 assigned out of the Imperial grant for primary education, (iii) 1,00 for primary schools in Bombay City, and (iv) 50 for financing the expenditure on account of the new building for the David Sassoon Industrial and Reformatory Institution. The outlay in respect of the last item will be eventually recouped to Government. A provision of 1,67 is made as shown below against the Imperial assignment for technical and industrial education :—

(i) Development of technical education	1,36
(ii) Grant-in-aid to the Victoria Jubilee Technical Institute	15
(iii) Additional expenditure in connection with the Pottery Department and the Architectural Class at the Sir J. J. School of Art	10
(iv) Instructor of the Normal Class, College of Science, Poona	3
(v) School of Industry, Ratnágiri	2
(vi) Manual Training Class at the Belgaum High School	1
Total	1,67

48. The expenditure estimate of 44,73 mentioned above is exclusive of the following items which are provided under other heads for purposes connected with education :—

(i) Construction and maintenance of Government educational buildings	...	5,24
(ii) Grant Medical College and Medical Schools at Poona, Ahmedabad and Hyderabad	... ..	3,09
(iii) Agricultural College at Poona	... ..	79
(iv) Veterinary College in Bombay (exclusive of 26 borne by Imperial revenues on account of the salary and exchange compensation allowance of the Principal and Assistant Principal)	... ..	33
(v) Allowances to Dakshina Fellows and others (Provincial share)	... ..	10
(vi) Donations to Scientific Societies	... ..	10
(vii) Preservation and translation of ancient manuscripts	... ..	3
	Total	9,88

The total Provincial expenditure on educational objects in 1909-10 is thus estimated at 54,41.

XX.—Medical—24.

49. The figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ..	2,20	2,23	2,20	222	2,22	2,24
Expenditure	22,04	22,02	19,05	27,88*	26,30	29,15*

* This is the major head estimate after deduction of 1,45 in the last year's Budget and 1,60 in the current year's Budget for probable savings, the total of the details in the Civil Estimates for 1909-10 being 30,65.

(a) The revenue Budget provides for small increases in Hospital, Lunatic Asylum and other receipts, partially counterbalanced by a falling off in Medical School and College fees.

(b) The increase in the expenditure Budget as compared with the last year's estimates is due mainly to larger provision for (i) grants-in-aid to Municipalities for sanitary projects, (ii) establishment and contingent charges of some of the Presidency Hospitals, (iii) the Belgaum Vaccine Depot, (iv) dietary charges at Lunatic Asylums, and (v) grants to Village Sanitary Committees. Provision is also made for (i) a building grant of 15 to the United Free Church of Scotland Hospital at Poona, (ii) an expert medical officer in connection with the investigation of the epidemic of malaria in Bombay, (iii) the transfer of the civil duties of the Principal Medical Officer, Sind, to the Civil Surgeon, Karachi, and (iv) the revision of establishments, including the teaching staff, of medical schools. The increase over the last year's Budget is partially counterbalanced by smaller provision for (i) charges connected with the plague and the Bombay Bacteriological Laboratory, and (ii) the equipment of hospitals.

Political—25.

50. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Expenditure.	3,94	4,29	3,90	4,23	4,10	4,47*

* This is the major head estimate after deduction of 25 on account of probable savings, the total of the details in the Civil Estimates being 4,72.

The increase as compared with the last year's estimates is due chiefly to the provision on account of the schemes for the grant of time-scale pay to Military Officers employed

in the Bombay Political Department and for the reorganization of the cadre of Deputy Assistant Political Agents. The Revised for the last year includes larger recoveries on account of establishments in foreign service in Káthiáwár.

XXI.—Scientific and other Minor Departments—26.

51. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ...	60	53	66	87	70	85
Expenditure.	6,95	5,29	5,76	6,69	6,93	6,69*

* This is the major head estimate after deduction of 75 for probable savings, the total of the details in the Civil Estimates being 8,44.

(a) The revenue Budget follows the last year's Budget with slight variations. The last year's Revised is low owing to the non-realization of the receipts anticipated from the Surat, Dhárwár and Mánjri farms.

(b) The increase in the expenditure Budget as compared with the last year's estimates is due mainly to the provision made for the acquisition of land for the Northcote Cattle Farm at Chhárodí, for the opening of new agricultural stations at Gadag, Gokák and Kárwár and a demonstration farm at Daur in Sínd, for Agricultural and Mechanical Engineers and oil engines and pumps on wells and rivers, and for building grants for veterinary dispensaries. Larger provision is made for establishments, allowances and contingent charges of the Agricultural Department, for the staff, scholarships and library at the Agricultural College, for the reorganization of the Subordinate Civil Veterinary Service, and for the inspection of factories.

XXII.—Superannuation Allowances—29.

52. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ..	2,06	2,06	2,09	2,20	2,05	2,05
Expenditure.	24,03	25,09	26,22	27,02	27,74	28,79

(a) The receipts in the last year on account of contributions for pensions and gratuities from officers in foreign service are expected to be smaller than was anticipated in that year's Budget. The new Budget follows the last year's Revised.

(b) The expenditure Budget allows for the normal growth of pension charges.

XXIII.—Stationery and Printing—30.

53. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ...	84	79	89	86	1,08	1,00
Expenditure.	10,60	11,74	13,01	11,91	12,58	12,72*

* This is the major head estimate after deduction of 25 for probable savings, the total of the details in the Civil Estimates being 12,97.

(a) The revenue Budget follows the last year's Revised, the improvement as compared with the last year's Budget being due mainly to larger receipts expected

from the sale of *Gazettes* and other publications, including those on account of the Sanskrit series which were formerly credited under the head *XIX, Education*.

(b) The increase in the expenditure Budget is due mainly to larger provision for (i) compositors on piece work at the Government Central Press, (ii) stationery supplied from Central Stores, and (iii) the purchase of stores and revision of establishments at certain Presses.

XXV.—Miscellaneous—32.

54. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Revenue ...	1,25	61	98	78	1,08	1,00
Expenditure.	2,89	3,58	2,48	2,83	3,05	3,00

(a) The increase in the revenue Budget is due mainly to larger receipts under "Unclaimed Deposits," the provision for which is based on the average of the actuals for the last three years.

(b) The increase in the expenditure Budget over the last year's Budget is due mainly to larger provision for "Rents, Rates and Taxes," on account of the increase in the rate of general tax levied by the Bombay City Municipality. The last year's Revised is high owing to the write-off of certain irrecoverable takāvi loans in the Ahmednagar district and the remission of arrears of interest due to famine on loans to certain talukdāri estates in Gujarāt.

Famine Relief—33.

Reduction or Avoidance of Debt—36.

55. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
33, Famine Relief ...	2,88	9,37	...	...	...	...
36, Reduction or Avoidance of Debt	...	...	13,70	13,70	13,70	13,70

In accordance with the arrangement for the incidence of direct famine charges described in paragraph 15 of the Financial Statement for 1907-08, an annual assignment of 13,70 has been made since 1907-08 from Imperial to Provincial, through the head *I, Land-Revenue*, for the purpose of building up a reserve of credit upto a maximum of 80,00. *Per contra*, the assignment is debited in the Provincial account to the expenditure head No. 36. A separate administrative account is kept of the accumulations to the credit of the Local Government, which will show at the end of this year a balance of 33,72, direct famine expenditure chargeable to Imperial revenues under head No. 33 having amounted to 15 in 1907-08 and being estimated at 1,83 for 1908-09 and 40 for 1909-10.

Miscellaneous Railway Expenditure—41.

56. The Provincial figures are .—

	Actuals.			1908-09.		1909-10.
	1905-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
Expenditure.	11	21	11	

Provincial expenditure shown under this head in the past two years on account of the Railway business remaining with this Government after the abolition of the combined

office of the Secretary to Government, Public Works Department (Railway), and Consulting Engineer for Railways now appears under the head 45, *Civil Works*. The Budget for 1909-10 is therefore *nil*. The estimates for 1903-09 also include some provision for railway surveys, which does not recur in the new Budget.

XXIX & XXX.—Irrigation—42 & 43.

57. The Provincial share of the receipts under *XXIX, Irrigation—Major Works—Portion of Land-Revenue due to Irrigation* was until the beginning of 1907-08 included in the "Provincial $\frac{1}{2}$ share" under the head *I, Land-Revenue*. The revenue is now shared equally between Imperial and Provincial under the head *XXIX*. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
<i>Revenue.</i>						
<i>XXIX, Major Works—</i>						
<i>{ Portion of Land Revenue due to Irrigation</i>	—	—	10,81	14,86	14,25	14,84
<i>{ Direct Receipts</i>	5,10	4,80	5,68	5,70	5,17	5,20
<i>XXX, Minor Works and Navigation.</i>	1,87	1,51	1,88	1,61	1,93	1,97
Total	6,97	6,11	18,28	22,16	21,24	21,21
<i>Expenditure.</i>						
<i>42, Major Works—</i>						
Working expenses.	5,33	5,13	5,40	5,54	5,73	5,31
Interest on debt	2,84	7,87	7,98	9,85	8,30	8,38
<i>43, Minor Works and Navigation</i>	15,49	13,79	15,50	16,11	15,85	15,65
Total	23,75	26,79	28,88	29,50	29,88	29,40

The foregoing statement should not be taken as a complete indication of the profitableness of our irrigation works, because a considerable amount of land-revenue due to irrigation is earned by Minor Works, but no separate account of it is taken in the Budget.

(a) The decrease from the last year's Budget under land-revenue due to irrigation is due chiefly to less cultivation on the Nasrât and the Jâmrao Canals owing to deficiency of water. The last year's Budget under *XXIX, Major Works—Direct Receipts* and the Revised under *XXX, Minor Works and Navigation* provide for the recovery of certain outstandings.

(b) The provision of 29,49 for expenditure in 1909-10 is distributed as shown below :—

	Major Works.			Minor Works.		
	Deccan and Gujarât.	Sind.	Total.	Deccan and Gujarât.	Sind.	Total.
Original works	12	—	12	1,47	97	2,44
Maintenance and repairs.	59	2,97	3,56	1,58	6,88	8,46
Establishments	40	1,19	1,59	1,08	3,23	4,31
Tools and plant	5	4	9	6	20	26
Refunds of Revenue	1	—	1	—	—	—
Interest Account	4,32	4,31	8,63	—	—	—
Free grants for the encouragement of Irrigation Works in specially backward tracts	—	—	—	—	—	5
Total	104	8,51	18,94	4,19	11,31	15,55

Under 42, *Major Works—Working Expenses* the Budget provision is normal, the Revised for the last year being high mainly owing to expenditure on the silt clearance of the Eastern Nara system and other works. The increase in the Interest charge is due chiefly to the large provision for expenditure on the Godavari and Pravara River Canals and the Chankapur Tank during 1909-10. The decrease under head No. 43 is due chiefly to smaller provision for expenditure on the Mutha Canal, as well as on the construction of loop bunds in the Shikárpur and Begari Canal Districts and on the Rohri Hyderabad Canal Survey.

XXXI.—Civil Works—45.

58. The Provincial figures are :—

	Actuals.			1908-09.		1909-10.
	1905-06	1906-07	1907-08.	Budget.	Revised.	Budget.
<i>Public Works Department</i>						
Revenue ...	6,61	7,30	7,99	6,90	7,60	7,00
Expenditure ...	53,97	61,60	73,22	67,37	71,42	69,86
<i>Civil Department.</i>						
Revenue ...	7	8	7	7	7	7
Expenditure ...	1,10	94	26	8,06	8,16	8,10

(a) The variations of the Public Works revenue Budget from the last year's Budget are due mainly to larger receipts anticipated on account of rents of buildings, and from the Revised to the further abolition of tolls on certain Provincial roads referred to in paragraph 15 above.

(b) The expenditure Budget of 1909-10 in the Public Works Department is distributed as follows :—

<i>Original Works.</i>			
Civil Buildings ... ..	...	...	27,06
Communications ... ..	...	...	4,16
Miscellaneous Public Improvements ...	...	...	1,40
Reserve, including discretionary grants (4,25) to certain Heads of Departments ...	...	...	6,34
			<u>38,96</u>
<i>Repairs.</i>			
Civil Buildings ... ..	...	...	5,78
Communications ... ..	...	...	11,95
Miscellaneous Public Improvements ...	...	...	26
			<u>17,99</u>
Establishment ... ..	...	...	11,84
Tools and Plant ... ..	...	...	1,07
			<u>12,91</u>
			Total .. 69,86

The provision of 38,96 for original works is made up of 17,97 for major works in progress, 14,65 for new major works, 4,25 for minor works, and 2,09 Reserve with Government. The provision of 27,06 for "Original Works—Civil Buildings" is distributed as shown below :—

Administration ... ..	...	9,05
Medical ... ..	...	5,39
Education ... ..	...	4,54
Police ... ..	...	4,64
Miscellaneous ... ..	...	1,19
Law and Justice ... ..	...	1,12
Jails ... ..	...	83
		<u>27,06</u>
		Total ... 27,06

The grant for works in progress will be spent chiefly on—

- (i) Central block of buildings for the accommodation of various departmental offices (1,15) and Lines for the Secretariat peons (16) at Poona, Mámátdárs' kacheris at Dindori (36), Sátára (15), Dholka (13) and Navalgund (11), Deputy Commissioner's office and residence and Hazar Treasury Deputy Collector's office at Mirpurkhas (45), District bungalow at Ubanro (16), Electric Installation at Government House, Malabar Point (13), District and Inspection bungalow at Bágalkot (12), Buildings in connection with the management of the Northote Cattle Farm at Chharodi (12), and Record room for the Collector and Assistant Collector's offices, Poona (10);
- (ii) Agricultural College and Research Institute Buildings (including hostel for students) at Poona (1,75), Quarters for the students of the Grant Medical College in the compound of the J. J. Hospital, Bombay (86), Lecture theatre in connection with the Grant Medical College, Bombay (21), Extension of the Hostel for the Nadad High School (20), Residence for the Second Professor at the Deccan College, Poona (16), Additions to the Sardars' High School, Belgaum (16), construction of servants' house, making minor improvements and acquisition of land in connection with the Female Training College, Poona (16), Hostel for the workshop students of the College of Science, Poona (11), and Office for the Educational Inspector, Ahmedabad (10);
- (iii) Sub-Judges' court houses at Kopergaon (13) and Madha (10);
- (iv) Quarters or lines for the Police of Surat (50), Sátára (25), Thul (22), Jacobabad (15), Kotri (15), Bijápúr (12), Kárwár (12), Váda (11) and Umbergaon (10), Police offices at Sátára City (28), Police Training School at Násik (16), and two Blocks for the foot Police, Pálanpur (13);
- (v) Central Lunatic Asylum at Yeravda (1,75), Depôt for the preparation of vaccine lymph at Belgaum (91), Quarters for Assistant Surgeon and Stewards of the J. J. Hospital, Bombay (30), Replacing the floors (12), and quarters (11) for the House Surgeon, of the Bai Mothibai and Petit Hospitals, Bungalow for the Civil Surgeon, Lárkána (18), Chronic wards and other works in connection with the Sassoon Hospital at Poona (13), New buildings in connection with the B. J. Medical School, Poona (10), and Compóund wall for the Lunatic Asylum at Dhárwár (10);
- (vi) Renewal of the roof of the Town Hall, Bombay (23);
- (vii) Roads from Vehigaon to Khodala (20), from Erandol to Paldhi (20), and from Bhatkal to the Mysore Frontier (20), Improvements to the Khándesh-Nizam Frontier Road (20), the Sholápur-Bársi Road, II section (15), the Karád-Bijápúr Road (section from Tikota) (15), the Pandharpur-Poona Road (12), and the Málvan-Phouda Road (10), Bridges on the Kolhápúr Road (20), and the Bárámati-Diksal Road (12), Dips and bridges on the Pali-Phouda Road (12), and Dips on the Hathkumba-Poladpur Road (10); and
- (viii) Water supply to the Lunatic Asylum and town of Ratnágiri (30), and the construction of the Visapur Tank (20).

Among the new works the most important, are :—

- (i) Acquisition of certain properties on the Malabar Hill (1,50), Kacheri and Court-house at Hyderabad (1,00), Buildings in connection with the formation of a new District in Sind at Nawabshah (50), Residence for the Commissioner, S. D., at Belgaum (35), Proper drainage system in the compound of, and vestibule and other works at, the Government House, Malabar Point (23), Sanitary fittings to the Government House, Ganeshkhund (20), Mámátdárs' kacheri at Ráver (20), Mukhtyarkar's kacheri at Tatta (20), Liquor warehouses at Halyál, Yellápur and Sarsi (18), Fire proof flooring on the first floor of the Record Building in Bombay (16), Office and Inspector's Bungalow at Mirpurkhas for the second Deputy Director of Agriculture in Sind (15), Bungalow for the Divisional Forest Officer at Dhulia (14), Renewing the roof, etc., of the Residency Building at Jacobabad (12), and Improvements at the Commissioner's Press, Karáchi (10);
- (ii) Laboratory at the College of Science, Poona (40), and New Physiological Laboratory for the Grant Medical College, Bombay (30);
- (iii) Court for the District Judge, Surat (30), and Residence at Sukkur for the Joint Judge, Sukkur-Lárkána (14);
- (iv) Jail at Andheri (50), and extension of the Hyderabad Central Prison Hospital (18);
- (v) Police lines at Sholápur (15), Sarhad (14), Kirkee (11), Ankola (11) and Ráver (10), Additions and alterations to the Police lines at Warehouse Road, Bombay (25), Police Offices and Stores at Jacobabad (20), Lines for the armed Police, and quarters for the City Police at Broach (13), Bungalow for the District Superintendent of Police at Dhulia (14), and Buildings for the Headquarter Police at Thána (10);
- (vi) Certain works at the Gokuldas Tejpal Hospital, Bombay, (out-patients department, mortuary, servants' quarters, kitchens, and store-room and dark room for X ray apparatus) (50), Temporary camp for pilgrims proceeding to and returning from Mecca (24), Chemical Analyser's Laboratory at Karáchi (22), and Maternity Ward at Hyderabad (11);

- (vii) Building of three flats in the Marine Lines at Bombay (80), and Superintendent's quarters and subsidiary buildings at the Gokak Canal Farm (16);
- (viii) Bridges at Kalyán (80), Máhuli (over the Krishna in the Sátára district) (20), Khed (Poona district) (20), and Konkangson (Násik district) (10), Widening the Bombay Agra Road in Násik (20), and Uran-Jasai Road, Ratnágiri and Kolába districts (10); and
- (ix) Pier at Rewás in the Kolába district (85).
- (c) The estimates of receipts and expenditure in the Civil Department are normal.

SECTION IV.—*Local Funds.*

59. The revenue and expenditure of the Steam Boiler Inspection Fund, which is controlled by Government are shown below :—

	Actuals.			1909-09.		1909-10.
	1906-06.	1906-07.	1907-08.	Budget.	Revised.	Budget.
	Revenue	61	69	73	73	73	75
Expenditure	52	57	60	66	67	87

The anticipated rise in receipts is due to an increase in the number of boilers. The increase in the expenditure Budget is due to the reorganization of the staff of Inspectors and the entertainment of additional establishment.

60. The revenue and expenditure of the Local Funds which are administered by the Local Boards constituted under Bombay Act I of 1884 are shown in Appendix A.C. The details of their working are published in an annual Administration Report, and their financial operations call for no comment, as they are not controlled directly by Government and do not fall within the scope of Provincial finance.

R. A. LAMB,

APPENDIX AA.

Schedule of Provincial Revenue and Expenditure.

REVENUE.			EXPENDITURE.		
1	2	3	4	5	6
Major Heads.	Minor Heads.	Provincial Share.	Major Heads.	Minor Heads.	Provincial Share.
I.—Land-Revenue.	Assessment of alienated lands less quit-rent All other minor heads	The whole. One-half.	1.—Refunds, etc.	The heads of which the corresponding receipts are wholly or partly Provincial.	The same share as in the case of the corresponding heads of receipts.
IV.—Stamps	All	One-half.	2.—Assignments and Compensations.	Do. do. Miscellaneous Compensations	Do. do. The whole.
V.—Excise	All	One-half.	3.—Land-Revenue	All	The whole.
VIII.—Assessed Taxes.	All, except tax on surplus profits of Railway Companies.	One-half.	6.—Stamps	All	One-half.
IX.—Forest	All	One-half.	7.—Excise	All	One-half.
X.—Registration	All	The whole.	10.—Assessed Taxes	All	One-half.
XII.—Interest	Interest on Provincial loans and advances. Interest on Government securities.	The whole.	11.—Forest	All	One-half.
XVI-A.—Courts of Law.	All	The whole.	12.—Registration	All	The whole.
XVI-B.—Jails	All	The whole.	13.—Interest	Interest on Provincial Advances and Loan Account.	The whole.
XVII.—Police	All	The whole.	18.—General Administration.	Civil Offices of Account and Audit. All other minor heads, except— Currency Department. Reserve Treasury. Allowance to Presidency Banks.	Local Fund Audit Establishment. The whole.
XVIII.—Ports and Pilotage.	All	The whole.	19-A.—Courts of Law	All	The whole.
XIX.—Education	All	The whole.	19-B.—Jails	All	The whole.
XX.—Medical	All	The whole.	20.—Police	All	The whole.
XXI.—Scientific and other Minor Departments.	All	The whole.	21.—Ports and Pilotage.	All	The whole.
XXII.—Superannuation Receipts.	Contribution for pensions and gratuities. Miscellaneous	The whole.	22.—Education	All	The whole.
XXIII.—Stationery & Printing.	All	The whole, except receipts for the value of supplies from Central Stores to Railways, Local Funds, Municipalities, and other independent bodies.	24.—Medical	All	The whole.
XXIV.—Miscellaneous.	Extraordinary items All other minor heads except— Gain by Exchange Premiums on Bills Unclaimed Bills of Exchange. Recovery of Insurance and other charges on Europe stores. Value of old currency notes assumed to be no longer in circulation.	Items not exceeding Rs. 10,000. The whole.	25.—Political	All, except— Refugees and State Prisoners. Charges of Aden, Baroda and Persian Gulf.	The whole. The whole, except the pay and allowances of officers on the cadre of the Civil Veterinary Department.
			26.—Scientific and other Minor Departments.	Veterinary and Stallion charges. All other minor heads, except— Census Ethnographic Survey	The whole. The whole.
			29.—Superannuation Allowances, etc.	All, except— Pensions of the Military Fund. Pensions of the Military Orphan Fund. Pensions of Civil Fund	The whole.
			30.—Stationery and Printing.	All, except Stationery purchased for Central Stores.	The whole.
			32.—Miscellaneous	Extraordinary items All other minor heads, except— Charges for Remittance of Treasure. Discount on Bills Loss by Exchange	Items not exceeding Rs. 10,000. The whole.
			33.—Famine Relief.	All	As explained in paragraph 15 of the Financial Statement for 1907-08.
			36.—Reduction or Avoidance of Debt.	All	

APPENDIX AA—continued.

REVENUE.			EXPENDITURE.		
1	2	3	4	5	6
Major Heads.	Minor Heads.	Provincial Share.	Major Heads.	Minor Heads	Provincial Share.
XXIX.—Irrigation— Major Works.	{ Portion of Land-Revenue due to Irrigation. Direct Receipts . . . }	} One-half.	40.—Subsidised Com- panies.	Land	The whole, except in cases in which the outlay is specially incurred from Imperial Funds, but Provincial expenditure under these heads is per- mitted only under special orders of the Government of India in regard to each Railway.
XXX.—Irrigation— Minor Works and Navigation.	All	One-half.	41.—Miscellaneous Railway Expendi- ture.	Surveys	
XXXI.—Civil Works.	All	The whole, except receipts on ac- count of build- ings for the use of Imperial De- partments.	42.—Irrigation—Major Works.	Working expenses	
			43.—Irrigation—Minor Works and Navi- gation.	Interest on debt	
			44.—Construction of Railways.	All	One-half.
			45.—Civil Works . . .	All	The whole, except ex- penditure on buildings for the use of Imperial Departments.

APPENDIX AB.

Provincial Revenue and Expenditure by Major Heads for the years 1907-08, 1908-09 and 1909-10.

[In thousands of rupees.]

Number of Account Head.	Major Heads of Revenue.	Accounts, 1907-08	Budget, 1908-09	Revised, 1908-09	Budget, 1909-10	Number of Account Head.	Major Heads of Expenditure.	Accounts, 1907-08.	Budget, 1908-09.	Revised, 1908-09.	Budget, 1909-10.	
I	Land-Revenue	Provincial share ...	1,82,29	1,97,66	1,76,75	2,05,66	1	Refunds and Drawbacks ...	8,24	2,67	8,79	2,69
		Alienated ...	91,66	91,73	92,01	92,04	2	Assignments and { Cash ...	8,43	9,55	9,16	9,43
		Fixed allotment and adjustments	80,40	88,68	92,21	93,50	2	Compensations. { Alienations ...	79,82	79,46	79,61	79,63
IV	Stamps ...	32,23	32,35	32,35	32,50	8	Land-Revenue ... { Cash ...	68,98	72,73	73,82	74,35	
V	Excise ...	81,93	82,50	85,00	87,00	8	Alienations ...	7,37	7,28	7,43	7,43	
VIII	Assessed Taxes ...	24,11	23,98	24,21	24,19	6	Stamps ...	1,10	1,16	1,10	1,16	
IX	Forest ...	18,23	19,00	18,00	18,50	7	Excise ...	3,25	4,88	5,08	4,90	
X	Registration ...	6,95	7,20	7,00	7,04	10	Assessed Taxes ...	42	45	45	48	
XII	Interest ...	8,05	7,54	6,70	7,67	11	Forest ...	9,78	10,50	10,50	10,53	
XVI-A	Law and Justice—Courts of Law ...	5,80	5,50	5,80	5,60	12	Registration ...	3,28	3,42	3,50	3,32	
		Do. —Jails ...	2,14	2,30	2,20	2,35	13	Interest on Ordinary Debt ...	6,29	6,90	6,28	6,52
XVII	Police ...	4,49	4,25	4,10	4,40	18	General Administration ...	15,87	16,50	16,10	16,85	
		4,49	4,25	4,10	4,40	18-A	Law and Justice—Courts of Law ...	51,61	53,20	53,00	52,49	
XVIII	Ports and Pilotage ...	94	1,00	90	90	19-B	Do. —Jails ...	6,86	9,00	9,85	9,84	
		8,78	4,20	4,05	4,10	20	Police ... { Cash ...	71,45	83,25	84,53	85,10	
XIX	Education ...	2,20	2,22	2,22	2,24	20	Alienations ...	4,96	4,99	4,97	4,93	
		2,20	2,22	2,22	2,24	21	Ports and Pilotage ...	54	57	52	57	
XX	Medical ...	66	87	70	85	22	Education ...	23,05	43,32	40,60	44,73	
		2,09	2,20	2,05	2,05	24	Medical ...	19,05	27,88	26,30	29,15	
XXI	Scientific and other Minor Departments ...	89	86	1,03	1,00	25	Political ...	3,50	4,28	4,10	4,47	
		86	78	1,03	1,00	26	Scientific and other Minor Departments ...	5,75	6,60	6,93	8,69	
XXII	Receipts in aid of superannuation ...	2,09	2,20	2,05	2,05	29	Superannuation Allowances and Penalties ...	26,23	27,03	27,74	28,79	
		89	86	1,03	1,00	30	Stationery and Printing ...	13,01	11,91	12,58	12,73	
XXIII	Stationery and Printing ...	86	86	1,03	1,00	32	Miscellaneous ...	2,48	2,38	3,05	3,00	
		86	78	1,03	1,00	33	Famine Relief ...	...	...	...	...
XXIV	Miscellaneous ...	86	78	1,03	1,00	36	Reduction or Avoidance of Debt ...	13,70	13,70	13,70	13,70	
		86	78	1,03	1,00	41	Miscellaneous Railway Expenditure ...	11	21	11	...	
XXIX	Irrigation—Portion of Land-Revenue due to Irrigation.	13,81	14,84	14,25	14,34	42	Irrigation—Major Works { Working expenses ...	5,40	5,84	5,78	5,81	
		13,81	14,84	14,25	14,34	42	Interest ...	7,98	8,25	8,23	8,63	
XXX	Irrigation—Major Works—Direct Receipts ...	5,62	5,70	5,17	5,20	43	Irrigation—Minor Works and Navigation ...	15,20	16,11	15,95	15,55	
		5,62	5,70	5,17	5,20	45	Civil Works ...	73,48	75,43	79,58	77,98	
XXXI	Irrigation—Minor Works and Navigation ...	1,88	1,61	1,92	1,67	45	Civil Works ...	73,48	75,43	79,58	77,98	
		8,06	6,97	7,67	7,07	45	Civil Works ...	73,48	75,43	79,58	77,98	
XXXI	Civil Works ...	8,06	6,97	7,67	7,07	45	Civil Works ...	73,48	75,43	79,58	77,98	
		8,06	6,97	7,67	7,07	45	Civil Works ...	73,48	75,43	79,58	77,98	
XXXI	Contributions from Local to Provincial	63	...	...	...	45	Contributions from Provincial to Local	21,42	.....	...	...
		63	...	...	...	45	Contributions from Provincial to Local	21,42	.....	...	...
	Total ...	5,76,21	6,04,04	5,87,32	6,20,87		Total ...	5,80,29	6,09,18	6,13,72	6,26,07	
	Balance of Government Central Book Depot Fund merged in Provincial revenue.	1,93	87	...	...		Closing Balance ...	96,02	80,76	89,62	64,42
	Opening Balance ...	98,16	84,98	96,02	69,62							
	Grand Total ...	6,76,31	6,89,89	6,83,34	6,90,49		Grand Total ...	6,76,31	6,89,89	6,83,34	6,90,49	

APPENDIX AC.

Statement showing the Local Revenue and Expenditure under Bombay Act I of 1884 for the years 1907-08, 1908-09 and 1909-10.

[NOTE.—The actuals of 1907-08 and Budget of 1908-09 include transactions on account of the revenue assigned under section 44 of Bombay Act I of 1884. The Revised for 1908-09 and Budget for 1909-10 do not show the cost of collecting this revenue and the revenue retained to meet the cost, these transactions being included in the Provincial account under the head 32, Miscellaneous.]

[In thousands of rupees.]

Major Heads of Revenue.	Actuals, 1907-08.	Budget, 1908-09.	Revised, 1908-09.	Budget, 1909-10.	Major Heads of Expenditure.	Actuals, 1907-08.	Budget, 1908-09.	Revised, 1908-09.	Budget, 1909-10.
I. Land-Revenue	2,38	2,07	2,51	2,86	1. Refunds and Drawbacks	20	14	...	...
VI. Provincial Rates	31,14	30,05	29,90	30,09	3. Land-Revenue	2	3	...	1
XII. Interest	15	13	13	14	8. Provincial Rates	50	58	...	5
XVII. Police	2,59	2,43	1,04	99	14. Interest	6	5	...	6
XIX. Education	1,67	1,54	1,68	1,65	18. General Administration	1,45	1,56	1,32	1,63
XX. Medical	14	13	27	13	20. Police	1,25	1,34	...	...
XXI. Scientific and other Minor Departments	32	31	31	32	22. Education	20,09	21,90	22,66	22,49
XXV. Miscellaneous	37	43	44	46	24. Medical	3,48	4,00	4,37	4,23
XXXI. Civil Works	5,28	5,39	5,04	4,44	26. Scientific and other Minor Departments...	1,23	1,43	1,54	1,53
Contributions	21,42	23,05	21,37	20,78*	29. Superannuation	7	7	7	7
Total ...	65,46	65,58	62,64	61,86	30. Stationery and Printing	14	15	17	18
Debt, Deposit and Advances ...	99	...	...	...	32. Miscellaneous	59	76	75	1,11
Opening Balance ...	30,65	32,98	32,09	17,94	33. Famine Relief (Civil Department) ... ..	...	...	4	...
Grand Total ...	97,10	98,56	94,73	79,80	45. { Civil Works in charge of Civil Officers. Do. do. Public Works Officers. Contributions	17,76 18,58 64	13,01 11,87 2,77	25,42 19,23 65	19,39 12,48 74
					Total ...	64,04	64,65	76,79	63,91
					Debt, Deposit and Advances ...	97	...	...	...
					Closing Balance ...	32,09	33,91	17,94	15,89
					Grand Total ...	97,10	98,56	94,73	79,80

* Exclusive of the grants to school buildings which are sanctioned by Government later in the year out of the provision made under "22, Education" in the Provincial Budget.

APPENDIX AD.

Memorandum showing the principal causes of variations of Provincial revenue and expenditure in the Budget of 1909-10 from the Budget of 1899-1900.

(Note.—The sign + or — prefixed to a figure means respectively increase or decrease in the Budget of 1909-10 compared with the Budget of 1899-1900.)

(Figures are in thousands of rupees.)

The statement of Provincial revenue and expenditure for the years 1899-1900 and 1909-10 furnished by the Honourable Mr. İBRAHİM BAHİMTOOLA contains a few inaccuracies, which are shown in italics in a copy of the statement* appended to this memorandum. It is observed

* *Vide* Appendix AE. that if the revenue under Land-Revenue, Stamps and Excise, and the expenditure under Refunds, Assignments and Compensations, Stamps, and Excise had been divided in 1899-1900 between Imperial and Provincial in the proportions which are in force under the current Provincial Settlement, if in 1899-1900 Salt and Customs revenue and Post Office expenditure had been wholly Imperial, and Registration revenue and expenditure had been wholly Provincial, as at present, and if State Railways and Irrigation revenue and expenditure, and the estimates in connection with "Alienated" transactions and the Famine Relief Scheme, which has been recently brought into operation, are left out of account, the budget estimates would stand as shown below :—

	1899-1900.	1909-1910	Difference.
Revenue ...	4,47,80	5,08,26	+ 60,46
Expenditure ...	3,44,73	4,90,84	+ 1,46,11

Accordingly the increases in the total Provincial revenue and expenditure during the ten years are 13.5 and 42.3 per cent. respectively. The major heads which show variations exceeding a lăkh of rupees are noted below :—

Revenue.

I—Land-Revenue—			
Divided	...	...	+ 22,90
Alienated	...	...	— 6,36
Fixed allotment and adjustments	...	...	+ 3,82
IV—Stamps	...	...	+ 2,40
V—Excise	...	...	+ 29,70
VIII—Assessed Taxes	...	...	+ 5,69
IX—Forest	...	...	+ 3,17
XII—Interest	...	...	+ 3,02
XVI-A—Courts of Law	...	...	+ 1,35
XIX—Education	...	...	+ 1,10
XXVI—State Railways	...	...	— 2,25
XXIX—Irrigation—Major Works—Direct receipts.	...	...	+ 5,20
XXX—Irrigation—Minor Works	...	...	+ 1,37
Contributions from Local to Provincial...	...	...	— 2,17

Expenditure.

2, Assignments and Compensations	{	Cash	...	+ 11
		Alienated	...	— 5,76
3, Land-Revenue	{	Cash	...	+ 19,03
		Alienated	...	— 19
7, Excise	...	...	...	+ 3,07
13, Interest on ordinary debt	...	...	...	+ 2,75
15, Post Office	...	...	...	— 1,01
18, General Administration	...	...	...	+ 2,12
19-A, Law and Justice—Courts of Law	...	...	...	+ 6,88

Expenditure—continued.

19-B, Law and Justice—Jails	...	...	+	2,64
20, Police { Cash	...	...	+	31,78
{ Alienated	...	...	—	41
22, Education	...	...	+	26,66
26, Scientific and other Minor Departments	...	...	+	6,28
29, Superannuation allowances and pensions	...	...	+	9,41
30, Stationery and Printing	...	...	+	3,02
38, State Railways	...	...	—	1,50
42, Irrigation—				
Major Works—				
Working Expenses	...	...	+	5,81
Interest	...	...	+	8,83
43, Irrigation—Minor Works	...	...	+	15,87
45, Civil Works	...	...	+	36,44
Contributions from Provincial to Local	...	...	—	7,13.

2. *I—Land-Revenue (Divided), including portion due to irrigation.*

1899-1900	1909-1910
98,55	2,20,00

If the figure 98,55 is doubled so as to represent the Provincial one-half share under the current Settlement instead of one-quarter under the old Settlement, the current year's budget shows an advance of 22,90 over that of 1899-1900. Since 1899-1900 the current demand (Provincial share) has increased by about 19,00, including about 5,00 on account of the village cess in Sind, which was until 1906-07 credited to a Local Fund. In the current year's budget suspended revenue is estimated to a much larger amount than in 1899-1900.

3. Under *I, Land-Revenue (Alienated)* the budget of 1909-1910 shows a nominal decrease of 6,36 from that of 1899-1900, due chiefly to lapses of ináms and change in the method of calculating the assessments of uncultivated lands.

4. *I, Land-Revenue (Fixed allotment and adjustments) +3,82.*

	1899-1900.	1909-1910.
Fixed allotment under the Settlement ...	76,20	42,77
Transfers between Imperial and Provincial in respect of various items ...	13,48	50,73
Total ...	89,68	93,50

The transfers relate to—

(i) provincialization of items which were previously Imperial or Local, provision being made by additional assignments from Imperial to Provincial ;

(ii) deprovincialization of items taken over by Imperial, provision being made, by reduction of the assignments to Provincial ;

(iii) assignments to Provincial made from Imperial surpluses in aid of administrative reforms.

The provision of 50,73 in 1909-1910 mentioned above includes 13,70 in connection with the Famine Relief scheme which is to continue until a reserve credit of 80,00 in favour of Provincial is built up as explained in paragraph 15 of the Financial Statement for 1907-1908. Out of the remainder, 1,52 on account of the cost of acquiring a new site for St. Peter's School at Mazagaon are non-recurring, and the balance of 35,51 represents assignments of a recurring nature from Imperial to Provincial revenues.

III, Salt.

5. Fines, forfeitures and miscellaneous items under this head, which were formerly credited to Provincial revenues, have been transferred to Imperial under the current Settlement. Hence the difference of 39 between the budgets of 1899-1900 and 1909-1910.

IV, Stamps.

6. The Provincial share is now one-half as compared with three-fourths under the old Settlement, and on the current basis the increase of 2,40 in the budget of 1909-1910 over the budget of 1899-1900 is shown below :—

(i) Sale of General Stamps	...	...	+ 4,70
(ii) Sale of Court Fee Stamps	...	...	— 65
(iii) Duty on Impressing Documents	...	...	— 1,88
(iv) Other items	...	...	+ 21
			<hr/>
Total	...	...	+ 2,40.

V, Excise.

7. The Excise revenue is now shared equally between Imperial and Provincial instead of in the proportions of 3 and 1. Assuming that the revenue in 1899-1900 had been shared as at present, this year's budget shows an advance of 29,70, which is explained below :—

(i) Increased rates of still-head duty	...	...	...	+ 18,11
(ii) Introduction of separate shop system	...	...	...	+ 7,88
(iii) Increase due to the enactment of the A'bkári Amendment Act of 1901 and the consequent high quantitative duty on intoxicating drugs	...	...	...	+ 3,06
(iv) Decrease in transit duty on excise opium owing to failure of opium crop	...	...	...	— 1,12
(v) Increase in license fees for retail vend of opium	...	...	...	+ 95
(vi) Increase in toddy revenue	...	...	...	+ 57
(vii) Increase in foreign liquor license fees	...	...	...	+ 53
(viii) Other items	...	...	...	+ 22
				<hr/>
Total	...	...	...	+ 29,70.

VII, Customs.

8. Warehouse and wharf rents and some petty items which were formerly credited to Provincial revenues have been transferred to Imperial under the current Settlement. Hence the decrease of 95 in 1909-1910 from the budget of 1899-1900.

VIII, Assessed Taxes.

9. The increase of 5,69 in 1909-10 over the budget of 1899-1900 is due to the following causes :—

(i) Growth of salaries and pensions	...	...	+ 74
(ii) Increased profits of Companies	...	...	+ 2,04
(iii) Increase of interest payments on securities	...	...	+ 77
(iv) Improvement of other sources of revenue	...	...	+ 2,14
			<hr/>
Total	...	...	+ 5,69.

IX, Forest.

10. The increase of 3,17 in 1909-1910 over the budget of 1899-1900 appears chiefly under—

(i) Revenue from timber and other forest produce removed from forests by consumers and purchasers	...	...	...	+ 2,34
(ii) Revenue from produce removed by Government agency	...	...	...	+ 77

X, Registration.

11. The receipts are now classed as wholly Provincial, instead of being divided equally between Provincial and Imperial revenues as under the old Settlement. Assuming that the revenue in 1899-1900 was wholly Provincial, the current year's budget shows an advance of 59 under—

(i) Fees for registering documents (after allowing for the contemplated reduction of copying fees) ... ..	...	...	...	...	...	+ 43
(ii) Other items ... ..	...	...	...	...	...	+ 16
Total						<u>+ 59.</u>

XII, Interest (on Provincial Loans and Advances).

12. The increase of 3,02 in 1909-10 over the budget of 1899-1900 is due chiefly to an increase of 3,69 under interest on loans to cultivators due to the development of takávi advances, partly counterbalanced by a gradual decline of 61 on account of interest on loans recoverable from local bodies.

XVI-A, Law and Justice, Courts of Law.

13. The increase of 1,35 in 1909-1910 over the budget of 1899-1900 is explained below :—

(i) Improvement under General Fees, Fines and Forfeitures, due mainly to the credit to Government of—	...	...	...	...	...	...
(a) fees (36) received by the Administrator-General and Official Trustees on the appointment of a whole time salaried officer in 1905, and	...	...	...	...	...	...
(b) fees (15) for comparing documents supplied to private individuals since the appointment of salaried clerks to do the work, and to increase in magisterial fines, Sheriff's fees, etc.	...	...	...	...	...	+ 75
(ii) Court-fees realized in cash, the fees in Insolvent Debtors' Court (about 80) being credited to Government on the appointment of a whole-time salaried officer as Clerk of the Court in 1904	...	...	...	...	...	+ 44
(iii) Miscellaneous items, chiefly sale proceeds of unclaimed and escheated property	...	...	...	...	...	+ 16
Total						<u>+ 1,35.</u>

XVI-B, Law and Justice, Jails.

14. The increase of 69 in 1909-1910 over the budget of 1899-1900 is chiefly on account of—

(i) Improvement in sale proceeds of jail manufactures	...	...	...	...	...	+ 51
(ii) Credit since 1903-04 of the value of convict labour employed in the Yeránda Prison Press, partly counterbalanced by smaller receipts on account of convicts employed on other works	...	...	...	...	...	+ 17

XVII, Police.

15. The increase of 6 in 1909-1910 over the budget of 1899-1900 is shown below :—

(i) Increase of recoveries on account of private watchmen	...	...	...	...	...	+ 63
(ii) Discontinuance of recoveries on account of Excise Police in certain districts	...	...	...	...	...	—62
(iii) Remission of recoveries from Cantonment Funds	...	...	...	...	...	—48
(iv) Increase of Port Trust contributions towards Harbour and Dock Police in Bombay and Karáchi	...	...	...	...	...	+ 36
(v) Other minor items	...	...	...	...	...	+ 17
Total						<u>+ 6.</u>

XVIII, Ports and Pilotage.

16. The increase of 25 in 1909-1910 over the budget of 1899-1900 occurs in registration fees received chiefly in the Shipping Offices in Bombay and Aden.

XIX, Education.

17. The increase of 1,10 in 1909-10 over the budget of 1899-1900 is due chiefly to increased receipts on account of—

(i) Fees in Arts and Professional Colleges (32) and in secondary schools (20)...	+ 53
(ii) Sale proceeds of books since the abolition of the Government Central Book Depôt Fund	+ 25
(iii) Fees in connection with the School Final, Commercial and other Examinations now held by the Educational Department	+ 25.

XX, Medical.

18. The increase of 83 in 1909-10 over the budget of 1899-1900 is due mainly to improvement of—

(i) Fees in Medical Schools and the Grant Medical College owing to increase in fees as well as attendance	...	...	...	...	+ 55
(ii) Hospital and Lunatic Asylum receipts	...	...	...	...	+ 38
				Total	+ 93

This increase is partly counterbalanced by decrease of 10 under other receipts.

XXI, Scientific and Other Minor Departments.

19. The increase of 52 in 1909-10 over the budget of 1899-1900 is due chiefly to Agricultural receipts, including those on account of the opening of new experimental farms and development of the Agricultural Department. Veterinary College fees also show an increase owing to larger attendance, and receipts from the Ganeshkhund and Bassein gardens are now credited to Government.

XXII, Receipts in aid of Superannuation.

20. The decline of 36 in 1909-10 from the budget of 1899-1900 is due to the gradual decrease of contributions from officers lent to Native States, partly counterbalanced by larger foreign service contributions from employees of local funds.

XXIII, Stationery and Printing.

21. The increase of 32 in 1909-10 over the budget of 1899-1900 is chiefly on account of larger receipts of the Government Presses, including sale proceeds of Gazettes and other publications.

XXV, Miscellaneous.

22. The increase of 47 in 1909-10 over the budget of 1899-1900 occurs under "Unclaimed deposits" (32), the provision being based on the average of the actuals of the last three years, and under "Miscellaneous" on account of a refund (21) of a part of the contribution payable by the Ahmedabad Local Board, which is of non-recurring nature.

XXVI, State Railways.^a

23. The Hyderabad Umarkot Railway, which was a Provincial concern, was transferred to Imperial control on 1st April 1900. Hence no receipts are now estimated under this head as compared with 2,25 in 1899-1900.

XXIX, Irrigation—Major Works, Direct receipts.

24. The receipts under this head which were formerly classed as wholly Imperial, are now divided equally between Imperial and Provincial revenues. Hence the difference of 5,20 between the budgets of 1909-1910 and 1899-1900.

XXX, Irrigation—Minor Works.

25. Before 1905-1906 transactions connected with the Gokák Canal, 1st Section, were Provincial. Since that year all receipts under this major head are divided equally

between Imperial and Provincial revenues, and this accounts for the difference of 1,37 between the budgets of 1909-1910 and 1899-1900.

XXXI, Civil Works.

26. The receipts under this head on account of rents of buildings, etc., have increased. The increase is more than counterbalanced by the abolition of tolls on several Provincial roads as explained in paragraph 15 of the Financial Statement for 1909-10, while rents of buildings pertaining to Imperial Departments have been transferred since 1905-06 to Imperial revenues. But for these two causes the budget of 1909-10 would have shown an increase instead of the decrease of 18 from the budget of 1899-1900.

Contributions from Local to Provincial.

27. As explained in paragraph 15 of the Financial Statement for 1908-09, this head has now ceased to exist. Since 1904-05 contributions on account of the cost of vaccination establishments (estimated at 72 in 1899-1900) are taken by deduction from expenditure under the head 24, *Medical*. Other minor contributions are credited under the appropriate receipt heads. The budget of 1899-1900 was swelled by special contributions of 1,25 from local boards towards plague expenditure. These causes explain the provision of *nil*, or a decline of 2,17 in the budget of 1909-1910 from that of 1899-1900.

1, Refunds and Drawbacks.

28. The expenditure under this head is shared between Imperial and Provincial as in the corresponding heads of receipts. Assuming that the division now obtaining had been in force in 1899-1900, the current year's budget shows an increase of 21 over that of 1899-1900, the increase being almost wholly on account of refunds of land-revenue.

2, Assignments and Compensations.

29. Several items of expenditure, which were wholly Provincial in 1899-1900, are now wholly Imperial or shared between Imperial and Provincial. Assuming that the existing classification had been in force in 1899-1900, the cash payments in 1909-10 show an increase of 11 over the budget of 1899-1900. Under Excise compensations, the payments to certain Native States have been revised and the contributions to local boards on account of one-anna cess on Excise have been transferred to this head from *Contributions from Provincial to Local*, which head now disappears from the accounts.

Compared with the budget of 1899-1900 there is a decline of 5,76 under "Alienated" items in 1909-10, which is due principally to the causes mentioned in paragraph 3 above.

3, Land-Revenue.

30. The figures are:—

Minor Heads.	1899-1900.	1909-1910.	Difference.
(i) Charges of District Administration	28,74	37,00	+ 8,26
(ii) Survey and Settlement	8,32	1,40	— 1,92
(iii) Land Records	17,48	30,85	+ 13,39
(iv) Allowances to District and Village-Officers	13,37	13,55	+ 16
(v) Lump deduction ... ..	.....	— 1,00	— 1,00
Total ..	62,89	81,78	+ 18,89

Indirect famine charges amounting to 1,14 appear in the budget of 1909-1910 against *nil* in the budget of 1899-1900.

Under (i) the increase is due mainly to the ordinary development of the administration in the past ten years, including (a) revision of the subordinate services,

(b) formation of the new district of Lárkána in Sind, (c) division of Khándesh, and (d) increased expenditure on contingencies. The provision of 69 in 1909-10 for the survey of tálukdári estates is not a permanent recurring charge.

Under (ii) the decrease is due mainly to the abolition of professional survey parties.

Under (iii) the increase is due mainly to the transfer to Provincial of charges on account of village-officers in Sind, which were classed as Local until 1906-07, to the revision of Kanungo establishments, and to provision for survey and other temporary establishments.

The small increase under (iv) calls for no remark.

The decrease under (v) is due to lump deduction for probable savings under the major head in pursuance of the system explained in paragraph 16 of the Financial Statement for 1908-09.

6, Stamps.

31. Assuming that the expenditure in 1899-1900 had been half Provincial as at present instead of three-fourths, the decline of 20 in 1909-10 from the budget of 1899-1900 is chiefly on account of the gradual decrease of expenditure under "Stamp paper supplied from Central Stores," partly counterbalanced by increased expenditure on account of the supply of stamps to other provinces from the Karáchi Depôt.

7, Excise.

32. Assuming that the expenditure in 1899-1900 had been shared equally between Imperial and Provincial as at present, this year's budget shows an increased expenditure of 3,07 on account of—

(i) Re-organisation of Excise establishments	...	...	...	+ 2,33
(ii) Increased charges on account of travelling allowances	...	...	...	+ 62
(iii) Miscellaneous items	...	...	...	+ 7
			Total	+ 3,07.

10, Assessed Taxes.

33. The increase of 22 in 1909-10 over the budget of 1899-1900 is due mainly to increased salary and establishment charges in the Bombay Income Tax Office.

11, Forest.

34. The increase of 95 in 1909-10 over the budget of 1899-1900 is due mainly to increased provision for communications, buildings, and protection of forests from fire, and to the re-organisation of the Superior Forest Service, partly counterbalanced by smaller provision for expenditure on forest surveys.

12, Registration.

35. Assuming that the expenditure had been wholly Provincial in 1899-1900 as at present instead of being shared equally between Imperial and Provincial, the budget of 1909-10 shows an increase of 66 over that of 1899-1900, due mainly to the strengthening and revision of pay of Inspectors of Registration and Sub-Registrars and their establishments, and to the transfer of charges on account of the Inspectors which were formerly debited to the head 18, *General Administration*.

13, Interest on ordinary debt.

36. The increase of 2,75 in 1909-10 over the budget of 1899-1900 is due to the payment of interest to the Government of India on large takávi and other loans provided by them in recent years.

15, Post Office.

37. Since 1st April 1905 expenditure on account of District Post, which till then concerned Provincial finances, has been taken over by Imperial. Hence the provision in 1909-10 is *nil* against 1,01 in 1899-1900.

18, *General Administration.*

38. The increase of 2,12 in 1909-10 over the budget of 1899-1900 is explained below :—

(i) Provincialization of charges on account of the Local Audit Staff of the Accountant General's Office	+ 84
(ii) Lump provision for the contemplated grant of local allowances to certain establishments employed in Karachi, and of house-rent allowances to certain Gazetted Officers in Bombay City	+ 79
(iii) Increase under "Staff and household of the Governor," due principally to the provincialization since 1902-03 of the charges on account of H. E. the Governor's Body-guards	+ 67
(iv) Absence of the provision for the Inspector General of Stamps, Registration and Jails and for Inspectors of Registration, the expenditure being now provided under other heads	— 56
(v) Increased expenditure under "Civil Secretariats," due chiefly to the revision of Secretariat establishments and the grant of local and plague allowances.	+ 32
(vi) Minor variations	+ 6
Total	+ 2,12.

19-A.—*Law and Justice, Courts of Law.*

39. The increase of 6,88 in 1909-10 over the budget of 1899-1900 is explained below :—

(i) Increase under "Civil and Sessions Courts," due chiefly to the revision of the Superior Judicial grades and of establishments in District and Subordinate Courts, and to the employment of Inspecting and Temporary Sub-Judges, and Village Munsiffs and Councilators' establishments, partly counterbalanced by the abolition of the office of the Special Judge under the Agriculturists' Relief Act	+ 2,57
(ii) Increase under "Criminal Courts," due mainly to the ordinary growth of magisterial charges following the development of administration as explained under (i) in paragraph 30	+ 1,36
(iii) Increase under "Law Officers," due to the strengthening of the Legal Remembrancer's staff and to the increase of law charges	+ 1,14
(iv) Increase under "Judicial Commissioners," due to the reconstitution of the Sadar Court in Sind	+ 1,05
(v) Increase under "High Court," due mainly to the revision of Punshe Judges' salaries and of several office establishments, and to the grant of local and plague allowances	+ 80
(vi) Lump deduction for probable savings on the major head grant for 1909-10.	— 75
(vii) Increase under "Administrator General," due to the appointment of a full-time officer and the revision of his establishment	+ 38
(viii) Miscellaneous items	+ 33
Total	+ 6,88.

19-B.—*Law and Justice, Jails.*

40. The increase of 2,64 in 1909-10 over the budget of 1899-1900 is explained below :—

(i) Dietary charges, due mainly to the general increase of food prices	+ 1,21
(ii) Salaries and establishments, due mainly to the transfer from 18, <i>General Administration</i> of charges on account of the Inspector General of Prisons, and to the revision of warders and other establishments, partly counterbalanced by the transfer to 22, Education of charges on account of Reformatories	+ 78
(iii) Hospital, Sanitation and other Miscellaneous charges	+ 73
(iv) Jail manufactures	+ 38
(v) Lump deduction for probable savings on the major head grant for 1909-10	— 25
(vi) Decreased provision on account of charges for Police custody	— 21
Total	+ 2,64.

20, *Police.*

41. The increase of 31,37 in 1909-10 over the budget of 1899-1900 is explained below :—

(i) Revision of the Police grades (including new grades of Deputy and Assistant Inspectors General, Deputy Superintendents, and Sub-Inspectors)	+ 9,10
--	--------

22, Education—continued.

(iii) Increase under "Inspection," due mainly to the revision of superior and subordinate inspectorial staff and their establishments	...	+ 1,60
(iv) Increase under "Government Schools, General," due to additional grants to Municipal Schools (1,48), and to the employment of additional masters (33), partly counterbalanced by the absence of the grants (72) to Primary Schools in Bombay, which have ceased to be Provincial under the Bombay City Police Charges Act of 1907	...	+ 1,09
(v) Increase under "Miscellaneous," due to charges on account of the publication of books, which became Provincial on the abolition of the Central Book Depot in Bombay, and to expenditure on account of the School Final and other Examinations now conducted by the Educational Department	...	+ 65
(vi) Lump deduction for probable savings on the major head grant for 1909-10	...	54
(vii) Increase under "Government Colleges, Professional," due to provision for a Training College for Secondary Teachers, and to increased salary charges in the College of Science	...	+ 40
(viii) Miscellaneous items	...	+ 35
	Total	+28,66.

24, Medical.

44. The decrease of 38 in 1909-10 from the budget of 1899-1900 is explained below :—

(i) Under "Grants for Medical purposes" the current year's provision for direct plague charges is 3,38 (including 1,38 on account of the Bombay Bacteriological Laboratory) against 12,64 in 1899-1900, while the provision for Epidemic Expenses is higher by 13	...	- 9,13
(ii) Under "Sanitation and Vaccination" there is a special provision of 7,20 for grants in aid of sanitary improvements, of which 4,50 are met from an annual assignment from Imperial revenues for this object. The decrease of 41 in the current year's provision for salaries is due to the employment of a smaller number of plague officers, and to the transfer of the provision for the Sanitary Engineer to the head 45, <i>Civil Works</i> , while under grants to village sanitation committees the provision exceeds by 13 that for the year 1899-1900. The provision in that year of 72 on account of Local Fund vaccinators is now reduced to <i>nil</i> as the contributions formerly credited under <i>Contributions from Local to Provincial</i> are now deducted from the charge side under 24, <i>Medical</i> . This is counterbalanced by additional grants for expenses under the Pilgrim Ships Act, and for the Belgaum Vaccine Depot, the Karachi Port Health Officer, etc.	...	+ 6,92
(iii) Lump deduction for probable savings on the major head grant for 1909-10	...	- 1,50
(iv) Increased provision on account of (a) professors, tutors, establishment, and stores at the Grant Medical College, and (b) teachers and allowances of medical pupils at the Medical Schools	...	+ 1,39
(v) Under "Medical Establishment" the provision is larger, chiefly on account of the re-organization of the Indian Medical Service	...	+ 85
(vi) Under "Lunatic Asylums" the provision is larger, chiefly on account of dietary and clothing charges (99 against 62 in 1899-1900) and the revision of warder and other menial establishments	...	+ 66
(vii) Improvement of the emoluments of the Chemical Examiner and his staff, and provision for a Chemical Examiner at Karachi	...	+ 31
(viii) Under "Hospitals and Dispensaries" the provision exceeds that of 1899-1900 by 10 only. But the increase of expenditure on Presidency Hospitals and Dispensaries (1,92), on Mofussil Hospitals and Dispensaries (2,25), and on grants-in-aid to dispensaries (8) is almost wholly counterbalanced by the Bombay Municipality's contribution of 4,15 under the Bombay City Police Charges Act, 1907. The current year's provisions of 50 for the equipment of hospitals and of 15 for a Mission Hospital Building grant are special	...	+ 10
(ix) Refunds	...	+ 2
	Total	- 38.

25, Political.

45. The increase of 76 in 1909-10 over the budget of 1899-1900 is explained below :—

(i) Re-organization of the Superior Political Service	...	...	+ 26
(ii) Scheme for a time scale pay for military officers employed in the Bombay Political Department	...	...	+ 25
(iii) Increased provision for payments to officers of other provinces	...	...	+ 25
(iv) Lump deduction for probable savings on the major head grant for 1909-10	...	...	- 25
(v) Re-organization of the cadre of Deputy Assistant Political Agents	...	...	+ 16
(vi) Purchase of furniture for bungalows occupied by certain Political Agents.	...	...	+ 5
(vii) Miscellaneous items	...	...	+ 4
Total	...	...	+ 76.

26, Scientific and other Minor Departments.

46. The budget of 1909-10 shows an increase of 6,28 over the budget of 1899-1900 due chiefly to the following causes :—

(i) Agricultural (4,78) and Veterinary (2,17) development, for which the Government of India have made an annual assignment of 3,50 since 1905-06	+ 6,95
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(Note.—The extra provision of 4,78 is mainly on account of (a) salary charges of the Director of Agriculture and his Deputies, and of tutorial, inspectorial, clerical, field, and other establishments, (b) several new farms, (c) the Agricultural College, and (d) the Basant and Ganeskhind Botanical Gardens. The extra provision of 2,17 includes 108 (non-recurring) for land compensation charges, 40 for Subordinate Veterinary Services, 29 for Veterinary dispensaries, and 16 for the Bombay Veterinary College.)

(ii) Lump deduction for probable savings on the major head grant for 1909-10	...	...	- 75
(iii) Absence of the provisions for the Reay Industrial Museum in Poona, and for the Bombay Museum	...	...	- 42
(iv) Charges on account of the recently created office of the Registrar of Co-operative Credit Societies	...	...	+ 82
(v) Increased charges on account of registration of railway traffic, factories, gazetteers, donations to scientific societies, and other minor items, partly counterbalanced by the transfer of the Colába Observatory to Imperial and by the abolition of the post of Reporter on Native Papers.	...	...	...
Total	...	...	+ 6,28.

29, Superannuation Allowances and Pensions.

47. The increase of 9,41 in 1909-10 over the budget of 1899-1900 is due to the steady growth of pension charges, and includes payment of Berar pensions (about 36), for which due assignment has been made from Imperial to Provincial Revenues.

30, Stationery and Printing.

48. The increase of 3,02 in 1909-10 over the budget of 1899-1900 is explained below :—

(i) Increased demands for stationery supplied from Central Stores, and purchased in the country	...	...	+ 2,06
(ii) Strengthening and further equipment of the Government Presses, chiefly in Bombay, Yeravda and Karachi	...	...	+ 79
(iii) Adjustment of the value of convict labour employed at the Yeravda Prison Press	...	...	+ 27
(iv) Lump deduction for probable savings on the major head grant for 1909-10	...	...	- 25
(v) Increased charges of the Bombay Stationery Office	...	...	+ 13
(vi) Miscellaneous items	...	...	+ 2
Total	...	...	+ 3,02.

32, Miscellaneous.

49. The increase of 64 in 1909-10 over the budget of 1899-1900 is due chiefly to the provision of 30 for irrecoverable temporary loans written off, and to increased provision for rewards for proficiency in oriental languages and allowances to Language Examination Committees (12), for "Contributions" (9), for subscription to periodicals (8), and for donations for charitable purposes (8), partly counterbalanced by a reduction of 10 in the payment of municipal taxes on Government property in Bombay City in accordance with a revised award.

36, *Reduction or avoidance of debt.*

50. The increase of 13,70 in 1909-10 over the budget of 1899-1900 is due to the Famine Relief Scheme explained in paragraph 15 of the Financial Statement for 1907-09, there being a corresponding assignment from Imperial to Provincial through the head *I.—Land-Revenue.*

38, *State Railways (Working Expenses).*

51. The Hyderabad-Umarkot Railway having been transferred from Provincial to Imperial control on 1st April 1900, no provision is made in 1909-10 under this head as compared with 1,50 provided in the budget of 1899-1900.

42, *Irrigation—Major Works—Working expenses and Interest.*

52. Since 1905-06 charges on account of Irrigation Major Works—Working expenses, which were classed formerly as Imperial, are divided equally between Imperial and Provincial Revenues. The Government of India bear all capital expenditure on Major Works, and interest on the outlay is shared equally between Imperial and Provincial Revenues in accordance with the plan described in paragraph 4 of the Financial Statement for 1908-09. Hence the provisions of 5,31 for Working expenses and 8,63 for interest in 1909-10 against nil in the budget of 1899-1900.

43, *Irrigation—Minor Works.*

53. Until 1905-06 charges connected with the Gokak Canal, 1st Section, were classed as Provincial. Since that year all expenditure under this head is divided equally between Provincial and Imperial Revenues. This accounts for the increase of 15,37 in 1909-10 over the budget of 1899-1900.

45, *Civil Works.*

54. The figures are :—

	1899-1900.	1908-1910.	Difference.
Civil Department ...	15	8,10	+ 7,95
Public Works Department ...	41,37	69,86	+ 28,49
Total ..	41,52	77,96	+ 36,44

The increase in the Civil Department is due to (i) grants to Local Boards from the special assignment of 7,00 sanctioned by the Government of India in 1905-03, (ii) grants in aid of village water-supply (60), (iii) net contributions of 15 for Local Public Works, which were formerly debited to the head *Contributions from Provincial to Local*, (iv) provision for jumper experiments (15), and (v) grants (5) to Local Boards for the maintenance of roads on which tolls are disallowed by Government (*vide* paragraph 15 of the Financial Statement for 1909-10).

55. The increase in the Public Works Department is due to the demands for works, for which ample provision is made from the large Provincial balances. The actual expenditure in the six years preceding the current Settlement varied between 26,39 in 1899-1900 and 48,40 in 1903-04, averaging 37,70 per annum. In view of financial prosperity the actuals have since risen to—

53,97 in 1905-06,
61,60 in 1906-07, and
73,22 in 1907-08.

The revised estimate for 1908-09 is 71,42 and the current year's budget is 69,86.

Contributions from Provincial to Local.

56. As explained in paragraph 15 of the Financial Statement for 1908-09, this head has been abolished from that year. Charges previously debited to it are now classed under the appropriate service heads to a much larger extent than the sum of 7,13 provided in the budget of 1899-1900.

APPENDIX AE.

REVENUE.

IN THOUSANDS.

	1899-1900.	1909-1910.	Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.
* 1 I.—Land Revenue—				
Provincial Share	98,55	2,05,68	1,07,11	
Alienated	98,40	92,04	3,82	6,36
Fixed Allotment, &c.	89,68	93,50	3,82	39
† 3 III.—Salt	39	.....	.....	39
‡ 4 IV.—Stamps	45,15	32,50	.....	12,65
§ 5 V.—Excise	28,65	87,00	58,35	.....
† 7 VII.—Customs	95	.....	.....	95
§ VIII.—Assessed taxes	18,50	24,19	5,69	.....
§ IX.—Forest	15,38	18,50	3,17	.....
|| 10 X.—Registration	3,23	7,04	3,81	.....
12 XII.—Interest	4,65	7,67	3,02	.....
16 XVIIA.—Law and Justice, Courts of				
Law	4,25	5,60	1,35	.....
16 XVII B.—Jails	1,66	2,35	69	.....
17 XVII C.—Police	4,34	4,40	6	.....
18 XVIII.—Ports and Pilotage	65	90	25	.....
19 XIX.—Education	3,00	4,10	1,10	.....
20 XX.—Medical	1,41	2,24	79	83
21 XXI.—Scientific and other Departments...	83	85	52	.....
22 XXII.—Receipts in aid of Superannuations	2,41	2,05	.....	36
23 XXIII.—Stationery and Printing	68	1,00	32	.....
24 XXIV.—Miscellaneous	53	1,00	47	.....
† 26 XXVI.—State Railways	2,25	.....	.....	2,25
29 XXIX.—Irrigation—				
Portion of L. R. due to Irrigation.	.....	14,34	14,34	.....
29 XXIX.—Major Works, Direct Receipts	39	5,20	20,91	5,30
30 XXX.—Minor Works and Navigation	30	1,67	1,37	.....
31 XXXI.—Civil Works	7,25	7,07	.....	18
Contributions from Local to				
Provincial	2,17	Nil	.....	2,17
Total	4,34,71	6,20,87	1,58,08	25,31
			2,11,47	

* Provincial Share 1/4 in 1899-1900, 1/2 in 1909-1910.

† These items are now wholly Imperial.

‡ Provincial share 3/4 in 1899-1900, 1/2 in 1909-1910.

§ Do. 1/4 " 1/2 "

|| Do. 1/2 " whole "

EXPENDITURE.

IN THOUSANDS.

	1899-1900.	1909-1910.	Increase.	Decrease.
	Rs.	Rs.	Rs.	Rs.
1, Refunds and Drawbacks ...	1,81	2,69	88	.....
2, Assignments and Compensations—				
Cash	15,59	9,43	.....	6,16
Alienations	85,89	79,63	.....	5,76
3, Land Revenue—				
Cash	55,27	74,35	19,08	.....
Alienations	7,62	7,43	.....	19
16, Stamps	2,05	1,16	.....	89
§7, Excise	92	4,90	3,98	.....
10, Assessed taxes	26	48	22	.....
11, Forest	9,59	10,63	94	.....
||12, Registration	1,48	3,62	2,14	.....
13, Interest on Ordinary debt ...	3,77	6,52	2,75	.....
§§15, Post Office	1,01	.....	.....	1,01
18, General Administration	14,53	16,65	2,12	.....
19-A, Law and Justice—				
Courts of Law	45,61	52,49	6,88	.....
19-B, Jails	7,20	9,84	2,64	.....
20, Police—				
Cash	66,32	68,10	31,78	.....
Alienations	5,39	4,98	.....	41
21, Postage & Post Ports and Pilotage ...	41	57	16	.....
22, Education	18,07	**44,73	26,66	.....
24, Medical	29,53	29,15	.....	38
25, Political	3,71	4,47	76	.....
26, Scientific and other Departments ...	2,41	8,69	6,28	.....
29, Superannuation Allowances and Pen- sions	19,38	28,79	9,41	.....
30, Stationery and Printing	9,70	12,72	3,02	.....
32, Miscellaneous	2,36	3,00	64	.....
36, Reduction or avoidance of debt ...	.....	13,70	13,70	.....
§§38, State Railways	1,50	.....	.....	1,50
42, Irrigation Major Works—				
Working Expenses ... ..	.....	5,31	5,31	.....
Interest ... ..	.....	3,63	3,63	.....
43, Irrigation—Minor Works	18	15,55	20,31 15,37	.....
§§38 State Railways	150	5,31	.....	150
45, Civil Works	41,52	77,96	36,44	.....
Contributions from Provincial to Local	7,10 7,13	.....	.....	7,10 7,13
Total	4,49,71	6,26,07	1,99,79	23,40 23,43

** The amount for 1909-10 includes a sum of Rs. 10,71,000 10,64,000 previously debited *debitable* to "Contributions from Provincial to Local."

§§ These items are now wholly Imperial.

IBRAHIM RAHIMTOOLA.

PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL
OF THE
GOVERNOR OF BOMBAY,
1910.
VOLUME XLVIII.

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PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

The Council met at Bombay on Tuesday the 4th January 1910, at 11 a.m.

P R E S E N T :

His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G.,
G.C.I.E., Governor of Bombay, *presiding*.

The Honourable Sir JOHN W. P. MUIR MACKENZIE, K.C.S.I., M.R.A.C., I. C. S.

The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I. C. S.

Additional Members.

The Honourable Mr. MOULVI RAFIUDDIN AHMAD.

The Honourable Sardar NAHARSINGHJI ISHWARSINGHJI, Thakor of Amod.

The Honourable Mr. GULAM MUHAMMAD *walad* Khán Bahádur WALI MUHAMMAD
BHURGRI, Bar.-at-law.

The Honourable Ráo Bahádur MOTILAL CHUNILAL.

The Honourable Sir SASSOON JACOB DAVID, Kt.

The Honourable Sardar PURSHOTTAMDAS VIHARIDAS DESAI.

The Honourable Mr. FAZULBHOY CURRIMBHOY EBRAHIM.

The Honourable Mr. SYED ALI EL EDROOS.

The Honourable Mr. SIDDHANATH DEONDEV GARUD, LL.B.

The Honourable Mr. M. C. GIBB, I. C. S.

The Honourable Mr. N. S. GLAZEBROOK.

The Honourable Sardar NARAYANBAO GOVIND *alias* BABA SAHEB GHORPADE,
Jághirdár of Ichalkaranji.

The Honourable MAJOR J. JACKSON, M.B., I. M. S.

The Honourable Ráo Bahádur GANESH VYANKATESH JOSHI.

The Honourable Mr. R. A. LAMB, C.S.I., C.I.E., I. C. S.

The Honourable Sardar SHAMBHUSING AMARSING JADHAVRAV, Raje of Malegaon.

The Honourable Sir PHEROZESHAH M. MEHTA, Kt., Bar.-at-law.

The Honourable Mr. J. S. WARDLAW MILNE.

The Honourable Sardar Ráo Bahádur YASHAYANTRAY TRIMBAK MIRIKAR.

The Honourable Sardar DAVAR KAIKHOSRO EDALJI MODI.

The Honourable Mr. W. T. MORISON, C.S.I., I. C. S.
 The Honourable Sardar COOPUSWAMI VIZIANAGARAM MUDLIAR.
 The Honourable Dr. TEMULJI BHIKAJI NARIMAN, L.M., F.R.M.S. (London).
 The Honourable Mr. VISHNU BAGHUNATH NATU, LL.B.
 The Honourable Mr. GOKULDAS KAHANDAS PAREKH, LL.B.
 The Honourable Mr. ABDUL HUSSEIN ADAMJI PEERBHOY.
 The Honourable Mr. F. G. PRATT, I. C. S.
 The Honourable Mr. H. E. E. PROCTER.
 The Honourable Mr. IBRAHIM RAHIMTOOLA, C.I.E.
 The Honourable Mr. MANMOHANDAS RAMJI.
 The Honourable Ráo Bahádúr SHRENIWÁS KONHEE RODDA.
 The Honourable Mr. CHIMANLAL HARILAL SETALVAD, LL.B.
 The Honourable Mr. W. H. SHARP.
 The Honourable Khán Bahádúr SYED ALAHANDO YUSIF SHAH,
 The Honourable Surgeon-General H. W. STEVENSON, I. M. S.
 The Honourable Mr. THOMAS JOSEPH STRANGMAN, Bar.-at-law, Advocate-General.
 The Honourable Sir VITHALDAS DAMODAR THACKERSEY, Kt.
 The Honourable Khán Bahádúr NAVROJI PESTANJI VAKIL, C.I.E.
 The Honourable Sardar LAKHAMGAUDA BASAVPRABHU, Sar Desai of Vantmuri.
 The Honourable Mr. HARCHANDRAI VISHINDAS, LL.B.
 The Honourable Mr. MONTAGUE DE POMEROY WEBB, C.I.E.

The Honourable Additional Members made the prescribed oath or solemn affirmation of allegiance to His Majesty the King-Emperor and took their seats in Council.

✓
 HIS EXCELLENCY THE GOVERNOR addressed the Council as follows :—Honourable Members of the Legislative Council of Bombay.—We have met together on a most memorable occasion. It is our privilege to inaugurate a new departure in the history of India, and to play our part in a momentous change, which for good or for evil must have far-reaching effects upon the whole machinery of Government in this country. The reforms of which this re-constituted Council is the first result have been the subject of earnest consideration, of prolonged discussion, and of some criticisms. Many years must elapse before it will be possible accurately to gauge the measure of their success. Nothing is certain except that, as in the case of all human undertakings, they cannot accomplish everything that is hoped in some quarters and they will not justify the fears which have been expressed in other quarters. For my own part, I look forward with confidence. I believe that the good will predominate; but I am firmly convinced that this depends wholly upon the spirit in which the new Councils are worked. So far as this Presidency is concerned, it rests with us, who have the honour to constitute the first enlarged Council, to establish precedents of sound sense, of sweet reasonableness, of dignity of debate, and of common effort for common objects which will guide our successors in years to come.

History is not a strong point in India, and perhaps it may be useful if I attempt briefly to review what may be called constitutional progress in this Presidency. Up to the passing of the Charter Act of 1833 the Governor in Council had power to legislate by means of Regulations; but in 1827 Mountstuart Elphinstone, whose name will always be held in reverential memory, issued a Revised Code embodying the results of twenty-eight years of previous legislation, which with subsequent additions extending into 1834 formed the Code under which Bombay was governed. Some of these Regulations still remain in force. The Charter Act of 1833, however, took away all power of legislation from the Presidency Governments, and vested it exclusively in the Governor-General in Council. The Governor of Bombay in Council was permitted only to submit drafts or projects of any Laws or Regulations which he deemed expedient to the Governor-General in Council, who was bound to consider and pass orders upon them. Until the passing of the Indian Councils Act of 1861, Bombay remained without any power of legislation. Under the provisions of the Act of 1833, the Council of the Governor-General was enlarged for legislative purposes by the addition of the Chief Justice of Bengal, a Puisne Judge, and four representatives—from Bengal, Madras, Bombay and the North-West Provinces respectively. Thus, for the first time, additional members were brought into Council for purposes of legislation, and the principle of Provincial representation in a Central Council was established, though so far such additional members were official only. Nevertheless the additional members showed marked independence, which led to some restrictions of their functions under subsequent legislation. The Councils Act of 1861 restored powers of legislation to the Presidencies, and provided for the appointment of additional members nominated by the Governor, and consisting of the Advocate-General, and others—not less than five, not more than eight,—of whom not less than one-half were to be non-officials. Thus the non-official element in Bombay first received recognition nearly 49 years ago. The functions of the Legislative Council, so constituted, were strictly limited to legislative business, and certain matters of Imperial concern were excluded from its purview. Moreover, the Bombay Legislature was made subordinate to that of the Government of India, the assent of the Governor-General in Council being necessary to any enactment, which also was made subject to disallowance by the Crown. These conditions still continue, and it follows that it is useless to introduce into this Council any measure which has not the approval of the Governor-General in Council and of the Secretary of State. Under the system of nomination adopted in 1861, many men of ability and position became additional members of Council, and left their mark upon the legislation of the time. The records of proceedings show that the debates were often as lively and as interesting as those of later days. Prominent among such nominated members was Rao Saheb Vishvanath Mandlik known as the "Rao Saheb," a man of great ability and force of character, whose name is still held in remembrance. The constitution of the Bombay Legislative Council remained unchanged for 31 years, until the passing of the Indian Councils Act of 1892, which has governed proceedings up to the present time, and the provisions of which are known to you all. I need only say, therefore, that the principal changes enacted in 1892, were an increase in the number of additional members, the nomination of a certain number on the recommendation of representative bodies, and the relaxation of some of the restrictions of the Act of 1861, by authorizing discussion of the financial statement and the asking of questions on matters of public interest. I may draw your attention to the fact that although from 1892 to the present time, nomination by the Governor was necessary to

give effect to the recommendation of representative bodies, no such recommendation was ever rejected. I now come to the Act under which we are assembled here to-day. The Council has been enlarged from a total membership of 22 to one of 46, and its functions have been greatly extended to enable members to exercise direct influence upon the preparation of the financial statement, to move resolutions, and to ask supplementary questions on matters of public interest. The change in the composition of the Council is even more important than the increase of members. The Council now contains 33 non-official members, of whom 21 are elected without being subject to nomination. From this brief historical review, you will see that the evolution of this Council has proceeded on natural lines, and that each step has marked a distinct advance. Some of you may be inclined to think that the evolution has been too slow; but if you compare the step now taken after less than 18 years with that taken in 1892 after 31 years, and if you study constitutional progress in other countries, you may find it necessary to modify that opinion. From purely legislative business, the functions of the Council were first extended to advice and representation, and now to direct expression of opinion upon all matters of local Finance and Administration. The change is not one of degree, but one of principle.

As regards the constitution of this new Council, I wish to point out that Government, resting confident in the moderation and good sense of the public men in this Presidency were, from the first, content to accept a non-official majority. We have even gone further in this direction than the law requires of us. Out of 21 nominated members, the Governor is entitled to include as many as 14 officials; but only 9 have been thus chosen, so that 12 seats were made available for non-officials. This arrangement must not be regarded as necessarily permanent; but it is our particular wish to keep the official element as low as possible, not only on public grounds, but because our officials lead strenuous lives and can ill afford time for attendance at Council meetings. Circumstances might lead to a different distribution; but we are confident that the business of this Council will be so carried out as to enable us to dispense with the presence of a larger number of officials. The question of the separate representation of Musalmans has given rise to acute differences of opinion. While most reasonable people admitted that the Musalman community, divided from the mass of the population by religion, language, literature, customs, traditions and ideals, so as almost to constitute a special nationality, were entitled to have representatives of their own, the question was whether there should be nominations in consultation with the leaders of the community or whether separate electorates should be created. The latter alternative has been adopted and must be loyally accepted. The question must now be regarded as closed, and the Musalmans with 8 elected members out of a total of 21 have good reason to be content. I feel certain that all members of this Council will work together in full harmony for the public good, without regard to distinctions of race, religion, or caste.

I turn to the Financial Statement, the power of dealing with which is one of the most important privileges conferred by the new Act and the Regulations. Last year the Government assembled a committee of non-official members to discuss the budget at the earliest possible stage, and the result of this experiment was satisfactory. Now, the whole of the Financial Statement will, in the first instance, be referred to a Committee of 12, of whom 6 will be elected by the non-official members of the Council. The remaining 6 will be nominated and may be all officials; but, in pursuance of our policy of giving

non-official members all possible opportunity of taking part in public business, we intend on this occasion to nominate at least 3 non-officials. Recommendations made by a majority of this Committee will be carefully considered by Government and will be accepted as far as is practicable. The Financial Statement will then go before the whole Council with the *imprimatur* of the Committee, which should carry great weight. At the Council meeting it will be open to any member to move a resolution subject to certain necessary limitations, and I may point out that, in one respect, a member of this Council will have greater liberty than is accorded to a member of the British House of Commons. The latter may not propose any increase of expenditure, but only the reduction of a grant. On the other hand, in this Council, a proposal to increase expenditure will be in order, provided that the source from which it can be met is indicated. Except in special cases, I trust you will agree that it will generally be best to make little alteration in the statement as settled by the Committee.

Government hope that the new powers of moving resolutions directed to specific issues will enable general roving criticisms to be dispensed with, greatly to the advantage of members of Council. I need hardly say that such resolutions, to be effective, must be of a practical character. It will be plainly useless to propose theoretical schemes or to recommend measures which, however desirable in themselves, cannot be carried out in the absence of available funds. Every resolution which Government are able to accept will enhance the credit and strengthen the influence of the Council. Individual members will probably realise that it is not expedient to move a resolution unless they are assured of the support of at least a substantial minority of the Council. The power of asking supplementary questions is intended to enable members to clear up any legitimate doubt which may arise in their minds from the reply given to their original questions, and can be exercised for that purpose alone. Questions and answers cannot be allowed to degenerate into discussion, and I confidently rely on the Council for support in checking any such tendency.

Members will doubtless give careful study to the regulations and especially to those relating to the allotment of time, to the transaction of different kinds of business in each session, and to the time limit on the length of speeches. Many of you are busy men, and some have long distances to travel. If the meetings of Council are too prolonged or unreasonably frequent, such members would find attendance a greater burden than they could bear, and no greater misfortune could befall our Council than a failure to secure the services of men who have proved their capacity for affairs by the successful conduct of business. Such men are the most valuable members of all public bodies and our Council has need of their services. I believe that a reasonable limit upon the length of speeches will give life and reality to our debates without in the least detracting from their practical value.

During your triennial period of office, several important Bills will come under your consideration; but Government cannot at present indicate the dates at which it will be possible to introduce them. A Bill empowering District Local Boards to raise a cess, not exceeding one anna in the rupee, for educational purposes has been prepared and has been referred for opinion to district officers and to some non-officials. The idea of such a special cess originated with a late Member of Council, Mr. Sadik Ali, and the object is to enable a representative body to give effect to the wishes of the people in any district

where there may be a desire to extend education more rapidly than is possible under Budget provisions. A Bill for the creation of Village Panchayets with certain powers of local self-government, as a tentative measure, is being prepared in response to frequent demands for the establishment of such bodies. A Town Planning Bill will also be introduced primarily with the object of arriving at a scheme for the orderly and systematic development of Salsette, but capable of wider extension in the future. This Bill is based upon the recent English Act, and it contemplates the creation of local authorities empowered to regulate the development of residential areas with an eye to the comfort and health of the inhabitants, and in order to prevent the inordinate expense entailed upon improvements necessitated on account of haphazard building resulting in inconvenience and insanitary conditions. Further legislation will be introduced dealing with the certificate of heirship, and with amendments of the Bombay City Municipal Act in accordance with the wishes of the Corporation, and with the amendment of the City Improvement Trust Act to enable greater progress to be made in the proper housing of the working classes. Minor Bills which will probably be introduced at an early date deal with the amending of the Bombay Act of 1862 (an Act for the preservation of the Bhagdari and Narwadari Tenures), the amending of the Bombay Port Trust Act, 1879, to provide for the delegation of some of the details of administration to a deputy chairman with the necessary safeguards and restrictions, and the amending of the Bombay Hereditary Offices Act and the Matadars Act, 1887.

And now, gentlemen, I cannot let the occasion of our first meeting pass without saying a few words on a grave subject. It had been hoped that the generous scheme of reforms which has been conferred upon India would lead to general contentment and that the crimes which have recently cast a stain upon the fair fame of the Indian people would cease from among us. In this Presidency we have been happily free from such crimes for some years, and it might have been expected that we should preserve our record at a time when liberal concessions were being made to popular sentiment. Such expectations have most unhappily been disappointed. We have had in quick succession a most dastardly attempt upon the life of His Excellency the Viceroy at Ahmedabad, and the foul murder of Mr. Jackson at Nasik. Doubtless you all know what Mr. Jackson was—a man of abounding sympathy for and with the Indian people, an excellent scholar in Indian languages and literature which he had earnestly studied with the object of enabling him to understand the views and promote the welfare of the people, and an active agent in spreading peace and good-will wherever duty called him. Such a man—a true friend of the Indian people in the best sense as was his predecessor in death Sir W. Curzon Wylie—attending a party arranged in his honour by his Indian friends, was basely murdered in their midst. There are various points of similarity in these two hateful crimes. In both cases, the assassins were young men who had no personal grievance against their victims. In both cases they appear to have been impelled to crime by what they had read. In both cases, there was also incitement by a body of secret conspirators. In both cases, as I have said, the victim was a man of marked practical sympathy with the Indian people. I have received the strongest expressions of indignation, of warm appreciation of Mr. Jackson's notable qualities, and of sympathy with his widow cruelly bereaved. You all, I well know, share all these sentiments; but I must ask you to look more deeply into this matter. In the affairs of men, certain causes inexorably lead to certain results. If persistent and insistent attempts are made to sow the seeds of racial hate, to spread wild falsehoods, to condone,

or to explain away crime, and even to extol the criminal, then from among an excitable population like that of India, the murderer will assuredly emerge. This experience has proved, and where the murderous instinct has been aroused there has been no discrimination as to the race of the victims. The bomb-thrower and the train-wrecker are perfectly willing to sacrifice their most innocent fellow countrymen, and Indian officials have been ruthlessly assassinated for doing their duty. Gentlemen, I ask you to ponder these things in your hearts. Deunciation is useless if we do not endeavour to reach the sources of the poison which is working with fatal effect in some parts of this Presidency. If you will keep your attention concentrated upon that supreme necessity for dealing with causes which is the very essence of statesmanship, I am certain that you and all true men will in your words and in your actions, co-operate with Government, support us in any measures which may become necessary to protect our youth from the influences and the instruction which lead directly and indirectly to murder, and assist us to rehabilitate the tarnished reputation of our Presidency.

And now I have only a few more words to say in conclusion. Henceforth the character as well as the composition of this Council is changed. I have sketched the successive evolutions which, from a small official executive, have led to a body mainly unofficial and largely exceeding in number the Senate of the Commonwealth of Australia. This is no longer a legislative Council pure and simple, though it retains the name. It has now been placed in a position to exercise influence upon the administration, the extent of which will depend upon the spirit in which the new powers are exercised. I trust that there will never be an opposition on racial lines, or an opposition which opposes only measures which emanate from Government. In countries where party Government prevails, it has been said that it is "the duty of an opposition to oppose," and the results are frequently unedifying and even demoralising. It is most improbable that the Government of Bombay would ever desire to force through this Council any measure to which a large majority of the non-official members was, conscientiously and on grounds of reason, opposed. On the other hand, as Lord Morley has plainly stated, the ultimate executive power will not be and cannot be abandoned, and if Government acting on certain knowledge which the public does not possess were obliged to take steps which did not command themselves to a majority of this Council, we should not hesitate to accept the responsibility. Most interests are represented here, and I hope that we shall find among you useful critics able to convince us on any points as to which your knowledge may be greater than ours, and constructive critics who will be capable of making practical suggestions which we can accept. Government in these days is a much more complex and difficult business than appears to be realized in India. Few questions are really simple, and you will have need of studying the various papers with which you will be liberally supplied. I venture to beg you not to jump at conclusions, but to store your minds with facts in the first instance. Such State papers as the annual blue books on the progress of India, and the recently issued Memorandum on the results of Indian Administration during the past fifty years, will furnish you with abundant food for sober reflection, and material for sound deductions. I have said that this is a most memorable occasion. By this scheme of Reforms, more generous and more wide-reaching than was expected two years ago, the British people have shown their full sympathy with their Indian fellow subjects. We have redeemed the promises which have been made. We have taken the representatives of the people of India into our counsels. Speaking on behalf

of the Government of Bombay, I wish to say that we have full confidence that the new privileges will be received in the spirit in which they are conferred, that all the members of this Council will co-operate whole heartedly with them in furthering the progress of the Presidency, and that the dignity of debate and the good feeling which have been conspicuous in the past will be fully maintained in the future. I feel it an honour to be the first President of this new Council which begins its life to-day. A fair white page lies open before us. It is for us to see that nothing is written upon that page that is not in full accordance with conscience and with honour. We have a reputation to make; let us work together in the spirit of duty and of good fellowship, inspired only by an earnest wish to promote the happiness and prosperity of the people.

I now declare the Council adjourned and the non-official members will proceed with the election of two members of the Council of the Governor-General, of one Musalman Member of that Council by the Musalmans alone, and of six members to serve on the Budget Committee which will complete its deliberations before we reassemble.

His Excellency the PRESIDENT then adjourned the Council *sine die.* ✓

By order of His Excellency the Honourable the Governor,

G. D. FRENCH,
Secretary to the Legislative Council.

Bombay, 4th January 1910.

Journal of the Proceedings of the Legislative Council of the Governor of Bombay, assembled under the provisions of the Indian Councils Acts, 1861 to 1909.

The Council met at Bombay on Saturday the 12th March 1910, at 12 o'clock; noon.

P R E S E N T :

- His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E., Governor of Bombay, *presiding*.
- The Honourable Sir JOHN W. P. MUIR MACKENZIE, K.C.S.I., M.R.A.C., I. C. S., J.P.
- The Honourable Mr. JOHN LEWIS JENKINS, C.S.I., I. C. S.
- The Honourable Mr. MAHADEV BHASKAR CHAUBAL, LL.B. ✓
- The Honourable MOULVIE RAFIUDDIN AHMAD, Bar.-at-Law.
- The Honourable Sardar NAHARSINGHJI ISHWARSINGHJI, Thakor of Amod.
- The Honourable Mr. GULAM MUHAMMAD *walad* Khán Bahádúr WALI MUHAMMAD BHURGRI, Bar.-at-Law.
- The Honourable Mr. W. L. S. L. CAMEBON, C.S.I., A.M.I.C.E.
- The Honourable Mr. GEORGE CARMICHAEL, I. C. S.
- The Honourable Sardar Ráo Bahádúr MOTILAL CHUNILAL.
- The Honourable Sardar PURSHOTTAMDAS VIHARIDAS DESAI.
- The Honourable Mr. FAZULBHOY CURRIMBHOY EBRAHIM.
- The Honourable Sardar SYED ALI EL EDROOS.
- The Honourable Mr. SIDDEANATH DEONDDEV GARUD.
- The Honourable Mr. M. C. GIBB, I. C. S.
- The Honourable Mr. N. S. GLAZEBROOK.
- The Honourable Mr. HERBERT RUFUS GREAVES.
- The Honourable MAJOR J. JACKSON, M.B., I. M. S.
- The Honourable Ráo Bahádúr GANESH VYANKATESH JOSHI.
- The Honourable Sardar SHAMBHUSING AMARSING JADHAVRAY, Ráje of Malegaon. ✓
- The Honourable Mr. LALLUBHAI SAMALDAS MEHTA. ✓
- The Honourable Sir PHEROZESHAH M. MEHTA, K.C.I.E., Bar.-at-Law.
- The Honourable Sardar Ráo Bahádúr YASHAVANTRAY TRIMBAK MIRIKAR.
- The Honourable Sardar DAYAR KAIKHOSRO EDALJI MODI.
- The Honourable Mr. W. T. MORISON, C.S.I., I. C. S.
- The Honourable Sardar COOPOOSWAMY VIZIARUNGUM MOODLIAR.
- The Honourable Dr. TEMULJI BHIKAJI NARIMAN, L.M., F.R.M.S. (London).

The Honourable Mr. VISHNU BAGHUNATH NATU, LL.B.
 The Honourable Mr. GOKULDAS KAHANDAS PAREKH, LL.B.
 The Honourable Mr. ABDUL HUSSEIN ADAMJI PEERBHOY.
 The Honourable Mr. F. G. PRATT, I. C. S.
 The Honourable Mr. H. E. E. PROCTER.
 The Honourable Mr. IBRAHIM RAHIMTOOLA, C.I.E.
 The Honourable Mr. MANMOHANDAS RAMJI.
 The Honourable Ráo Bahádúr SHRINIWAS KONHEE RODDA.
 The Honourable Mr. CHIMANLAL HARILAL SETALVAD, LL.B.
 The Honourable Khán Bahádúr ALAHANDÓ YUSIF SHAH.
 The Honourable Mr. W. H. SHARP.
 The Honourable Surgeon-General H. W. STEVENSON, I. M. S.
 The Honourable Khán Bahádúr NOWROJEE PESTONJEE VAKIL, C.I.E.
 The Honourable Sardar LAKHAMGAUDA BASAVPRABHU, Sar Desai of Vantmuri.
 The Honourable Mr. HARCHANDRAI VISHINDAS, LL.B.
 The Honourable Mr. MONTAGU DE POMEROY WEBB, C.J.E.

NEW MEMBERS.

The Honourable Mr. W. L. S. L. Cameron, the Honourable Mr. George Carmichael, the Honourable Mr. Herbert Rufus Greaves and the Honourable Mr. Lallubhai Samaldas Mehta made the prescribed oath or solemn affirmation of allegiance to His Majesty the King-Emperor and took their seats in Council.

Observations by His Excellency the President in opening the Meeting.

HIS EXCELLENCY THE PRESIDENT:—Before we proceed to the business there is one thing I should like to say to this Council which I said to the last Council and that is that I hope all Honourable Members will consider that they have direct access to me whenever they choose and I shall be very glad to see them at any time as far as my spare time will permit. It very often happens that a private conference of that kind, it I may call it so, will remove misunderstanding and be a great saving of public time. The numbers of the questions asked by each Honourable Member will be read out by the Secretary, and it will then be open to the Honourable Member to put supplementary questions. As regards the questions on this occasion we have been very lenient in admitting some that were time-barred and others that were not time-barred have not been fully answered because, as Honourable Members will recognise, it takes very little time to draw up a question which it may take many days to answer. In some cases, however, the answers that are printed will be supplemented by answers that will be read out now by the Secretary. In future it will be necessary to adhere to the time limit. With regard to the procedure which will be followed in the Budget discussion some alterations have been made in that which we have been accustomed to follow, but these I will leave to the Honourable the Finance Member to explain to you.

QUESTIONS AND ANSWERS.

The following is a list of the questions put by the Honourable Mr. LALLUBHAI SAMALDAS MEHTA with the answers thereto given by Government :—

Question No. 1.—(a) *Will Government be pleased to state whether it is the fact that Messrs. MacMillan and Company have not yet been able to issue the paper cover edition of Gujarati Readers for sale, notwithstanding that at page 41 of the last Annual Report of the Director of Public Instruction, it was announced that most of the new Readers could now be obtained in the cheaper binding?*

(b) *If the answer of the above is in the affirmative, will Government be pleased to urge Messrs. MacMillan and Company to issue them at as early a date as possible, considering that the issue of the paper cover editions at a reduced price was announced by Government in a Press Note issued in March last year?*

Answer.—The issue to the public of any particular Reader in cheaper binding depends on the exhaustion of the old edition and the publication of a new one. No opportunity has yet arisen for issuing cheaper editions of Books 2 to 5 of the Gujarati Series, but new editions of these four books are in hand, and may be expected to be ready during the course of the year. The 6th and 7th books in cheaper binding are expected daily from the press.

Question No. 2.—*Will Government be pleased to place on the Table a statement showing the total amount which has been sanctioned for each year since 1884 under the last clause of section 45 of the Bombay Local Boards Act, 1884, of expenditure outside the area of each Local Board for the use or benefit of that area, and the proportion of the amount to the total expenditure of Local Boards?*

Answer.—A statement* giving the information asked for by the Honourable Member for each District Local Board in the Presidency proper from 1st April 1898 to 31st March 1909 is laid on the Table. Similar information in regard to the District Local Boards in the Province of Sind for the same period is not available and has been called for.

Government do not consider it necessary to give information concerning previous years as it would involve great trouble.

Question No. 3.—*Will Government be pleased to place on the Table a statement giving the annual income from the duty levied at Virangam and the annual expenditure in collecting the same? Will Government be further pleased to state the amount that has been spent on capital expenditure on the same?*

Answer.—A statement* showing the receipts and expenditure of the Káthiáwár Customs Line for the three years ending 1908-09 is laid on the Table. No capital expenditure has been incurred by Government in connection with the Line.

The Honourable Mr. Lallubhai Samaldas : I wish to ask a supplementary question. It is said here “no capital expenditure has been incurred by Government in connection with the Line.” Does that mean that no expenditure has been incurred in buildings for offices, and all that?

The Honourable Mr. Jenkins: That is so. No expenditure has been incurred. The offices have been accommodated in existing buildings for the present.

The following is a list of the questions put by the Honourable Mr. GULAM MUHAMMAD *walad* KHAN BAHADUR WALI MUHAMMAD BHURGRI with the answers thereto given by Government:—

Question No. 1.—(a) *Will Government be pleased to say if they have received any representation from Sind for abolition of Rule 4 of the Sind Fallow Rules?*

(b) *If so, will the Government be pleased to lay on the Council Table the same along with any orders passed by the Government?*

(c) *Will the Government be pleased to lay on the Table the following Resolutions bearing on the above subject?*

(1) *India Government Resolution No. 2280, dated 30th March 1864.*

(2) *Bombay Government Resolution No. 1836 (1836), dated 25th August 1884.*

Answer.—(a) The answer is in the affirmative.

(b) The representations* received are laid on the Table. The subject is under consideration. When orders are passed they will be made public.

* *Vid.* Appendices C and D.

(c) Government are not prepared to lay on the Table the papers to which the Honourable Member refers.

Question No. 2.—(a) *Are Government aware that there are large tracts of occupied salt land on the Jámrao and Hiral canals fit for no cultivation other than rice?*

(b) *Are Government aware that rice cultivation is prohibited on these canals?*

(c) *Are Government aware that all the private water-courses on the Jámrao and Hiral canals are strictly regulated?*

(d) *Are Government aware that the zamindárs are anxious to bring such lands 'now waste' under rice cultivation?*

Answer.—(a) Government are aware that there are tracts of salt land under the Jámrao canal which might be rendered fit for the production of other crops by being put temporarily under rice cultivation but at present all the water available is required for sweet land growing cotton and other crops.

(b) The answer is in the affirmative.

(c) Yes. In the interests of the cultivator and to secure an equal distribution of water it is necessary to put private water-courses under strict regulation.

(d) Government are aware that some zamindárs desire to grow rice but the supply of water is not sufficient for rice cultivation.

Question No. 3.—*Will Government be pleased to lay on the Table the Rules applicable to the Jámrao Canal Tract referred to by the late Honourable Sardar Muhammad Yakub in his question No. 4 put on 17th February 1906?*

* *Vid.* Appendix E.

Answer.—A copy of the Rules* is placed on the Table.

Question No. 4.—*Do Government propose to consider the desirability of introducing the Election System in the Local Boards of Thar and Párkar and Upper Sind Frontier districts?*

Answer.—No such proposal has reached Government, but they will be prepared to give it careful consideration, if evidence is adduced of a genuine local desire for the introduction of the elective system.

Question No. 5.—*Do Government propose to consider the expediency to recast the several grades of Deputy Collectors in Sind?*

Answer.—Proposals which will entail revised grading are under the consideration of Government.

Question No. 6.—(a) *Will Government be pleased to say if the practice of having attached Deputy Collectors exists elsewhere than in Sind or is peculiar to Sind alone?*

(b) *Do Government propose to consider the desirability of rearranging the Revenue divisions with a view to make these charges more manageable and to place the Deputy Collectors in charge of divisions on the same footing as Assistant Collectors?*

Answer.—(a) It is peculiar to Sind.

(b) So far as Government is aware no inconvenience results from the existing arrangement, which in no way affects the status of Deputy Collectors. Government do not therefore propose to alter the present arrangements unless moved to do so by the Commissioner in Sind.

Question No. 7.—(a) *Are the Government aware that the appointment of A'bdár as a village-officer under the Jámrao system has put on the zamindárs an extra payment of Lápo over and above the well-known Tápedár's Lápo?*

(b) *Are the Government aware that there is no such officer as A'bdár on Naerat canal or on any other canal in Sind?*

(c) *Do Government propose to consider the desirability of abolishing A'bdár's appointments and to create more Tápedárs with smaller charges, if there be any such need?*

Answer.—(a) In the negative. This payment, if received, is quite unauthorized and contrary to the orders of Government.

(b) Yes. There are no A'bdárs on inundation canals.

(c) In the negative. There is no proposal to make the change suggested.

Question No. 8.—(a) *Will Government be pleased to state what is the amount of arrears of (a) Land-Revenue, (b) Malkáno on Jámrao canal?*

(b) *Do Government propose to consider the desirability of giving postponement for the arrears of land-revenue and of exemption or reduction of the heavy Malkáno charged on the lands granted under restricted tenure?*

Answer.—(a) The arrears of land-revenue and Malkáno at the end of 1908-09 on the Jámrao canal amounted to Rs. 2,68,140 and Rs. 1,13,589, respectively.

(b) Government do not deem it necessary to make any distinction between land held on the restricted tenure and other land in the matter of land-revenue collections.

The orders with regard to the levy of Malkano on lands given out on the restricted tenure are very liberal and Government have no reason to believe that excessive amounts have been demanded.

The following is a list of the questions put by the Honourable Mr. VISHNU RAGHUNATH NATU with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to state the total number of shet-sanadis reduced in the districts of Dhárwad, Bijápúr and Belgaum in 1907-08 and 1908-09, and the number and area of lands held by them?*

Answer.—On the basis of proposals in respect of selected talukás in the three districts mentioned orders were issued on 27th October last prescribing the lines on which the staff of shet-sanadis in these districts should proceed. Information as to the actual number reduced under these orders with particulars of the land held will be called for.

Question No. 2.—*Do Government propose to allow these shet-sanadis to hold these lands on payment of full assessment or is it the intention of Government to dispose of the lands otherwise?*

Answer.—Shet-sanadis reduced under the orders above referred to will continue in the possession of their lands subject to payment of full assessment.

Question No. 3.—*Do Government propose to increase the amount of remuneration of the hereditary and stipendiary village-accountants as they are now required to do survey work and to prepare C and D Registers in addition to their ordinary duties?*

Answer.—The position of talátis in the Presidency has been improved by orders issued last year making their service pensionable and raising their pay in two districts. Government contemplate measures which will give village-accountants trained in survey, chances of promotion in the Revenue Department, but for the reasons already fully set forth in the records of the Council are unable, for the present at any rate, to promise any increase of remuneration for the kulkarni. The existing financial situation will it is feared make it difficult to provide funds for any considerable recurring expenditure on this object for some time to come.

Question No. 4.—*Do Government propose to consider the advisability of amending the Dekkhan Agriculturists' Relief Act by excluding from its operations Societies established under the Co-operative Credit Societies Act?*

Answer.—Attention is invited to Serial Nos. 2, 3 and 4 of the First Schedule appended to Bombay Act I of 1910, under which the transactions of Societies registered under the Co-operative Credit Societies Act of 1904 have been exempted from the application of the provisions of Chapters VI, VIII and VIII-A of the Dekkhan Agriculturists' Relief Act. Government have decided that such Societies need not be exempted from the operation of the other provisions of the Dekkhan Agriculturists' Relief Act.

Question No. 5.—*Do Government propose to take early steps to remedy the evil caused to agricultural industry in some districts by the depletion of Agricultural Stock by starting breeding farms through the Civil Veterinary Department or District Local Boards and by awarding prizes to private persons to encourage cattle breeding?*

Answer.—Government maintain a cattle breeding farm at Chharodi which was organized to preserve the best breed of cattle in Gujarát and the farm promises to be a decided success. The question of providing a cattle breeding farm in the Deccan or the Southern Marátha Country is under consideration but it is doubtful whether the establishment of such a farm is the most suitable method of effecting improvement in the areas where the need is most urgent.

Government are prepared to assist and have assisted District Local Boards in providing prizes, for the encouragement of cattle breeding, given at Agricultural Shows which are now held in nearly every district of the Presidency.

Question No. 6.—*Do Government propose to cancel the order of the Director of Public Instruction withholding the grant-in-aid paid to the Anglo-Vernacular School of the Mahád Municipality and withdrawing permission to send candidates to the School Final Examination from the Special Classes in that School?*

Answer.—No.

Question No. 7.—*Will Government be pleased to state how many Municipalities in the Presidency have their deficiencies made up by the Director of Public Instruction under the powers conferred on him in paragraph 3 of Government Resolution No. 1963, dated the 2nd October 1909 (Educational Department)?*

Answer.—The order referred to did not empower the Director of Public Instruction to make up deficiencies but to condone deficiencies. The Honourable Member's attention is invited to Press Note No. 1963, dated 2nd October 1909, which shows that in 1903-09 there were 11 Municipalities whose expenditure on primary education was less than what was required under the terms on which their grants were increased in 1903 and that the deficiency which amounted to Rs. 2,109 was condoned.

The following is a list of the questions put by the Honourable Mr. SIDDHANATH DHONDEY GARUD with the answers thereto given by Government :—

Question No. 1.—*Will Government be pleased to state—*

(a) *the reason why the Forest Department in the West Khándesh district have prohibited the Bhils from selling Tolambi to private merchants?*

(b) *When was this prohibition first introduced?*

Answer.—(a) Government as an experimental measure sanctioned the departmental collection by the Forest Department in West Khándesh of Tolambi or Mhowra seed in order to promote the exploitation of a valuable forest product which, there was reason to believe, was not being worked out to the fullest possible extent in the forests of that district. The measure involved the curtailment of the privilege of the Bhils to dispose of the produce to whom they pleased; but it is expected that this will be more than compensated for by the system adopted which ensures them regular payment at a fair wage and greater facilities, especially in the remoter villages, for disposing of the seed they collect.

(b) The order sanctioning the curtailment of the privilege mentioned took effect from the season of 1907-08. Departmental collections were begun in 1906.

Question No. 2.—*Is it true—*

(a) *that the rate of purchasing Tolambi in the West Khándesh district is reduced this year from two and a half annas to two annas per Champa?*

(b) *that in the adjoining Gaekwádi territory the rate is four annas per Champa?*

Answer.—(a) The answer is in the affirmative.

(b) The reported rates are 3 to 4 annas, but exact information is difficult to obtain.

The Honourable Mr. Garud.—With regard to question No. 2 is it a fact that the rate of purchasing Tolambi in the West Khándesh district has been reduced this year, from 2½ annas to 2 annas per Champa?

The Honourable Sir John Muir Mackenzie.—Yes, it is stated that the answer is in the affirmative.

The Honourable Mr. Garud.—Will Government be pleased to state the reason?

The Honourable Sir John Muir Mackenzie.—Because we considered it an equitable rate to pay for the labour.

Question No. 3.—*Will Government be pleased to state what is the total profit from the monopoly of the purchase of Tolambi in the West Khándesh district?*

Answer.—The net profits were—

	Rs.
1906	... 6,346 (including East Khándesh).
1907	... 8,788
1908	... 8,432

The exact figure for 1909 is not known, but the profits were high owing to the abundance of the crop.

Question No. 4.—(a) *Is it true that the admission of fresh students to the Garud High School, Dhulía, is stopped for want of accommodation?*

(b) *Have Government considered the desirability of making some temporary arrangement for the accommodation of students by hiring a building and by supplying more teachers?*

Answer.—(a) Yes.

(b) Plans and estimates for additional class rooms have been prepared and are under consideration.

Question No. 5.—(a) *Will Government be pleased to state the reasons which led to the increase of fares on the G. I. P. Railway?*

(b) *Have Government considered the desirability of asking the G. I. P. Railway Company to start an intermediate class on the Railway for the benefit of middle class men of modest means?*

Answer.—(a) The Board of Directors of the B. B. and C. I. Railway Company have explained that, while being most reluctant to raise the first and second class fares over their system, they felt that the constantly increasing expenditure, necessitated by the

provision of greatly improved accommodation, and by the enhancement of speed and frequency of the train service left them no other alternative. The Board of Directors of the G. I. P. Railway Company have not explained the reasons which led them to arrive at a similar decision, but Government believe that the reasons were the same.

The increased fares are within the maximum fares which the Companies are authorized to charge, under their contracts with the Secretary of State, and are not in excess of the fares that are at present, and have been for many years, in force on the East Indian and some other Railways.

(b) The reply is in the negative.

Question No. 6.—(a) *Is it true that the edible articles sold to Indian passengers on Railway Stations are of a very inferior quality and are prepared and sold under conditions not favourable to cleanliness?*

(b) *Will Government be pleased to state what precautions are taken to ensure that the articles supplied shall be of the best quality and to enforce a reasonable standard of cleanliness among the vendors?*

Answer.—(a) It has not come to the notice of Government that the edible articles sold to Indian passengers on Railway Stations are of a very inferior quality or that they are prepared and sold under conditions not favourable to cleanliness. The aim of the Railway Administrations is to see that the vendors to whom they grant licenses to sell food stuffs at their stations, or station platforms, are respectable persons; that the wares they sell are of a good quality, and sold at prices not higher than those obtaining for similar articles in the local bazaars.

(b) The query is being referred to the Railway Administrations whose answers will be placed on the Council Table in due course.

Question No. 7.—(a) *Has the attention of Government been drawn to an article in the Khândesh-Waibhav of the 21st February 1910 regarding some inconveniences on the Dhulia-Châliogaon Section of the G. I. P. Railway?*

(b) *Will Government be pleased to state what action the Railway authorities propose to take in the matter?*

Answer.—(a) The reply is in the affirmative.

(b) Government are drawing the attention of the Railway Administration to the article and urging them to do all that is practicable to meet the demands of the public.

Question No. 8.—*Will Government be pleased to state when the G. I. P. Railway Company propose to commence the building of the goods-shed at the Dhulia Railway Station which was admitted by them to be necessary so far back as 1907?*

Answer.—The Agent, G. I. P. Railway Company, has intimated that it is proposed to carry out this work during the year 1910-11.

Question No. 9.—(a) *Will Government be pleased to state how many lessons on the evils of intemperance are directed to be introduced into the vernacular text-books and in what books as stated in Government Resolution No. 351, dated the 14th January 1910?*

(b) *Have Government considered the desirability of introducing more lessons on this subject in the first four vernacular text-books for the benefit of the rural classes?*

Answer.—(a) In the Government letter referred to it was not stated that Government had directed that lessons on temperance should be introduced into vernacular readers, but that such lessons had been introduced. The lessons on the subject are No. 8 in Book V and No. 31 in Book VII. There are also incidental allusions in other lessons to the evils of drinking and smoking.

(b) There are no express lessons on the subject in the first four books. These books are for the most part read by pupils of tender age for whom such lessons are hardly suitable.

Question No. 10.—(a) *Will Government be pleased to state the number of country liquor shops in each district of the Central Division at which the consumption of liquor is less than one thousand gallons per year?*

(b) *Have Government considered the advisability of abolishing such shops?*

Answer.—(a) The information will be called for.

(b) Government have considered the general principles on which the number of liquor shops to be allowed in any particular area should be regulated but do not think that an arbitrary minimum limit of consumption should be included as one of the governing principles.

Question No. 11.—*Have Government considered the desirability of reducing the maximum number of bottles a person may buy at a time to two bottles?*

Answer.—Government have considered the question and have decided that there are good and sufficient grounds for retaining the limit of retail sale of liquor at the maximum prescribed by the existing orders. Government see no reason to believe that a reduction in the limit would lead to a reduction in the consumption of liquor.

Question No. 12.—(a) *Is it true that the lowest pay of clerks in the Revenue and Judicial Departments is raised from twelve to fifteen rupees?*

(b) *If so, have Government considered the desirability of increasing the pay of Lavád Karkoons from twelve to fifteen rupees and of making these posts pensionable?*

Answer.—(a) Yes.

(b) Conciliators' karkuns are not permanent pensionable servants of Government but employed on a temporary basis and Government are not prepared to alter their conditions of service.

A proposal to increase their pay to a minimum of Rs. 15 has been before Government and has been negatived.

The following is a list of the questions put by the Honourable Mr. GOKULDAS KAHANDAS PAREKH with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to say—*

(a) *Whether the Collector of the Panch Maháls had issued a notification dated the 23rd of December 1909 in respect of the Eastern Maháls of the Collectorate about the collection of the land-revenue of the current year and the arrears of the previous years together with the instalments of the tagávi debts?*

(b) *Whether some of the revenue payers of Dohad had submitted petitions to the Collector complaining of the hardship to them of the orders contained in the said notification?*

(c) Whether the Collector instead of replying to their petitions had them torn up and destroyed?

(d) Whether the Collector has in his notification of 7th February 1910 stated that he did not reply to the petitions of some people of Dohad but tore them up?

Answer.—(a) Government have no information. It is within the Collector's discretion and may have been his duty to issue such a notification as is referred to.

(b) and (c) Government have no information, no representation from the revenue payers of Dohad having been received by Government. Should any representation be received, it will be given full consideration.

(d) Government have no information.

The Honourable Mr. PAREKH.—With reference to this question I wish to ask whether Government consider it proper that the petitions of petitioners should be destroyed by the Collector?

The Honourable Sir JOHN MUIR MACKENZIE.—The question does not relate to a matter of fact and therefore cannot be answered.

Question No. 2.—Will Government be pleased to say—

(a) Whether the Broach District Co-operative Society, Limited, advanced Rs. 5,000 on 6th March 1908 as debt to one Jorbhai Dadabhai as principal debtor and Mathurbhai Hirabhai as surety?

(b) Whether the interest stipulated on this loan was $1\frac{1}{2}$ pies per rupee per month till 6th June 1908, to be increased to pies 3 per rupee per month if the debt was not repaid on or before 6th June 1908?

(c) Whether a suit was instituted for the recovery of the debt in the Subordinate Judge's Court at Vagra from the principal debtor and his surety?

(d) Whether the Court held that the defendant surety was admittedly an agriculturist to whom the Dekkhan Agriculturists' Relief Act applied?

(e) Whether it was held in that suit that the stipulated rate of interest to run after 6th June 1908 was opposed to the bye-laws and oppressive?

(f) Whether the debt has been ordered to be repaid by monthly instalments of rupees seventy-five?

Answer.—(a) to (f) Government have no information with regard to the case mentioned but have called for a report.

Question No. 3.—Will Government be pleased to say—

(a) Whether the inhabitants of Gāndeva in the Chikhli talukā had asked that a pakka Local Fund Road be constructed from their village to join the Chikhli-Matodd Road?

(b) Whether they were asked to contribute Rs. 400 towards the cost of the road?

(c) Whether they paid the said contribution?

(d) Whether the work was sanctioned by the Talukā Local Board?

(e) Whether preliminary work to the extent of about Rs. 150 was done in connection with the road in 1908?

(f) Whether the further work in connection with the road has been stopped?

(g) What has become of the contribution that has been recovered from the inhabitants of Gandeva?

Answer.—Government have no information on the subject. A report has been called for.

Question No. 4.—(a) With reference to the Resolution of Government issued in May last for making cheap unfermented toddy available to the poor, will Government be pleased to say whether their attention has been drawn to the letters of Mr. P. B. Dantra that have appeared in the local papers in which he has given the particulars of the different charges that the licensees to vend toddy have to meet?

(b) Will Government be pleased to say whether the particulars of these charges as given in the letters are correct?

(c) If the particulars of these charges be not correct, will they be pleased to state, what would be the correct charges under the different heads?

Answer.—(a) The answer is in the affirmative.

(b) and (c) As the maximum selling price of toddy under tree-foot booth licenses is now 1 anna 6 pies per bottle, Government do not consider it necessary to enter into a detailed criticism of Mr. Dantra's figures.

Question No. 5.—Will Government be pleased to say how far the scheme for the construction of the Nadidd and Kapadvanj Steam Tramway has advanced?

Answer.—The line has been surveyed. The terms of the concession for the construction and working of the line by a Company to be promoted by Messrs. Killick, Nixon and Company of Bombay have been practically settled. The Government of India have decided that the line shall be built as a light Railway under the Railways Act. The construction of the line will probably be commenced as soon as the proposed Company is floated. Under the conditions laid down, the Company is to be formed and the capital to be subscribed within one year from the date of the granting of the concession.

Question No. 6.—(a) With reference to the reply of Government to the Memorial of the Bombay Temperance Council, will Government be pleased to specify which are the lessons on temperance in the different books of the Vernacular Reading Series?

(b) Will they be pleased to say whether there are any lessons on temperance in the readers used in European Schools that do not teach the Vernacular Readers?

Answer.—(a) The attention of the Honourable Member is invited to the reply to question No. 9 (a) put by the Honourable Mr. Siddhanath Dhonddev Garud.

(b) Readers used in European Schools are not departmental books but are published by various European firms. There are many different series of these, used in different schools, and though the Department may approve them when submitted for sanction, it has no control over their production or exact contents. As European Schools frequently change their text-books it is not possible to give the information required without a reference to the individual schools.

Question No. 7.—Will Government be pleased to say what are the rules now in force in respect of the granting of permission to open or transfer liquor shops,

(a) in the city of Bombay, and

(b) in the Mofussil?

Answer.—The procedure followed in the City of Bombay and in the Mofussil is described in the reply given to the Honourable Sir Bhalohandra Krishna at the Council Meeting held on 20th March 1903 and Government have further directed that the recommendations made by the Indian Excise Committee in paragraphs 242—244 of their Report should be carried out.

Question No. 8.—(a) *Will Government be pleased to say under what circumstances a new shop for the sale of foreign liquors was allowed to be opened near the Market place at Deoldli?*

(b) *Will Government be pleased to state whether there has been such a change in the character of the Deoldli population as to require a new liquor shop?*

Answer.—Information will be called for.

Question No. 9.—*Will Government be pleased to say whether there is any difficulty in their issuing orders prohibiting the sale of liquor to minors under 14 to all license-holders instead of waiting for the expiration of each license?*

Answer.—An order of the nature referred to cannot be issued unless power to do so is taken by legislation.

Question No. 10.—*Will Government be pleased to say how many meetings of the Local Advisory Committees of the Bombay City relating to liquor shops were held since February 1908, and what has been done by them since?*

Answer.—The Advisory or Ward Committees were consulted on three occasions when important changes affecting the public came up for consideration:—

- (1) the grant of a new Hotel license at the corner of Wodehouse Road;
- (2) the transfer of a Hotel to Frere Road; and
- (3) the retention of 5 out of 14 liquor shops which fell in owing to the non-payment of license fee for 1909-10.

Licenses fall in again in 1911 and the Advisory Committees will be consulted before November this year regarding the retention, location and abolition of shops.

Question No. 11.—(a) *Will Government be pleased to say whether they have received a Memorial from the Mill Operatives of Bombay asking that the liquor shops be ordered to be closed during the Holi holidays in the same way as they were closed during the Mohoram?*

(b) *Will they be pleased to say what orders have been passed by them in the matter?*

Answer.—No Memorial of the nature described has been received.

Question No. 12.—*Will Government be pleased to say when the construction of the bridge over the Kalyán Creek is likely to be commenced?*

Answer.—The work has already been commenced.

The following is a list of the questions put by the Honourable SARDAR NARAYAN-RAO GOVIND *alias* BABA SAHEB GHORPADE, Jágírdár of Ichalkaranji, with the answers thereto given by Government:—

Question No. 1.—*Do Government propose to exercise the powers vested in them by section 53 of the Bombay Hereditary Offices Act in favour of persons of high position*

such as Chiefs, First and Second Class Sardars, where there may not be special reasons for refusing to exercise them?

Answer.—Government are prepared to exercise the power mentioned in any case in which they consider that the circumstances call for such action.

Question No. 2.—*Will Government be pleased to state whether the Bársi Light Railway Company have agreed to the conditions on which the Government of India are prepared to sanction the construction of the Pandharpur-Miraj extension? If the reply is in the affirmative, when will the work commence?*

Answer.—Government have not received definite information as to whether the Bársi Light Railway Company have agreed to all the conditions under which the Government of India are prepared to grant a concession to the Company for the construction and working of the Pandharpur-Miraj extension; but the situation is distinctly favourable. It is impossible to say when work will be commenced, but there is reason to hope that the interval will not be very long.

The following is a list of the questions put by the Honourable SARDAR NAHARSINGHJI ISEWARSINGHJI, Thakor of Amod, with the answers thereto given by Government:—

Question No. 1.—*Whether in view of the decision of the Bombay High Court in I. L. B. 34 Bom. p. 55, regarding the application of section 31 of Bombay Act VI of 1888, Government propose to make the necessary amendment in the Act, so as to extend its operation to all those for whose benefit it is intended?*

Answer.—Government have the matter under consideration and contemplate amending the law in the direction indicated in the question.

Question No. 2.—*Will Government be pleased to state whether the principles of assessment laid down by the Bombay High Court in the case of Shaikh Gulam Mohidin versus The Collector of Ahmedabad (12 Bom. H. C. Rep., p. 276), are consistently followed? If not, do they propose to issue orders on the subject?*

Answer.—Government are unable to understand what principles are referred to. The High Court does not appear to have laid down any principles of assessment in the case referred to.

Question No. 3.—*Will Government be pleased to state how many estates were brought under the operation of Bombay Act VI of 1862? Are any of these estates still under the management of the Tálukdári Settlement Officer? If there are any, do Government propose to hand them over to the Tálukdárs concerned in view of section 16 of the said Act?*

Answer.—In all 506 estates were taken under management under Bombay Act VI of 1862. At the end of 1908-09 one estate remained under the management of the Tálukdári Settlement Officer under the Act, while in the case of 26 other estates where the debts due to Government were not liquidated on the date when the management under the Act determined in accordance with the provisions of section 16 management was resumed under agreements entered into with the Tálukdárs concerned. It is not proposed to hand over the estates to the Tálukdárs until the Government debt is liquidated, but recently liberal concessions have been made to various Tálukdárs with a view of liquidating their debts to Government within a reasonable period.

Question No. 4.—*Do Government propose to make some provision in the Talukdári Act authorizing the Talukdári Settlement Officer or the Talukdárs concerned to recover lands alienated from Talukdári Estates without legal sanction on lines analogous to those in the Bombay Bhágdári Act and the Bombay Vatan Act ?*

Answer.—Government are considering proposals to take measures to extend the scope of the existing provisions of the law in the direction indicated.

Question No. 5.—*(a) Do Government contemplate making any provision for ethical teaching in Government and Aided institutions ?*

(b) And, if so, on what lines ?

Answer.—It is contemplated to hold a Conference in Bombay at the end of this month, to be opened by His Excellency the Governor, for the purpose of determining how far definite teaching of morals, civics and hygiene can be introduced into schools and on what lines.

Question No. 6.—*What measures do Government propose to take to ensure a larger supply of qualified female teachers for schools ?*

Answer.—Every effort is made to induce girls to continue their studies and to offer themselves for training in the Training Colleges at Ahmedabad, Poona, Dhárwár and Hyderabad. But female education is backward almost everywhere and in some parts of the country the profession of teacher is considered as hardly respectable for a woman and it is difficult to induce women to enter the College. So long as these conditions persist the supply of female teachers must be limited. These conditions are social in their nature and their alteration depends on the social movement among the people themselves.

Question No. 7.—*(a) Do Government propose to institute inquiries into the history and present state of religious and charitable endowments and grants in the Presidency ?*

(b) Do Government propose to take steps to recover all properties and allowances which have been diverted from their legitimate purposes and lost to the institutions ?

(c) With a view to effect this object do Government propose to order the appointment of District and Taluká Committees on lines similar to those laid down in Act XX of 1863 with powers to move the Collector to take action under section 92 of the Civil Procedure Code ?

Answer—*(a)* The answer is in the negative.

(b) The answer is in the negative. The position of Government in relation to religious endowments and trusts is one of neutrality and steps of the nature mentioned can be taken only by persons interested in such trusts. To facilitate such action the scope of the section of the Civil Procedure Code relating thereto was enlarged in 1908 and Government in 1907 conferred on all Collectors the powers of the Advocate General under the section.

(c) Government have no such intention. Act XX of 1863 has been applied in this Presidency only to the district of Kánara.

Question No. 8.—*Will Government be pleased to say how far the negotiations between the Broach District Local Board and Messrs. Killick, Nixon and Company regarding the proposed Broach-Jambusar Railway have proceeded ? Do Government propose to inquire into and expedite the matter ?*

Answer.—The District Local Board have agreed to give to Messrs. Killick, Nixon and Company, so much of their road, including road-bridges, not exceeding 8 feet in width, as may be required for the proposed Railway. This is the only concession which Messrs. Killick, Nixon and Company require from that Board. Messrs. Killick, Nixon and Company's application for a concession for the line is under the consideration of the Railway Board, whose orders are expected shortly.

Question No. 9.—*In view of the heavy enhancement in Second Class and First Class Railway fares, do Government propose to suggest to the Railway authorities the advisability of introducing an intermediate class on all trains with due provision for convenience of passengers?*

Answer.—The reply is in the negative. Government are not in a position to make a suggestion of the kind to the Railways, who are under the direct control of the Railway Board.

Question No. 10.—*Do Government propose to exempt Zamindárs, Indmdárs and Tálukdárs from the operation of the Record of Rights Act?*

Answer.—All Inám, Tálukdári, Udhad Jamábandi, lease-hold and mewási villages have been exempted from the operation of the Record of Rights Act, but the exemption is not intended to be more than temporary and may be withdrawn from any particular village or class of villages in which the introduction of a Record of Rights is found to be expedient or desirable in the interests of the holder.

Question No. 11.—*Do Government propose to consider the advisability of giving Civil Jurisdiction to select Tálukdárs on the lines of Bombay Regulation XIII of 1880?*

Answer.—Government have no proposals of the nature in question before them.

The following is a list of the questions put by the Honourable Mr. MANMOHANDÁS RAMJI with the answers thereto given by Government:—

Question No. 1.—*Will Government be pleased to say whether the B. B. and C. I. and G. I. P. Railway Administrations propose increasing their first and second class fares for season-tickets in connection with suburban traffic?*

Answer.—Government have ascertained that the B. B. and C. I. and G. I. P. Railway Administrations have no intention at present to increase the first and second class fares for season-tickets on those Railways, in connection with the Bombay Suburban traffic.

Question No. 2.—*Do Government propose to take any action to prevent the enhancement of fares?*

Answer.—The reply is in the negative. As the increased fares are within the limits which the Companies are authorized to charge under their Contracts with the Secretary of State, Government do not propose to make any representation to the Companies on the subject.

Question No. 3.—*Have Government considered the question of representing to the Government of India the desirability of restoring the old rates for first and second class passengers, at least within the Suburban limits of Bombay, in order to promote the expansion of the City and to lessen congestion by inducing emigration?*

Answer.—The reply is in the negative.

The following is a list of the questions put by the Honourable Mr. FAZULBHOY CURRIMBHOY EBBAHIM, with the answers thereto given by Government :—

Question No. 1.—*Have Government considered the advisability of appointing travelling lecturers in agriculture who may visit different districts and by a course of lectures awaken the agriculturists to the need of scientific operations as suggested by modern experience?*

Answer.—Effective measures have already been taken in the direction indicated. Demonstrations are regularly held at the Government farms established throughout the Presidency at which cultivators from the surrounding tracts are invited to attend and special arrangements are made to bring in others from a distance who are likely to profit from what they see. At many places Agricultural Shows are now being held at which lectures are given by members of the Agricultural Department on agricultural and veterinary subjects, and leaflets dealing with the subject of the lectures are distributed. These Shows attract enormous crowds of people and give the Agricultural Department an opportunity of getting into touch with a large number of cultivators. The Divisional Inspectors of Agriculture, also, lecture largely on their tours. Work of this kind will be increased as the staff of the Department develops, and funds are available.

Question No. 2.—(a) *Will Government be pleased to state the nature and extent of the work being performed by the Hedz Committee?*

(b) *Will Government also be pleased to place on the Table a summary of important Resolutions passed by that body and state whether effect has been given to them?*

Answer.—(a) The functions of the Haj Committee are to superintend the arrangements for the reception and despatch of pilgrims from Bombay and the repatriation of such as are stranded at Jeddah as well as to assist pilgrims on their journey to and from Mecca.

(b) Government do not receive copies of the Resolutions passed by the Committee from time to time, save those which are specially intended for communication to Government.

Question No. 3.—*Will the Government be pleased to inform the Council if the appointment of a Special Mahomedan Deputy Educational Inspector in the Southern Division has proved successful? Have Government considered the advisability of extending that experiment in the Northern and Central Divisions also?*

Answer.—Inquiries are being made.

The following is a list of the questions put by the Honourable Mr. CHIMANLAL HARILAL SETALYAD with the answers thereto given by Government :—

Question No. 1.—*Whether Government will be pleased to state what progress has been made regarding the establishment of a Central Science Institute in Bombay?*

Answer.—No answer has been received from the Senate of the University to Government letter of December 1908 in which Government made proposals for the consideration of the Senate in connection with the revision of existing curricula in the interests of science teaching and higher education generally. Government have, however, decided to utilize the large sum placed at their disposal by generous donors by proceeding with the construction of a Central Science Institute on the plot of ground known as the Secretariat plot and plans and estimates are under preparation.

Question No. 2.—*Whether Government have come to any, and if so what, decision on the report of the Committee that was appointed to consider the question of the location of the Elphinstone College?*

Answer.—In view of the above decision it is unlikely that the Elphinstone College will be removed from its present location.

Question No. 3.—*Whether Government will be pleased to lay the report of the said Committee on the Table?*

Answer.—Government hope to be able to make a pronouncement shortly.

The Honourable Mr. Setalvad.—I should like to ask what provision Government intend to make for the provision of a playground for the Elphinstone College.

The Honourable Mr. Jenkins.—This is not a question arising out of the question on the paper. If the Honourable Member wishes to put it he must give notice.

Question No. 4.—*Whether Government will be pleased to state what progress has been made regarding the question of providing residential accommodation for the large number of students attending the Government Law School at Bombay?*

Answer.—It is unlikely that for some years money will be available for expenditure on this project.

Question No. 5.—*Whether it is true that the Agent to the Governor in Káthiáwár has intimated to the Managers of the Saurashtra High School at Rájkot that they will not be allowed to continue the said School after the 1st of April 1910?*

Question No. 6.—*Whether Government will be pleased to state the circumstances under which the Agent to the Governor has thought it necessary to issue the said orders?*

Question No. 7.—*Whether Government will be pleased to state under what provision of law or standing orders of Government the Agent to the Governor has purported to act in issuing the said orders?*

Question No. 8.—*Whether the permission of Government or the Agent to the Governor is necessary for the opening and maintaining of a private school at Rájkot and, if so, under what provision of law or standing orders of Government?*

Answer.—It is not true that the Agent to the Governor in Káthiáwár has intimated to the Managers of the Saurashtra High School at Rájkot that they will not be allowed to continue the said School after 1910: and questions 6, 7, 8 therefore fall to the ground. What has happened is that the permission granted by Colonel Kennedy for the establishment of the High School classes, which was granted at the request of the Managers, and had the effect of placing the Institution under the Patronage of the Agency, has been withdrawn with effect from April 1910: as it is not considered desirable that colour should any longer be given to the idea that the Institution is under the Patronage of the Agency.

Question No. 9.—*Whether Government will be pleased to state—*

(a) *how long the Saurashtra School has been in existence?*

(b) *what has been its record during the period of its existence?*

(c) *how many pupils are attending the said School at present?*

(d) *whether the said School is entirely a private institution and whether it receives any grant from public funds?*

(e) *who are the Proprietors and Managers of the said School?*

Answer.—So far as the information at the disposal of Government goes, the answers are as follows :—

(a) Since 1901.

(b) Government have no record, except that the results of the Matriculation Examination in the last three years have been as under—

	Appeared.	Passed.
1907	29	7
1908	26	6
1909	9	2

(c) 100 at end of last year.

(d) The School receives no grant from public funds.

(e) Mr. G. N. Pandit, B.A., LL.B., Superintendent of the School, is understood to be the Proprietor and Manager.

Question No. 10.—*Whether Government have passed any Resolution on the Report of the Foreign Liquor Committee that was submitted in April 1909 and, if so, will they be pleased to lay the same on the Table?*

Answer.—No orders have yet been passed on this Report as it was necessary to communicate with the Government of India on the subject. When orders have been passed copies of them and of the Committee's report will be placed on the Table.

PAPERS PRESENTED TO THE COUNCIL.

1. Letter from the Secretary to the Government of India, Legislative Department, No. 1921,* dated the 9th August 1909—Returning with the assent of His Excellency the Viceroy and Governor General signified thereon the authentic copy of the Law to provide for the erection and management of the Prince of Wales Museum of Western India.

* *Vide* Appendix F.

2. Letter from the Secretary to the Government of India, Legislative Department, No. 436,* dated the 1st February 1910, paragraph 1—Returning with the assent of His Excellency the Viceroy and Governor General signified thereon the authentic copy of the Bombay Repealing and Amending Law, 1909.

* *Vide* Appendix G.

EXPLANATION OF THE REVISED FINANCIAL STATEMENT OF THE GOVERNMENT OF BOMBAY FOR THE YEAR 1910-1911.

The Honourable Sir JOHN MUIR MACKENZIE, in presenting the Financial Statement* to the Council, said :—I think it will be convenient that I should begin by explaining the procedure which it is proposed to adopt. First I shall make a few introductory remarks on the revised Financial Statement as a whole. Then the member in administrative charge of the department concerned will introduce each head of receipts and expenditure relating to his department. I shall ordinarily take mixed heads, that is to say, heads relating to more than one

* *Vide* Appendices H and K.

department, such for instance as scientific and minor departments. No discussion is admissible under the rules on any head, with reference to which a resolution is not on the agenda. The introduction of the various heads will proceed one by one until a head is reached with reference to which a resolution has been entered. After the introductory remarks opportunity will be given for moving and discussing such resolution. The remaining heads will be dealt with in the same way.

Your Excellency—As the Council is aware we have this year introduced a wholly new procedure in dealing with the budget. Early in January a Committee of the Council, of which half the members were elected and half nominated, was appointed to consider the provisional budget proposals of the Government. The Committee was furnished with a comprehensive list of the principal fresh items of expenditure which had been proposed, and was invited to criticise the proposals, and to make any others which occurred to it in modification or substitution. The proposals for increase of expenditure which recommended themselves to the Committee were few and trifling. They were three in number, namely Rs. 4,000 for improved reporting in the Council, a thing most urgently required in view of the *extempore* speaking which will be required in our deliberations; Rs. 30,000 for training teachers and establishing normal schools in the mofussil, and a similar Rs. 18,000 for a similar purpose in the city of Bombay; and Rs. 15,000 to provide for the increase of Municipal rates on Government property in Bombay. On the other hand reductions in expenditure were large, and nearly 8 lakhs were taken out of the provisional proposals in order to bring our recurring expenditure within our revenues, and to secure a substantial balance. The Committee showed commendable judgment and prudence in agreeing to these most unpalatable reductions, which were unavoidable if our financial position was to be brought into an unassailably sound and satisfactory condition. As chairman of the Committee, I may be allowed to express my warm sense of the entirely reasonable nature of the criticisms and suggestions offered by the unofficial members, and the generally harmonious and business-like character of the proceedings. All the proposals of the Committee were accepted by Government, and up to date no material modifications have been made in them by the Government of India. So far the new procedure may I think be considered to have worked in a highly satisfactory manner.

The resolutions now tabled for discussion are few in number and of a most reasonable description. I venture to hope that the general result of our proceedings will be to show that although we should all like to have a great deal more money to spend on the many urgent needs of the Province, the way in which Government are disposing of the resources at their command gives no ground for dissatisfaction to this Council, and that the money is being wisely allotted to objects calculated to advance the progress and prosperity of their presidency. Regarding the general aspect of the budget and the financial situation I do not think I need do more than call attention to the general remarks on pages 12 to 14 of the revised Financial Statement. At the end of the coming financial year we shall, if our proposals are carried into effect, have increased our expenditure by 36 per cent. over the sum spent in 1904-05, that is to say at the rate of more than 5 per cent. per annum. It is only too likely now that we shall have to slow down the pace. But I confidently believe that we shall not be obliged to make any inconvenient or sudden retrenchments so long as we escape the calamity of severe famine.

Refunds.

I now proceed to the first head of the estimates, namely, Refunds. This head calls for no remarks. The second head Assignments and Compensations is one from the discussion of which we are precluded by the rules.

Land-Revenue.

The third head Land-Revenue is one of our most important heads and I shall make a few observations on it. If Honourable Members will turn to pages 10 and 11 of the amended draft Financial Statement they will notice the extreme fluctuations to which the receipts under this the most important head of our revenues is liable. Thus in 1904-05 we obtained only 85,10 under this head, while in the current year we hope to receive no less than 210,35. The first of these two years was one of extreme scarcity, and the last is the present fine year. The fluctuation of course represents the operation of our system of suspensions and remissions. The figures also show the true extent of expansion under the head. Thus in the year 1905-06 our settlement standard of receipts which was based on the revenue estimates of the year was 192 lákhs. In that year, however, we actually obtained only 177 lákhs. In the following year we recouped and obtained 209, the next two years were poor ones and gave us only 182 and 181 lákhs. During the current year and next year as we hope we shall again recoup. The average result over the six years 1905-06 to 1910-11 will be a little over 194 lákhs per annum, an advance of only 2 lákhs as compared with the settlement figure, or less on the average than half a lách per annum or say 1-4 per cent. In other words during these six years the land-revenue, taking good and bad years together, is little better than stationary. Now the settlement figure is a little below the total of our average current demand unaffected by deductions for remissions and suspensions. In other words on this series of six years we have collected rather less than the assessment to which we are entitled under the revenue settlements.

Nothing can show more convincingly the leniency which is observed in the collection of the land-revenue. I do not for a moment suggest that the leniency is misplaced. It is out of the question to be severe at a time when the country is still engaged in recovery from a succession of bad seasons beginning with two severe famines. But what is easy for the rayats is serious for our finance, and I think that fact should be borne in mind before Government are pressed on general grounds to show even greater leniency by abstaining from recovery of suspended revenue in good years and still more by remitting unauthorised arrears which accrue after full allowance has been made for vicissitudes of season by means of suspensions and remissions.

On the expenditure side none of the items call for remark except perhaps the Rs. 23,700 provided for the re-grading of the Mámlatdárs. Our scheme has, I am glad to say, been sanctioned by the Government of India. It provides an increase of appointments in the higher and a decrease in the lower grades, thus improving the prospects of promotion of perhaps the hardest worked set of officers in the service of Government.

The receipt side of the next head, Stamps, is excluded from discussion, and the expenditure side calls for no remarks.

The head Excise is administered by my honourable colleague Mr. Jenkins. Before, however, I give way to him I should like to point out from the purely financial point of

view that there are decided signs of the receipts under this head approaching the stationary stage. Thus beginning with the years 1905-06 we find the receipts stood at 71,34. In the next year they showed a rise of 2,84, in the next of 7,75, in the next of 2,30, in the next (the current year) of 1,77, and for the year 1910-11 we expect a rise of only 1,12. Thus, since the year 1906-07, the annual increase is a steadily diminishing quantity. The probability is that before long it will have reached vanishing point. This will perhaps be a matter of congratulation to the temperance reformer, but it must also be a matter of anxiety to the finance member who is charged with providing for the satisfaction of means to meet a steadily expanding expenditure. Further comments under this head will be made by my honourable colleague.

Excise.

The Honourable Mr. J. L. JENKINS said :—The head of Excise contributes a very substantial proportion of both the Provincial and Imperial revenue. The revenue is equally shared and the figures given in our statement show only half of the actual receipts obtained. The expenditure also is divided. I will now touch upon the local heads which are entered in the statement. In the first place we have the licenses and distillery fees, and duties for the sale of liquors and drugs. These heads include the duties on country liquor and the fees for tapping toddy trees and other miscellaneous items. The policy of this Government is and always has been to obtain the greatest possible revenue with the least possible consumption. The great weapon in our hands for that purpose is the still-head duty on liquor. That duty has been considerably raised several times during the last five years in Bombay city and in many of the districts. I am glad to say that at last there are signs that the object we are seeking to obtain is being achieved. Last year there was an increasing tendency to a lower consumption. When there is a considerable increase the still-head duty is immediately raised and it is to that I think we may attribute the state of equilibrium which my honourable colleague has described. I do not think, however, that there will be no increase in the Excise revenue in future. If we are fortunate in the seasons a steady increase may be expected due partly to the enhancement of the rates of duty, and partly to the growth of the urban and industrial population. The revenue from Excise on opium is derived from a duty of Rs. 700 per chest levied on every chest imported for local consumption into the Bombay Presidency. This source of revenue is not subject to any great fluctuations, but the use of opium, I am glad to say, is very much less than it used to be in Gujarát, and its place is being taken by tea which I think everybody will be glad to hear. Next comes the profits realised on the sale of Government opium. Government purchases opium for local consumption and sells it to the retail vendor at a price fixed as far as possible to yield a small profit. Next I come to the duty on bháng, gánja, and charás. I think there can be no doubt whatever that the use of these drugs is altogether deleterious and for that reason we have placed an exceedingly high duty upon them. These duties are Re. 1 per seer for bháng, Re. 5 per seer for gánja. Charás being an article of export we were afraid to raise the duty thereon at the very high rate of Rs. 8 a seer. These rates I need hardly say are very much higher than in former years, in fact the rate for bháng is several times as large and the result is we are raising a very substantial revenue. The rate on charás, which is a very noxious drug, per seer is now what it was formerly per maund. The result of this policy is that we are obtaining a moderate revenue of more than three lákhs on a very small consumption.

Under the heading Fines, Confiscations and Miscellaneous there are small incidental increases. On the expenditure side of the Budget there will be no considerable increase this year, but I draw attention to the fact that within the last five years the cost of establishment has increased from two lakhs to four lakhs. The establishment has been very considerably improved and a very great part of the increased revenue is due to the increased efficiency of the administration. Under the conditions I have mentioned I think the revenue may be viewed if not with satisfaction, without any serious qualms of conscience even by confirmed teetotallers.

Assessed Taxes and Forests.

The Honourable Sir JOHN MUIR MACKENZIE said:—The next heading is Assessed Taxes. The receipt side is excluded from discussion under the rules. The expenditure side calls for no remark.

Forests. This is a department in which I am glad to say the receipts are steadily expanding. It is true that we expect a slight set-back during the coming year, but that is due to the cessation of certain windfall receipts on account of the sale of teak growing in occupied numbers, principally in the Thána district. Government, as the Council are aware, have the right to the teak in these lands. The constant interference with the people involved by the assertion of that right led Government to decide to drop their claim for the future, and to clear the existing teak; giving the occupiers twenty per cent. of the proceeds and the right to all the aftergrowth. Our receipt estimate, therefore, means that without any sale proceeds of teak we get next year rather less than the inflated receipts of the current year, and more than we have had in any other year. There can be no doubt that, more especially in the Southern Division, we are likely to get increased revenues from our forests, which in that part of the country are an immensely valuable property. And I should like to explain that this additional revenue does not come by restricting privileges, or placing pressure on the people. It is derived solely from the increasing demand and better prices obtained for our exploitable produce, such as timber and fuel. Teak and other high class timbers for building purposes, the less valuable timber for sleepers etc. and fuel are all rising in price. The time will come, when the Forest Department so often held up to odium, will receive the plaudits and thanks of the public as being instrumental in maintaining the only reserves of timber and fuel, which are to be found in the country. Only in the forests broadly speaking is any attempt made at keeping the exploitation of produce within what is technically termed the possibility, that is to say the reproductive capacity of the land. Elsewhere the process is one of reckless denudation. The charcoal merchant for instance comes along, and the occupant agrees without a qualm to allow him to make a clean sweep of all the wood in the occupancy, making no provision for future generations.

On the expenditure side attention is drawn in the statement to the large provision for reorganisation for establishments. In no department is a measure of the kind more urgently required. The general direction the reorganisation has taken is to give the forest guards who, there can be no doubt, were wretchedly underpaid something like a living wage, thus reducing at any rate the temptation to corruption and living on the people. The increase in the number of low paid subordinates has been carefully restricted to the force indispensable to maintain conservation with any resemblance

to efficiency. The higher branches are being re-graded and better paid in order to secure a better class of men and more efficient supervision.

Registration and Interest.

Regarding the head Registration I have no remarks to make.

With regard to Interest, receipt side, as there is a resolution on this subject I will refrain from making remarks, except that the 6½ per cent. rate is in my opinion not only reasonable but is necessary in order to enable Government to make two ends meet over these loans transactions. The expenditure side is excluded from discussion.

The Honourable Mr. LALLUBHAI SAMALDAS said:—Your Excellency,—I beg to move that this Council recommends that, under "Interest," the rate of interest on advances to cultivators be reduced to 5 per cent. and that a corresponding reduction be made in the receipts under that head in the Budget. In November 1908 the rules regarding the making of loans to agriculturists were amended by this Government, with the approval of the Government of India and it was resolved to charge interest at the rate of 6½ per cent. instead of 5 per cent., *i. e.*, the rate was increased by 25 per cent. Government has in that resolution provided for the reduction of this rate in particular cases recommended by the commissioners, but the practice seems to be to charge the full rate. The rate of interest usually depends upon three factors, the value for the use of money advanced, expenses of keeping accounts and of recovering the debts, and a provision against loss due to bad debts. As Government can raise any amount of money at 3½ per cent., and as it cannot be the intention of Government to make any profits out of advances to its cultivators, the value of the use of money advanced should be put down at 3½ per cent. In the case of Government advances to the ryots the management expenses practically come to nothing. Preliminary inquiries—inquiries regarding the solvency of the parties—are made by local revenue-officers, accounts are kept by them and instalments are recovered together with the land-revenue by the local officers also. If any extra clerical staff has been engaged for the extra account work, ½ per cent. ought to suffice for its remuneration. Opinion is likely to differ regarding the percentage that should be considered as sufficient as provision against loss on account of bad debts. I learn from the Honourable Mr. CARMICHAEL that Government has not been able to recover a large proportion of such advances, and I shall thank him to give the exact figures to the Council. This difficulty in recovery may be due (1) to lax inquiry in the beginning, (2) to the weak financial state of the agriculturists on account of the last big famine and the following scanty years, (3) to the remissness of the local authorities in recovery, or (4) to the recalcitrancy of the cultivators. The first and third causes, if they exist, can be removed by the Government and the superintending officers. If there is any recalcitrancy on the part of some cultivators, it should not lead to a rise in the rate of interest all round; Government has sufficient powers to bring them to book. The last three years have been years of bumper crops and high prices and the agriculturists have time to recover from the bad effects of the past scanty years. Even if there existed cogent reasons for making larger provision against bad debts in 1908, some of them are easily remediable and others do not seem to exist now and the question of reduction of the rate of interest on agricultural advances deserves to be considered.

In the scheme, which my friend the Honourable Sir VITHALDAS THACKERSEY and myself have submitted, regarding the starting of a Central Agricultural Bank, we have

calculated that one per cent. will suffice as a provision against loss due to bad debts. If a private bank considers this sum sufficient from a business point of view, Government with its powers of summary recovery and with its constant touch with the people ought not to require more than that amount as a set-off against bad debts. If it is the desire of Government that any great advantage should be taken of such advances by agriculturists, it is necessary that the rate of interest should be as low as is possible, and should at least be lower than the rate which the proposed bank is going to charge the Co-operative Credit Societies, which is 6 per cent. excluding the amount required for a sinking fund.

As the approval of the Government of India was obtained before the rules for advances to agriculturists were amended by the resolution of November 1908, it may be necessary to refer the matter to them before any reduction is sanctioned. I appeal to my honourable friend the Revenue Member to give his careful consideration to the question and move the Government of India in the matter, and I trust that before the next year's Budget is framed, the rules will be amended and the rate of interest on advances to agriculturists be reduced.

The Honourable Mr. GOKULDAS K. PAREKH said:—Your Excellency,—I beg to support the resolution which has been put before the Council by the Honourable Mr. LALLUBHAI. I think that whenever there are losses, they are generally due to the circumstances under which the advances are made. I think when advances are made for the purpose of supplying seed or stock or for the purpose of maintaining the agriculturists during a famine year or immediately after the famine year, there is a chance of some portion of the takávi being lost; and I am of opinion that such loss ought to be regarded as included in the indirect charges of famine. But so far as the other advances are concerned—namely, advances made for the purpose of helping the agriculturists in improving their lands—I understand it is usual to require them to mortgage their properties, which are generally considerably above the value of the advances made. In respect of such advances there is no fear of incurring loss, and I think to charge a heavy rate of interest for them is likely to retard to some extent the improvement of the lands. I should therefore think that in regard to this particular kind of advance, the rate of interest should be as suggested in the resolution.

The Honourable Mr. G. CARMICHAEL said:—The Honourable Member seemed to insist that with regard to takávi Government ought to be able to run its business on the same lines and with the same minute care as the local money-lender does with his financial operations. But this is not possible in conducting an enormous banking business over a widely extended area for the benefit of the poorer class of cultivators.

The business must be self-supporting but the figures for the last ten years show that it has not been so. The accounts for the decade ending in 1908-09 give the following results:—

	Rs.
Interest paid by Government on the monthly outstanding balances ...	47,35,000
Establishment charges	2,64,000
Amount remitted and written off as irrecoverable	51,75,000
Total charges ...	<u>1,01,74,000</u>

against which the receipts in interest realized from cultivators amounted to Rs. 30,70,000 only leaving a deficit of Rs. 71,04,000. It is true that as the Honourable

Member has pointed out much of this loss is due to famine but even allowing for this the figures give us a serious warning that measures should be taken to put the business on a sound footing. We have to deal with the average cultivator for whom the customary rate of borrowing is much higher than 6½ per cent.

The Honourable Mr. LALLUBHAI :—My honourable friend has given figures for ten years. May I ask if he can give figures for the last two years.

The Honourable Mr. CARMICHAEL :—I am afraid I have not got them.

The Honourable Mr. M. C. GIBB said :—With regard to the system of accounts if you keep the interest on agricultural loans the same as it is on advances for land improvements, it is a very great convenience for account purposes. It is also convenient to have the rate at 6½ per cent. and not 5 per cent., because 6½ per cent. is one anna in the rupee. This question has been threshed out departmentally in committees, and a great deal of trouble has been expended on getting the best possible accounts system for these takávi accounts. Both the mover and seconder of the resolution come from what has frequently been called the Garden of Western India. In the country I allude to in Gujarát the patidár can frequently borrow at the rate of 6 per cent. but such a man does not want loans from Government. I think every landholder and every revenue-officer will agree with me that, seeing the rate of interest for the ordinary cultivator averages 9 to 24 per cent. in Gujarát and 12 to 24 per cent. in the Deccan and Southern Marátha Country, the rayat does not care two pence whether he pays 5 per cent. or 6½ per cent.

The Honourable Ráo Bahádúr GANESH VYANKÁTESH JOSHI said :—I rise to support the resolution of my honourable friend Mr. LALLUBHAI SAMALDAS. The question is not one of accounts, or methods of account; but it is one of deep practical concern to the poorer classes of the agricultural population. These advances rest on an entirely different basis from the loans ordinarily given for land improvement. They are given not as a banking accommodation but by way of relief for the purchase of cattle, for the purchase of seed, and for the purchase of food. They ought not therefore to be treated like ordinary loans and it would be unfair to charge so high a rate of interest on them. There is absolutely no risk of loss involved. The security in this respect is ample and perfect. The advances take a priority over other debts in law. Besides, the time chosen for the increase of interest is, to my thinking, very unfortunate. The Presidency is just emerging from a severe agricultural depression caused by a long cycle of disastrous seasons. These are yet times of great stress and difficulty to the poorer cultivators. Many of them are scarcely even now in a position to pay back these advances. Under these circumstances I think it would press hard on them to charge a higher rate of interest than hitherto, and so make a considerable addition to their burdens.

The Honourable Sir JOHN MUIR MACKENZIE said :—I cannot help saying that I feel slightly injured at the remarks of the Honourable Ráo Bahádúr JOSHI and the Honourable Mr. PAREKH on this subject, because I thought that the matter had been fully explained to them in Committee and they had accepted it.

The Honourable Mr. LALLUBHAI has been generally answered by my friend the Honourable Mr. CARMICHAEL, but there are one or two points to which I should like to draw attention.

In the first place I have a confession to make. It is an important fact that both the Famine and the Irrigation Commission recommended that the rate of takávi should be made everywhere throughout India five per cent. as it was then in Bombay and Madrás. Not only that but as a matter of fact I was responsible for the drafting of the paragraph of the Irrigation Commission's report relating to this subject. I must admit that I have entirely changed my opinion. The Government of India, in dealing with the recommendations of the two Commissions relating to this subject, asked us to consider whether we could not raise the rate to six and a quarter per cent. which was the prevailing rate in the rest of India, and the reasons they adduced were two. The first was that six and a quarter was without doubt a most moderate rate. That was clearly proved before the Irrigation Commission who questioned innumerable witnesses on the subject, all of whom admitted, whether they preferred the five per cent. rate or not, that 6½ was everywhere regarded as an extremely low rate of interest. The second reason, which carried even more weight with me, was that the charge of the higher rate would enable Government to show more elasticity in collection. I remember well that great and wise administrator Sir DENZIL IBBETSON saying more than once that in takávi he "would like to see some more bad debts." He was not alluding to famine times when of course we have and shall always continue to have enormous bad debts. He was alluding to ordinary times when it used to be the great pride of takávi administration that a bad debt was almost unknown. That was the case with our old five per cent. times. But what Sir DENZIL meant, and what was stated in the Government of India's communication on the subject was, that we ought to administer takávi in ordinary times with greater elasticity, and that our success in recovery in ordinary times might have been accompanied by too great strictness in collection.

For instance as regards Land Improvements there is nothing so uncertain as the way in which a well will turn out. The borrower of takávi may find no water, or he may find only salt water, and so forth. His money may be wasted. An improvement especially required in the system was facility for making allowances for such cases. By taking a little more interest in ordinary cases we provide a margin for this kind of elasticity.

There is another point. Our system has already been liberalised in one important respect, namely, that the recovery of takávi is subject to suspension in the same way as the recovery of land-revenue; and I am bound to say that my experience of land-revenue suspensions shows that we do not get back the whole of our money. I am quite sure with a reasonably elastic system we must allow very liberally in the future for bad debts even in not very bad years, and of course, in famine years we are likely to lose very large sums.

There is one point which the Honourable Member omitted to notice with regard to advances from central banks which he said were to be made at 6 per cent. The central bank is going to advance its money to a Co-operative Credit Society and the Society lends to the cultivator, but that is altogether different from Government *takávi* advances which are made to individuals. The Co-operative Credit Societies of the Presidency have worked it out by experience and have found that they must take about 9½ per cent. from the individual. In other provinces they charge a great deal more. There is only one class of cultivator who pays us anything like that rate of interest. I mean those on the

Nira Canal, and they pay 9 per cent. So the Council will see that there is a great difference between lending to Co-operative Credit Societies and lending to individuals.

Another point. We find it very difficult to find money for our varied requirements, and it will be quite impossible to accept the resolution of the Honourable Member unless he can point out to us how we can find the money which would be lost if the resolution were accepted by the Council. We should want something like a lākḥ of rupees, not non-recurring, but recurring, because it is proposed to make this reduction permanent. Financially, therefore, I am entirely against this resolution; but it is not on financial grounds principally that I oppose it. If it was on that ground alone that I opposed it I might have agreed merely to postpone the matter for another year.

My principal ground of opposition is that in my opinion the rate of six and a quarter per cent. is exceedingly moderate, and that the charge of it is necessary to enable us to be elastic in our collections compatibly with the placing of our takāvi transactions on a sound business footing and not one of mere philanthropy.

The Honourable Mr. LALLUBHAI, in reply, said :—The figures given by my honourable friend Mr. CARMICHAEL about the loss to the Government by bad debts for the last ten years are, I admit, such as may lead one to think that a larger percentage than one per cent. was necessary as a provision against loss on account of bad debts. But these ten years include one famine and other scanty years. I asked the Honourable Mr. CARMICHAEL to give us figures for the last two years. As he is not in a position to supply the figures, it is not possible to say whether after the last two or three good years the percentage of loss due to bad debts is as high as it was in the first eight of the ten years. The Honourable Mr. GIBB differentiated between the two kinds of loans to agriculturists, *viz.*, those for agricultural improvement and those for takāvi in famine years. I would not press for the reduction of the rate of interest in the latter case if Government would agree to reduce it in the former case. It is true as said by the Honourable the Revenue Member that the advances from the proposed Central Bank will be made to the Co-operative Credit Societies whose collective credit is greater than that of individual agriculturists; but Government has on the other hand an existing well-paid machinery which the Central Bank has not got, and Government has the power of summary recovery which the Central Bank has not got, and as Government can easily find out whether an agriculturist is solvent or not, there is no reason why Government should make provision for a larger percentage as a set-off against loss by bad debts. The Honourable Revenue Member said that the question of philanthropy should not be introduced in this question. I fully agree with him and it was for that reason that I did not refer to the duty of Government towards its ryots or asked them to treat them more generously. The resolution moved by me was based on practical business lines. In view, however, of the remarks of the Honourable Sir JOHN MUIR MACKENZIE, I do not see any good in dividing the Council on this point and therefore request Your Excellency to allow me to withdraw this resolution.

The resolution was allowed to be withdrawn.

General Administration.

The Honourable Sir JOHN MUIR MACKENZIE :—The next heading is *General Administration*. The item on account of local allowances to certain establishments in

Bombay, Karáchi and Bandra is the subject of a resolution. I will not anticipate the reply that we have to make to that resolution beyond saying that the extra allowances are in aid of comparatively low-paid officers, and are absolutely necessary in order to enable them to meet the extra expense of living.

The Honourable Mr. GOKULDAS K. PABEKH moved:—This Council recommends that the Governor in Council be pleased to disallow the local or house rent allowances to certain officers and establishments in superior service employed in Bombay, Bándra and Karáchi.

He said:—Your Excellency, before moving the resolution of which I have given notice, I may say that this matter was mentioned before the Finance Committee, and I and some other members were against the giving of this allowance. But when we saw that the general opinion in the Committee was in favour of it, we did not ask for a division, and submitted to the views of the majority. Now, the matter has been brought before the Council. I submit this is a question of large expenditure of a recurring kind, and deserves serious consideration at the hands of the Council. Your Excellency will note that this resolution refers to sub-paragraph (c) of paragraph 14 of the Revised Financial Statement. In that statement an item of Rs. 93,000 has been budgetted for on this account. It includes provision of allowance to peons in the city of Bombay which is not included in the resolution. But at the same time it appears to me that the estimate of Rs. 93,000 does not represent the full increase in the annual expenditure which would have to be incurred on the allowances under this head, inasmuch as the estimate has been made upon the footing that while some portion of the allowances will be paid during the whole year, the payment of the other portion will commence later on in the year. I therefore think that the estimate of the allowances, which would be a burden on the revenue, would be considerably larger than Rs. 93,000.

In support of my resolution what I have to say is that there is a general tendency of expenditure in the form of salaries, allowances and establishments to increase from year to year, and if in this respect we compare the budget of this year with the budget of ten years ago we find the increase in expenditure exceedingly large—nearly by one-fourth of the total expenditure, if not more. I submit it is necessary that there should be some check against this growing increase.

I further venture to submit that so far as big cities like Bombay and Karáchi are concerned, when the salaries of Government servants were fixed the high standard of living obtained in these places must have been taken into account. There is no doubt that the expense of living has risen all over the country, and probably the expense of living in Bombay has increased in the same proportion or in a little larger proportion; but still I maintain that these conditions are necessary incidents of service and I do not think it right that it should be made the ground for giving the allowances. I also do not think that a refusal to grant these allowances will in any way affect the efficiency of the different services, nor do I believe that in the case of high officials the allowances are so large that the refusal to give them will be regarded as a very serious loss to them. The Council has further to bear in mind that there are numerous necessary objects for which it is difficult to find any means. It is all along admitted that the wants of primary education are very great and we cannot advance as fast as we wish because we do not get necessary funds for that purpose. In the case of secondary education we find the

same difficulty. We find here and there high schools very inadequately equipped and in consequence obliged to refuse admission to a number of students; and the result is that there is the chance of their falling into the hands of persons who may not possess qualification for securing either their intellectual or moral advancement. Again there are a number of Local Boards who find considerable difficulty even to carry on their statutory duties for want of funds.

His Excellency the PRESIDENT :—I think you can make these remarks more properly on your third resolution.

The Honourable Mr. PAREKH :—I refer to these matters for the purpose of showing that there are many objects to which this amount, if saved, could be devoted. If, however, Your Excellency thinks, that I am out of order, I will not refer to them. There is a crying want in connection with the village sanitation. There are many sanitary committees, who have not funds enough to do their work, and the same is the case with a number of municipalities. I therefore submit that so long as these needs are not properly satisfied, the granting of the proposed allowances should be postponed.

The Honourable Mr. CARMICHAEL :—I understand that the resolution which has just been moved does not refer to the allowances but to the following items :—

First an item of Rs. 24,725 for an allowance proposed to be given to certain employés in Bombay who were excluded from the benefit of the allowance sanctioned for the clerical establishments on the technical ground only that they were not clerks. Second an item of Rs. 2,319 for allowances proposed to be given to clerks in Bándra, third an item of nearly Rs. 23,798 for allowances to establishments in Karáchi, fourth an item of Rs. 36,420 for house rent allowance to certain gazetted officers serving in Bombay. The figures have been extracted from the various heads of expenditure under which the charges fall and do not include the share debitable to Imperial revenues. Taking the clerical establishments first, the whole question regarding them has been fully investigated and I may summarise the results of inquiry by saying that the scale of pay which had not been revised since 1865-70 was found to be quite inadequate in view of the rise in the prices of food stuffs and house rent, and of the improvement in the style of living. It was clearly shown as a very moderate estimate that prices had risen by about 20 per cent. or even more in Bombay and rents by more and that there was no immediate prospect of any decrease. It was evident that the more lowly paid clerks could not on the old pay live decently and compatibly with their self respect in the style they were accustomed to without serious privation, and that the services of promising young men were frequently lost to Government by their accepting more attractive openings elsewhere. To remedy this state of affairs was urgently necessary and the method adopted was as economical as was compatible with the efficiency of the service being maintained. The allowances have been drawn by clerical establishments in Bombay since 1908 and it would be unfair to exclude from this benefit school teachers and other low-paid employés on the technical ground that they are not clerks.

Turning to the allowances proposed for gazetted officers here too a very elaborate investigation has been made into the question of house rent in Bombay as it affects those officers. The position generally was this. The difficulty which officers in Bombay felt in obtaining suitable house accommodation at a reasonable cost was steadily growing in

intensity and officers on comparatively low pay could not face the cost of living in Bombay and even those on higher pay were reluctant to accept appointments here. To such an extent was this the case that it became a source of serious embarrassment to the administration and in recent years the acceleration of the rate at which rents in Bombay are being enhanced rendered it imperatively necessary to take action. It was not merely a local difficulty but was felt in Calcutta and Rangoon and the Government of India decided that it was a question which must be seriously tackled in the interests of good administration. A scheme was worked out for Calcutta and on the lines approved for that city the scheme has been worked out, and proposals have been made for Bombay. It does not benefit those whose pay has recently been fixed in view of the changed conditions, it equalizes many anomalies and inequalities and it is strictly limited by conditions to the occasions when the allowances are actually required. I would earnestly ask this Council to determine that the provision that has been made is absolutely necessary and should not be withdrawn.

The Honourable Ráo Bahádúr GANESH VYANKATESH JOSHI said :—The point was urged in the Finance Committee. Most of the considerations against these allowances suggested by my honourable friend Mr. PAREKH were then mentioned ; but the weight of opinion on the subject in the committee was so much against us that we had to withdraw our opposition. To my mind, the question is not whether these allowances are desirable in themselves but whether they are so absolutely necessary that they cannot be dispensed with altogether or at all events postponed for the present. If they are held to be indispensably necessary in the interests of administrative efficiency, I have nothing to urge against them. They are, however, for the benefit of officers who already receive high salaries. Besides, there are more urgent needs of education and sanitation and, in times of financial stress and pressure like the present, I am inclined to recommend that the question be deferred for the present till our financial position has sufficiently improved.

The Honourable Ráo Bahádúr SHBINIWAS KONKER RODDA said :—When the officers are transferred to Bombay on account of their ability it is a punishment to them if they were not sufficiently remunerated. The house rent is one of the heaviest items of expenditure in a town like Bombay. It is difficult to secure a suitable house accommodation in Bombay. The expenditure has been distributed over different centres, and, therefore, the item, though it looks large, is not really so and I consider the expenditure is quite reasonable and justifiable.

The Honourable Mr. JENKINS :—The Honourable Mr. CARMICHAEL has given the details of the expenditure which has been projected. Perhaps I may be permitted to give some general view of it. The Honourable Mr. PAREKH said that probably expenses have increased in Bombay. I congratulate him upon his caution. He also says that when people are required to serve in Bombay it is merely a condition of their service and they must put up with it. But in the same way a policeman knows when he enlists what he is in for and I suppose when he gets injured or shot in the discharge of his duties the Honourable Member would say it was merely a condition of service and Government would be entitled not to make any provision for his widow and those dependent on him. No Government can treat their servants in this way. If Government wish to have trustworthy loyal and efficient servants they must treat them liberally

or they will get such bad service as is worse than useless and subordinate officers who are underpaid become a curse to the country. We could of course get officers to serve us for nothing! That has been the practice in some oriental countries and we know what the result is. I have dealt with a very large number of these people and have examined I suppose some fifty of their budgets and know what they have to spend and I can assure the Honourable Member that it is very hard for them to live in Bombay; in fact it is almost impossible and if these allowances were taken away it would make it quite impossible. I will say if I may use a familiar expression that the Honourable Ráo Bahádur RODDA has hit the nail on the head. Whenever we want to get an officer to come into Bombay from the district it is a genuine difficulty to find a man who is willing to come. When he does come he is generally in a state of discontent and spends all his time in writing appeals to his superiors to transfer him. Is it not necessary that the work should be done satisfactorily and is it not necessary that the work should be done as well in Bombay as in the districts? If it is and we want to maintain administrative efficiency in all branches these charges are most essential and necessary and I do not think Government can assent to their abandonment.

The Honourable Mr. PAREKH, in reply, said :—So far as the unwillingness of officers to be transferred to Bombay is concerned, I think it is not merely a question of expenditure. There are officers who always like to be in Bombay, and there are officers who do not like to be in Bombay, which shows that the question of expenses does not weigh with them. As to the question of efficiency I do submit that the mere fact of allowances to be given to Bombay officers would not be an inducement to come to Bombay for those officers who do not like to be in Bombay. I also do not think that the argument that the absence of these allowances would make officers discontented is one which this Council can properly accept. This question of allowance is of a recent date. We had up to now no allowances, and still work in Bombay was as effectively performed as in any other part of the country. My main point is that if there are better objects to which this amount can be devoted and which cannot now be attended to for want of funds, this matter ought to wait until those needs are satisfied.

The resolution was put to the vote and lost.

Courts of Law and Jails.

The Honourable Mr. M. B. CHAUBAL said :—There is nothing either stirring or sensational about the heading of Law and Justice. The only item under "Courts of Law" calling for any remark is the rise you see of about Rs. 66,000 in the expenditure relating to the High Court. I apprehend the state of business in the High Court and the interests of speedy and expeditious justice require that there should be an additional judge; and this provision has been made in case the Secretary of State sanctions the appointment of an additional judge.

The only other matter about which any remark need be made is under the head of Jails where you see a higher figure of receipts than in previous years. This is due to some orders for Police clothing having been received at our Jails, and the receipts are in consequence expected to be higher.

Police.

The Honourable Mr. J. L. JENKINS said :—Under the heading of Police on the receipt side we have a sum of about four lakhs which represents for the most part services

for which payments are made, and which does not require any comment. The expenditure on these has been growing by leaps and bounds during the last five years. In 1904-05 the expenditure including "alienated," representing loan grants, was a little over 53 lakhs; in the budget for the ensuing year the amount will be very nearly 90 lakhs. That is a very considerable increase. A new staff of investigating officers has been created, the pay of the rank and file has been increased, equipment has been improved and provision has been made for the better training both of the officers and men. All this has cost a very great deal of money. The Government of India have already given us a grant of about 16 lakhs. They have also held out to us the hope that the grant will be increased to 20 lakhs, that is to say, if they carry out their intention we shall get an additional grant of three or four lakhs. For this year the Government of India have not been able to make that additional grant. We have for the present reached the limit of our resources, and we have been obliged therefore to confine ourselves to the provision of a sum of Rs. 46,000 for certain definite reforms, while a sum of Rs. 35,000 has been allotted to other reforms which are under consideration. I am afraid however we have not got to the end of the business. A great deal has been done but much more still remains. Schemes have been prepared and are now under consideration, which will probably result in an expenditure of ten lakhs or even more. This expenditure is necessary to put the police of this Presidency in a state of efficiency and to carry out thoroughly and completely all reforms which are required. We have not been able to make any provision for this purpose but we must be content with what we can get. In view of this prospective expenditure upon police it will be necessary for us to husband our resources and to keep our expenditure within our income.

Ports and Pilotage.

The Honourable Mr. J. L. JENKINS said:—The next item is Ports and Pilotage. In ordinary years the receipts representing payments for pilot services have been considerably in excess of the expenditure. This year there is a small excess of a thousand rupees due to the expenditure on the steamer Jhelum which is used for service on the Indus. But for this there would have been a bigger surplus.

Education.

The Honourable Mr. J. L. JENKINS said:—I now come to the head which seems to excite more interest than all the rest taken together, Education. The special features of the financial proposal, have been so fully described in the statement itself that it is unnecessary for me to enter into any lengthy explanation. I will however refer to matters which appear to me to deserve some special attention. A very great increase in the expenditure has been due to the further provisions made for primary education. The pay of the teachers will be further improved and we have made extremely good progress with the scheme initiated two years ago. We propose to devote Rs. 48,000 to opening new primary schools, in addition to the one lakh provided this year. The increase in the number of schools involves other expenditure which is very necessary, because if you increase your schools you have to make greater provision for their maintenance and for a greater number of teachers. Again if you have a greater number of schools you must have a greater number of inspectors, because if you have not efficient inspection you will not have efficient schools.

We have therefore provided Rs. 40,000 for the employment of additional inspectors. The position of head masters in the secondary schools is one which has long required consideration. Last year we made provision for this, but the item was cut out of the budget owing to the general reduction made by the Government of India under the head education. We were therefore not able to carry out our plans but this year we are in a position to do so. As a resolution on the subject will be proposed presently I will say no more about it. It will be noted with satisfaction that the Government of India have renewed their grant for University education. It is to be regretted that the Bombay Corporation have not been able to utilise the grant of Rs. 1,40,000 for the provision of additional school-houses, but the grant has been renewed for the ensuing year. The accommodation provided by the Corporation is sufficient for only a small fraction of the children in Bombay who are of school-going age. It seems to me it will be necessary for the Corporation of Bombay to regard their responsibilities in the matter of primary education very much more seriously than they have hitherto done. In conclusion, I would point out that the cost of education has risen in the five years from Rs. 22,93,000 in 1904-05 to Rs. 50,60,000 provided in the budget for next year. There are many things, no doubt, which might be done and which we have not done, but I think we have reason on the whole to be greatly satisfied with the rate of progress.

The Honourable Sardár GOPOOSWAMY VIZIARUNGUM MOODLIAR had given notice to move the following resolutions :—(1) That His Excellency the Governor in Council may be pleased to place a sum of Rs. 20,000 at the disposal of the Director of Public Instruction for the furtherance of moral instruction in High Schools and Colleges. (2) That Government may be pleased to allot Rs. 50,000 for the purpose of providing physical education in primary schools.

His Excellency the PRESIDENT pointed out that as these resolutions did not provide for a counterbalancing reduction in expenditure as required by rule 13 (g) the Honourable Member should propose such a reduction in moving the resolutions. As the Honourable Member was unable to do this the resolutions were withdrawn.

The Honourable Mr. LALLUBHAI SAMALDAS moved "That this Council recommends that the provision under education for raising the grading of Head Masters of Secondary Schools be omitted, and that, in localities where strong private or aided Secondary High Schools exist, Government withdraw from the field of secondary education."

He said :—My object in moving this resolution is not to come in the way of the promotion of deserving officers of the Educational Department. It is to draw the attention of the Government to the necessity of laying down a well-defined policy regarding the extension and improvement of secondary education in this Presidency. The present position is this. On every side, we hear of the defects of our secondary schools, and there are also complaints of want of High Schools in several places. Government has declared its inability to find a sufficiency of funds to devote to the extension and improvement of secondary education. The only way in which we can at present meet the situation is by utilizing every pie that we spend to the greatest advantage. The Education Commission of 1882 in its report says "We therefore recommend that all Directors of Public Instruction aim at the gradual transfer to local native management of Government schools of secondary instruction (including schools attached to first or second grade colleges) in every case in which the transfer can be effected

without lowering the standard or diminishing the supply of education, and without endangering the permanence of the institution transferred." The report goes on to say "But a Director and still more a Government can do much to influence public opinion, and patient persistence in carrying out the policy of withdrawal, whenever a suitable opportunity occurs, will doubtless make it generally felt in the course of time that all should cooperate in such measures who are capable of taking broad and comprehensive views of popular education and its true necessities."

Some 30 years have elapsed since the above recommendation was made. Private institutions that have been started before and since the Commission made its report have made remarkable progress and have gone far ahead of Government institutions as regards the number of students and have not fallen behind as regards the quality of teaching. I will only mention as conspicuous instances of highly successful aided and private schools, the New High School of Bombay, New English School, Poona, and Navalrai Hiranand Academy of Hyderabad, Sind. On a rough calculation the cost to the provincial exchequer of a student in a Government school is from 3 to 7 times as much as the cost per pupil in an aided school. That is to say Government can do more to improve quantitatively and qualitatively secondary education in this Presidency, through aided schools than through its own institutions. This resolution does not aim at reducing the money spent on secondary education. All that is sought is to secure the largest and most efficient results from the educational grant.

If the Government schools at the places mentioned above were transferred to the strong private and aided institutions in these towns, there will be a saving to Government, taking into account the increased grants-in-aid of some Rs. 35,000 per year. All this money can usefully be spent partly in opening High Schools in localities where though they are needed there is not sufficient private enterprise to start unaided or aided High Schools, and partly in trying the experiment of making the secondary education self-sufficing instead of allowing it to be preparatory to higher education only. Is it any wonder if with some members of the University and professors of colleges throwing the blame of defective secondary education on High Schools, and the head-masters retorting that they are so much obsessed with the Matriculation that they could not introduce any reforms, the layman does not know where he stands regarding secondary education and looks to Government for guidance? Will Government take up the work of introducing reforms in the system of secondary education and start a few model high schools with the idea of making secondary education self-sufficing so that a student on leaving the High School may be in a position to make a decent start in life? Will they for instance try the experiment of using the vernacular as a medium of instruction? All these reforms mean money, and I suggest that they might be met from the savings above enumerated. I appeal to Your Excellency to whom the whole Presidency feels grateful for your earnest efforts for bringing scientific education in line with the most advanced countries in the world to complete the work of educational reform by putting the system of secondary education on a more solid, useful and practical basis.

The Honourable Mr. HARCHANDRAI VISHINDAS said :—As the Honourable Member in moving his resolution has referred to Sind, Your Excellency will allow me to record my note of dissent from what he says and also my note of protest against this resolution being carried. Your Excellency will remember that recently a resolution was sent

forward in my name for being moved in this Council protesting against the proposed abolition of the Hyderabad High School—a proposal against which the whole of the Hyderabad public made a protest and sent a memorial,—but was withdrawn on my being informed that it was not contemplated to abolish the School. The chief point of my dissent is this that whilst the Honourable Member has mentioned Navalrai Hiranand Academy of Hyderabad, Sind, as an argument against Government High Schools, I say that the whole public of Hyderabad are in favour of continuance of Government High Schools which serve as models for teaching. (Hear, hear.) I am not quite acquainted with the other parts of the Presidency, but so far as Sind is concerned we are very anxious that instead of Government education being discarded as suggested by the Honourable Member it should be still more strengthened. I am in entire sympathy with the proposal of Government to increase the pay and raise the status of the Head Masters of High Schools.

The Honourable Ráo Bahádur SHRINIVAS K. RODDA said:—I am in full sympathy with the Sind member. Head Masters of High Schools are very valuable officers and play an important part in the life of the people of every district. At present they are drawing on an average a salary of Rs. 200 a month which is much less than what is paid to the holders of corresponding posts in the other departments of administration, whose salaries range from Rs. 500 to Rs. 800 a month. At the present time nothing is of greater importance than the entrusting of our children to men who are responsible members of society and can maintain their dignity among the people; but this cannot be done unless their pay is increased to Rs. 400, or at least to Rs. 300 which is the minimum salary of Deputy Collectors. While so much stress is laid on this point by the public it is ridiculous to suggest that this much needed concession should not be made. My own experience of private schools is that wherever they do exist they only mar the efficiency of our High Schools. The subject of the pay of the Head Masters has been for many years under the consideration of the Government of India and every time the proposal to increase it has been dropped for want of funds. Now that the time to do so has at last come, I hope it will not be refused by the new Council. Now-a-days it is becoming more and more necessary to give our youths a sound moral education and to do this the teaching staff should be strengthened. And we shall have to look for this to our Government educational institutions, as we have noticed that private efforts would not be so successful. An instance in point is afforded by the Gujarát College, which, with all the merchant princes of Gujarát at its back, is not able to maintain itself, and which, it is constantly urged, should be made a Government College. Under these circumstances it is absolutely necessary that the pay of the Head Masters should be raised.

The Honourable Mr. LALLUBHAI:—Your Excellency, may I make a personal explanation? I stated when moving my resolution that my object was not to come in the way of giving promotion to Head Masters. I only wish to have a well-defined policy laid down in the matter of secondary education.

The Honourable Sir PHEROZESHAH M. MEHTA:—Your Excellency,—The explanation which my honourable friend Mr. LALLUBHAI has just given seems to me to make the matter very much worse than one thought when he moved the resolution, and I must confess that when he first rose to speak on the resolution, I was almost tempted to ask Your Excellency to rule if the resolution was not entirely out of order on this budget.

discussion. It has been pointed out in the agenda paper that this is the time specially set apart for resolutions regarding items in the budget, and that resolutions on matters of public interest were to be moved at another time. I think after the explanation which the Honourable Mr. LALLUBHAI has given that with regard to the first part of his resolution, he had no intention of disturbing any allocation in the budget, but that he wished only to raise a question of policy, he ought not to have moved the resolution at all at the present time. In the first part of the resolution he says: "That this Council recommends that provision under Education for raising the grading of Head Masters of secondary schools be omitted." That is distinctly a budget matter. But he says he does not intend to interfere with the budget so far as the present discussion is concerned, and that it is only a question of policy that he has brought forward. In the second part of his resolution he says: "That in localities where strong private or aided secondary high schools exist Government withdraw from the field of secondary education." I submit it is perfectly clear that this is a question of policy and this is not the time to raise that question of policy while discussing the budget. However that may be, I must say I am surprised at the light-heartedness—I was going to say levity, if that is not an unparliamentary word to use—with which this question of policy is raised by my honourable friend. He says he relies on a recommendation made by the Education Commission. I do not know if he has gone fully into the report of the Education Commission on this point before coming to any conclusion as to what it was that the Commission recommended. This very question was raised in this Council some years ago when I took a prominent part in the discussion and quoted from the report of the Commission passages shewing that there was no question on which the Commission found it more difficult to propose or frame a resolution than this question of private enterprise against Government control of secondary schools. And I shewed that the Education Commission tried to frame a proposal six different times. One proposal was framed by the President, but it was negatived. A second and a third was framed but with the same result. Ultimately the decision to which the Commission arrived practically was that nothing should be done and that while they considered that it was desirable to leave private enterprise to do what it could no step of an express character should be taken in the matter.

Leaving aside the recommendation of the Education Commission my honourable friend has forgotten the history of the question so far as this Presidency is concerned. This question was discussed in the time of LORD REAY when something of this policy was sought to be introduced. The cry raised against this was so strong that Government stopped after taking the first step. That step was to abolish the Government high school at Ahmednagar in favour of the mission school which existed in that city. Time after time we have come forward to remove the injury which was then done to the city of Ahmednagar by the abolition of the model Government high school. Though I cannot say that Government actually promised that that mischief should be remedied—I do not know exactly—but I think in Your Excellency's own pronouncement in the matter when you visited the city of Ahmednagar some time ago some assurance was given to the city that if possible that mischief might be remedied in the future. What I wish to shew is that at that time the question was fully considered and Government withdrew from the policy which was sought to be introduced. I fail to understand why the Honourable Mr. LALLUBHAI now tries to support that policy. He has brought forward no argument to shew that it would

be wiser to abolish the model high schools as a whole which serve as models to private institutions and which Government alone can provide. The question of secondary education in this Presidency is not a small question. I think every member of the Council will agree with me that it is not a question which can be settled on the budget discussion. I advise my honourable friend very strongly to withdraw his resolution. It is impossible to settle a question involving a policy of the highest importance in this incidental manner, and I am perfectly certain that the Council will not enter upon a discussion of it.

His Excellency the PRESIDENT :—With regard to the question of order, the first part of the resolution is quite in order. With regard to the second part I am in doubt, but in view of the mover's declaration that he desired a statement of policy I would suggest that the whole resolution be withdrawn.

The Honourable Mr. LALLUBHAR accepted the suggestion and withdrew his resolution.

His Excellency the PRESIDENT pointed out that the following resolution which stood in the name of the Honourable RAO BAHÁDUR GANESH VYANKATESH JOSHI failed to mention a counterbalancing reduction in expenditure and that the mover should be prepared to suggest such reduction :—“That, in view of the rapid and steady progress of the mining industry in the country, the Council is of opinion that the time has arrived for making provision for instruction in Mining and Economic Geology, and recommends the creation of a Chair for that subject at the College of Science, Poona, at an annual charge of about Rs. 25,000.” The mover withdrew the resolution.

Medical.

The Honourable Mr. J. L. JENKINS said :—I now come to the heading “Medical.” The expenditure which under this head was Rs. 20,40,000 in 1904-05 has risen to Rs. 30,19,000 which is the sum provided for the ensuing year, an increase of nearly fifty per cent. The increase in the cost of establishment is due to the improvements in the pay of civil medical assistants at a cost of Rs. 25,000, and there have also been increases under the heading “Grants to Hospitals and Dispensaries,” under which is the grant of Rs. 20,000 to the Mission Hospital at Poona which is the subject of a resolution. There is hardly any provision in the Financial Statement which I view with so much satisfaction. The medical skill available in these dispensaries may not be of a very high order but the relief of simple injuries and common diseases does not require medical skill of a very high order. In no other way could such a large amount of human suffering be relieved at so little cost. For the provision of pure water supplies we have made large grants, including five lakhs to Poona and two lakhs to Násik and other smaller grants. In these cases these grants are further instalments of the total amounts Government has undertaken to supply. We hope if our resources permit that we shall be able to continue these grants until every town in the Presidency has a pure water supply as there is hardly any other measure which we could adopt which would tend so much to the promotion of the health of the people. The current year's provision for the revision of the staff of the Grant Medical College (Rs. 25,000) and Rs. 12,000 for the transfer of the civil duties of the P. M. O. in Sind to the Civil Surgeon at Násik are repeated in the budget for the ensuing year. There is also an allotment which will give satisfaction to

Mahomedans generally, namely, that for the provision of temporary accommodation for *hájis* in Bombay, Government have provided a costly site in Bombay for the purpose of a permanent Musáfirkhána and a building is now being erected upon it through the generosity of Mr. Hají Sabu Siddick.

The Honourable Mr. GOKULDAS K. PAREKH moved :—“That this Council recommends that the Governor in Council be pleased to disallow the sum of Rs. 20,000 being the amount of grant for 1910-1911 to the Mission Hospital Building.” He said :—Your Excellency,—In moving the resolution of which I have given notice I beg to say that I do not make light of the efforts that are being made by missionaries for the moral and intellectual welfare of the people. I object to the grant only upon the ground that, where the primary object of an institution is proselytism and not treatment of disease, there ought not to be any assistance from the public funds. Of course, indirectly the business of a hospital is done, but that is only a means to the end; and I submit that if this institution has proselytism as the end in view, State help ought not to be given to it. I will give an instance in point. A few years ago a lady from this city endowed a hospital at Násik and it was put under missionary management. The hospital was afterwards used for proselytising purposes, and when the trustees of the institution objected, the missionaries in charge said that they took over the hospital with the object of carrying on their mission work and not with the idea of treating sick people. So, where the primary object of a mission is proselytism, it is not proper to give it State help.

The Honourable Dr. TEMULJI B. NARIMAN :—I do not know whether proselytism is the object of this institution or not, but I must say that this Mission Hospital at Poona is being very admirably worked. Some time ago I myself went from house to house in Bombay collecting funds for the hospital in order to enable it to carry on its work. This particular hospital deserves support in every way.

The Honourable Sir PHEROZESHAH MEHTA :—I think as long as Government are satisfied that medical relief is not given at this hospital as a means of proselytising there is no objection. I have very little doubt that Government have put down this sum of Rs. 20,000 after satisfying themselves that the institution gives medical relief and is not used as a means of proselytising. Taking that view of the case I see no objection to the Government grant being made to this or any other hospital for the purpose of administering medical relief.

The Honourable Khán Bahádur NOWROJEE PESTONJEE VAKIL :—I have noticed the medical work done by missionaries. It is done very thoroughly and very sympathetically and everybody speaks very highly of it. Their work is much appreciated in some native states also. For instance there is a Mission Hospital at Miraj conducted by Dr. Wonless. I have seen some of the operations performed by him in this Hospital and they are second to none in the Presidency. I have no doubt that this institution at Poona will do equally good work among the poor.

The Honourable Sardár Ráo Bahádur MOTILAL CHUNLAL :—I have seen several hospitals conducted by missionaries on modern lines. Government have not yet commenced to provide hospitals everywhere, and I must say that they are greatly needed in the mofussil. I am afraid if this grant is withheld it would be difficult for the missionaries to do this kind of work and people would suffer from want of medical relief.

Unless a very strong case is made out as suggested by the Honourable Mr. PAREKH, I do not see any reason why we should not make a grant to this institution. The grant is made for a public purpose, namely, medical relief, and I am strongly of opinion that it should be given.

The Honourable Mr. HARCHANDRAI VISHINDAS:—Before the discussion proceeds further I should very much like that the point raised by the Honourable Sir PHEROZESHAH's remarks is made clear. If this grant is in any way utilized for proselytising, then it is clear that it is against the policy of Government; if it is not utilized for that purpose—which appears to me to be very probably the case—then there should be a unanimity in passing this grant. I wish there would be a pronouncement on the point on the part of the Honourable Member in charge.

The Honourable Mr. H. E. E. PROCTER:—I do not think the Honourable Mr. PAREKH can have seen the work which is being carried on by this hospital. If he had I do not think he would have moved this resolution and said what he has. I can speak very highly of the work carried on at this hospital. It was started some years ago and it has filled a long-felt want in Poona. The movement for the extension of the building is needed and I think Government ought to assist. The question of proselytism does not come in. It is a work done for humanity's sake. It has already relieved a great deal of suffering, and if it is assisted as it deserves it will relieve a great deal more.

The Honourable Sardar COOPESWAMY MOODLIAR:—As President of the Poona Municipality I very often visited this institution. It is surrounded by Municipal dispensaries, where attendance has commenced to fall, so much so that the attendance at the Mission Hospital is nearly double the attendance at the Municipal dispensaries. This is due entirely to the very kind treatment and care which the patients receive at that hospital. I do not think any sort of religious work is being done among the patients. I admire the institution, and I think it thoroughly deserves the support which it gets.

The Honourable Mr. JENKINS:—It seems to me that as the resolution has not received very much support in the Council it is perhaps hardly necessary for me to say anything more about it. After the testimony which has been given by Dr. NARIMAN and others I think there will be no doubt left in the minds of the Council that the institution is a beneficent one and is thoroughly deserving of support. As far as Government and the public are concerned it is a good bargain, for these devoted people render the most highly skilled services for nothing to the poor and helpless for the love of God and their kind. In return Government merely give a building grant, and in this way medical relief is provided at a very small cost. There is however one point to which I might refer, that of proselytism. It must be perfectly well known to everybody that these missionaries do hope that indirectly they may produce some effect on the minds of the people. Undoubtedly they do hope by examples of kindness and good-will that some of the people may come round to their religious views, but the Honourable Mr. PAREKH's resolution would deprive thousands of people of medical relief because perhaps there is a chance—a thousand to one chance—that a very few patients may by the force of example become Christians. I therefore think that the Council ought to reject the resolution and give the grant.

His Excellency the PRESIDENT :—I might inform the mover of this resolution that I have visited the hospital in question. I was very much struck with the good work that was being done there and I saw how handicapped it was for want of proper accommoda-
 tious space. I therefore think that the increased grant to enable them to do their work properly is a legitimate item, and I am quite certain Government would never have considered the grant if it had thought that the primary object of those in charge was to proselytise their patients. As the Honourable Mr. JENKINS has said, it is their wish—and a natural and right wish—that they should bring influence to bear on the people, but this is not their primary object, which is to relieve suffering, and it is to enable them to do this that the grant is recommended.

The Honourable Mr. PAREKH :—My object in moving this resolution was that if this institution is made an instrument for proselytising it there would be an objection in making the grant. But if its management produces indirectly a good effect on the minds of the people I have no objection to the grant being made. As I understand that there is no likelihood of the institution being worked for the purpose of proselytising I beg permission to withdraw my resolution.

The permission was not granted, and the resolution on being put to the vote was lost.

Scientific and Minor Departments.

The Honourable Sir JOHN MUIR MACKENZIE :—The next head is “Scientific and other Minor Departments.” The only large items of expenditure on which I need make remarks are those connected with the Agricultural and Veterinary Departments and the purchase of the land on which the Ohharodi Farm is situated. The items concerned with the Agricultural Department are sufficiently detailed in the statement. The heavy expenditure in the Veterinary Department is necessitated in order that it may attract men from the College, and even now it is doubtful whether the terms are liberal enough. We also provide on a scale sufficient to enable the number of veterinary dispensaries to be considerably increased. The purchase of the site of the Ohharodi Farm is necessitated owing to the difficulty of arranging satisfactory terms of lease. The farm was recently visited by me in company with the Superintendent of the Civil Veterinary Department and Major Joslen, Principal of our Veterinary College, whose sudden death has been so great a loss to us. The work being done is decidedly satisfactory. It has veritably served to prevent something like the total extinction of one of the finest breeds of cattle in India. There are three successive generations of cattle now to be seen on the farm, and the improvement in size and quality is remarkable. The bulls bred on the farm are distributed to the Local Boards and some breeders on easy terms. There is no doubt that if we sold them in the open market they would fetch far higher prices; but if we did, there would be many of them taken away from Gujarát and the express object with which the farm is maintained would be frustrated.

I observe that the Honourable Sardár COOPOOSWAMY MOODLIAR has a resolution proposing that an additional lách of rupees should be granted to the Agricultural Department for the provision of implements and machines. Now I fear I shall have to ask Your Excellency to rule this resolution out of order unless the Honourable Member

can point to some source from which this l kh is to be provided. But I think that my honourable friend will be willing to withdraw his resolution when I read to him the substance of the report of the Director of Agriculture on this subject, which shows conclusively that he has for the immediate present as much money for this purpose as he can conveniently employ.

(Reads the report, which is printed as Appendix L.)

The following proposition which stood in the name of the Honourable Sardar COOPOOSWAMY MOODLIAR was withdrawn :—“That Government may be pleased to place a l kh of rupees at the disposal of the Agricultural Department for the purpose of purchasing improved agricultural implements to be supplied to the Demonstration Farms to be started at important taluk  towns with a view to demonstrate their use to the cultivators and to lend the same to them when convenient at a nominal charge.”

Superannuation.

The only observation I have to make on this head is to draw attention to the steadily increasing burden of this charge which grows at the rate of more than a l kh per annum.

Printing and Stationery.

The Honourable Mr. J. L. JENKINS said :—“Printing and Stationery” is a matter which has given a very great deal of trouble in administration. There is hardly any part of the expenditure which is so difficult to control. The present increase is due to the supply of stores—type-writers principally—and stationery for offices. As the work increases of course the offices must increase and every new office has to be supplied with stationery. On this head during the last five years the expenditure has gone up from Rs. 11,16,000 to Rs. 13,29,000. Nothing has been done that is unnecessary, and considering all the circumstances I consider the increase is not excessive. I may mention that last year we made a strong effort to get some of the printing work done at private presses, but without success. The rates offered were so unfavourable, that it was found that the work could be done more cheaply at the Government Press. I think I may say the matter receives the very closest attention of Government, and any tendency to increase under this head will be very carefully scrutinised.

Irrigation and Civil Works.

The Honourable Sir JOHN MUIR MACKENZIE :—With regard to irrigation, the only remark I have to make on this head is that it finally illustrates the inconvenience of having expenditure divided instead of being wholly Provincial. We were particularly desirous of spending more on embankments in Sind. The expenditure is regarded as of vital necessity to prevent breaches and the consequent heavy loss both to the people in crops, and to Government in assessment, as well as heavy expenditure in stopping breaches after which also the construction of loops or strengthening works became unavoidable. We were prevented incurring the expenditure we desired because the Government of India owing to their financial difficulties had difficulties in finding their share of the money. The consequence is that a decided risk is being run of breaches during the next inundation. If the expenditure had been wholly Provincial we could

have incurred it, and almost certainly should have done so. I make no remarks on the provision for Protective works because this comes under Imperial expenditure, and the subject is not therefore relevant to our budget.

"Civil Works." Under this head I have to observe that we have been compelled by financial exigencies to moderate our progress in the reduction of tolls. We hoped to reduce at the rate of Rs. 50,000 a year, but this year we have provided for a reduction of only Rs. 25,000.

This concluded the consideration of the Financial Statement.

BILL NO. I OF 1910 (A BILL FURTHER TO AMEND THE BOMBAY PORT TRUST ACT, 1879).

In introducing a Bill further to amend the Bombay Port Trust Act, 1879, the Honourable Mr. J. L. JENKINS said:—It is well known that the work of the Port Trust has been generally increasing for many years past and particularly during the 18 years which have elapsed since Sir WALTER HUGHES became Chairman to whose ability, foresight and knowledge the Port of Bombay owes so much and whose approaching departure we all regret. Since Sir WALTER HUGHES assumed charge of the office 18 years ago the revenue has almost doubled; the great works which have been commenced, which anyone who wishes may see indicate the very great expansion of the port; and that expansion has not yet come to an end. The necessity for relieving the Chairman of some of his work is very great, and it is also desirable that we should have someone with a knowledge of the work to take charge while his superior is on leave and to succeed him in case of necessity if otherwise qualified. There was great danger that when Sir WALTER HUGHES at last relinquished his post no one thoroughly well qualified would be available to take over the duties. Some amendments were put on the paper on the understanding that the rules of business would be suspended, and that this Bill, being of a non-contentious character, would be carried through all its stages in one day. But on looking at the Bill again I see that it is one of some length and that the drafting should receive a little more consideration than can be given it in Council. I shall therefore presently propose that the Bill be referred to a Select Committee, and the amendments can be more conveniently considered in Select Committee than in Council. I propose that the Bill be read a first time.

The first reading was carried, and on the proposition of the Honourable Mr. JENKINS the Bill was referred to a Select Committee consisting of the Honourable Mr. JENKINS, the Honourable Mr. SETALVAD, the Honourable Mr. CAMERON and the Honourable Mr. IBRAHIM RAHIMTOOLA, with instructions to submit their report within a month.

BILL No. II OF 1909 [A BILL FURTHER TO AMEND BOMBAY ACT No. V OF 1862 (AN ACT FOR THE PRESERVATION OF THE BHÁGDÁRI AND NARWÁDÁRI TENURES).]

In introducing the Bill further to amend Bombay Act No. V of 1862 (an Act for the preservation of the Bhágdári and Narwádári Tenures), the Honourable Sir JOHN MUIR MACKENZIE moves the first reading of a Bill further to amend Bombay Act No. V of 1862 (an Act for the preservation of the Bhágdári and Narwádári Tenures).

the Honourable Sir JOHN MUIR MACKENZIE said :—Your Excellency,—The following are the reasons which have induced Government to introduce this Bill. In order to enable him to recover arrears of revenue the Collector of Broach deemed it necessary to break up a number of bhágs, thereby reducing the holders of the bhág lands to the position of ordinary rayats and so enabling him to sell up their lands if necessary. I am glad to say that the arrears were recovered in the great majority of cases, at any rate, without recourse being required to forfeiture and sale. When these measures became imminent the majority of the holders of the lands paid up. But at the time vehement complaints were made of the breaking up of the bhágs, which was represented as resulting in the destruction of an ancient tenure for the preservation of which Government had often in the past professed great anxiety and in pursuance of their professions had actually passed a law, namely, the Bombay Act No. V of 1862. In particular the bhágdárs of a village called Uber petitioned for the restoration of their bhágs. That distinguished officer and friend of Gujarát, Sir FREDERICK LELY, had also recorded his firm opinion that the breaking up of the bhágs was most undesirable on any pretext whatever. The revenue having been recovered, Government determined in pursuance of their time-honoured policy and the recommendations of Sir FREDERICK (whose intimate knowledge of Gujarát and its tenures and of the sentiments of the people with regard to them lent great weight to his views) to reconstitute the bhágs which had been broken up, and restore to their former status the people who had so bitterly complained of its invasion. The power of Government to do this under the existing law, however, was doubtful, and this little Bill was therefore prepared to place that power beyond question.

Recently, however, a complication has arisen, and reports are submitted that the greater number of the villages in which the bhágs have been broken up would prefer not to have them reconstituted. The reasons for this change of face are not altogether clear and require investigation. But the fact remains that some of the villages including that of Uber do desire reconstitution. Government certainly think that where reconstitution is genuinely desired it should be made legal, and in spite, therefore, of the reports above mentioned it is proposed to proceed with the Bill, which does not compel any bhág to be reconstituted against the desire of the bhágdárs.

The Honourable Khán Bahádúr NOWROJEE PESTONJEE VAKIL :—Your Excellency,—It is very desirable, no doubt, as mentioned by the Honourable Sir JOHN MUIR MACKENZIE to reconstitute the bhágs and to preserve these ancient tenures; but still I think in any case it will be necessary to prevent the disintegration of properties, on which the land-tax has been assessed in a lump sum, else the land-revenue of Government in villages where the Bhágdári and Narwádári tenures exist will suffer.

The Honourable Mr. GOKULDAS KAHANDAS PAREKH :—So far as the object of the Bill is concerned there can be very little doubt that where bhágdárs wish that their bhágs

should be reconstituted they should be permitted to do so, and if there is any legal difficulty in the way it should be removed. There is one thing to which I may draw the attention of the honourable mover of the Bill. He has stated that the reconstitution is to take place at the desire of the persons who are interested in the bhág. So far as the wording of the section is concerned it does not appear that this is to be done on the application of the bhágdárs, and that matter requires to be considered in the Select Committee.

The Honourable Sardár PURSHOTTAMDAS VIHARIDAS DESAI :—Your Excellency,—The Narwádári and the Bhágdári Tenures have been from very ancient times associated with the social side of the agricultural population of Gujarát. Originally a whole narva was composed of two parts, namely, the village-site and the field-site: the first part was made up of house (५२), house-site (५२५२) and cow-pen (५२५३); the latter was composed of jiráyat or dry-land, bágáyat or garden-land and kyári (the rice-land). As far as possible the divisions of the whole narva of one rupee into annas contained all these six parts and ensured equal enjoyment with co-sharers. But in course of time this equality of enjoyment has not been maintained owing to a variety of causes. The narva tenure, therefore, which years ago was so much admired and coveted as the one which brought its holders under the special care of the Sarkár and which secured some perquisites and powers, is now gradually losing its hold upon the affection and imagination of this class of landholders, who are now treated as ordinary rayats and yet compelled to pay even more than the actual assessment of the soil. And yet it is a tenure which, if properly looked after and fostered, is likely to spread contentment and prosperity. Every endeavour therefore to reconstitute it and to make it really what its name "nirwah" (maintenance) connotes, must command the grateful approbation of all the narvádárs.

The most important condition of the narva is that it cannot be sold or mortgaged piecemeal. Only a whole of the recognized share can be sold or mortgaged. The benefits of this wholesome condition are apparent. But in practice this condition is not infrequently broken. Instead of selling or mortgaging their holdings some narvádárs either for greed or for need lease them for long terms of hundred or thousand years and thus defeat the very object for which the condition was imposed. Now that the Act No. V of 1862 is to be amended by the present Bill such evasions of law may be made impossible in future by the insertion of a section making all such transactions illegal. If there are persons who are thus trying to defeat the object of the Act and to curtail the acreage of the narva-land cases may be cited where even the sale of a piece of a share of narva-land is recognized by Government on the purchaser passing an agreement that he would take up the whole share in case of the original sharer turning out a defaulter. Such or similar transactions wherever they have taken place need not be disturbed by giving any retrospective effect to the Act. But it is absolutely necessary to provide against future evasions of the Act if the narva-land is to be made immune from diminution and consequent deterioration.

In these times of progress and many-sided activities land is required for a variety of purposes of public utility, such as railways and canals. It is not possible to refuse the demand for even narva-land for such useful purposes; at the same time, any diminution of the narva-land cannot be looked upon except as a serious injury to the narva-tenure.

Instead of payment in cash to the holder of a piece of narva-land for dispossessing him of it, it is, I respectfully submit, not quite impossible to substitute his piece by another. The price-money may be given to the holder of the other piece who will have no cause of complaint, while the narva as a whole will remain undiminished by this process. It may entail some work on Revenue-officers and may even necessitate a change in records, but it carries out the object of the Narva Act. With these suggestions I beg to support the Bill in the confident belief that the suggestions made by me will be considered in Committee.

The Honourable Sardár DAVAR KAIKHOSRO EDALJI MODI said :—Your Excellency,—The Act of 1862 was originally passed to secure the permanency of bhágdári or narvadári tenures as it was found that the bhágdárs mortgaged their farms right and left along with their household things to sávkárs and the Government was afraid that this valuable and ancient tenure would in course of time become extinct. There were cogent reasons for preserving this tenure, particularly in the northern parts of Gujarát, and with this view the legislation was then undertaken. The Act was originally drafted by Sir MICHAEL WESTROFF (then Mr. WESTROFF) and was passed by the Bombay Council. It is very necessary that the present Bill should be passed, because, while it enables the Government to secure their revenue, it at the same time prevents alienation of the bhág. This is all the more necessary as there have been cases in which former Collectors have disregarded the provisions of the Act, some taking one view of section 3 of the Act, while others have been taking another view. This amending Bill is a very necessary and welcome amendment, but I suggest that some opportunity might be given for making minor but important additions. There are fields and properties which, although they may appear in the Government record as in the possession of bhágdárs, are really in the possession of sávkárs. In this matter notwithstanding repeated and clear Resolutions of the Bombay Government the Collector's powers have not been used quite in the way in which the original framers of the Act intended, and have proved detrimental to the interests of the rayats in cases where bhágdárs have put themselves in the lands of sávkárs. The object of the system is to enable the families of the rayats to remain in fixed occupation of their lands from generation to generation. It produces attachment to the soil, promotes social prestige and status, and enables them to weather the storms and ravages of war. It is desirable that in order to preserve this tenure some small but important additions should be made to the Bill, though its principle I heartily approve.

The Honourable Sardár Ráo Bahádur MOTILAL CHUNILAL :— I have had some experience of the working of the Bhágdári and Narvadári Act, and if this experience counts for anything, my humble opinion is that the Act is one which deserves to be repealed. Whatever may have been the origin of the tenure, it often works unfairly and encourages dishonest Bhágdárs and Narvadárs to defraud honest creditors under its protection. There is no *detailed* public record kept of the lands and gabháns, *i. e.*, building-sites, of individual Bhágdárs and Narvadárs, except what the Narvadárs themselves have, and therefore when a Narvádár or Bhágdár tries to raise a loan on the security of his lands or wishes to sell his lands, the creditor or purchaser relies upon what the borrower chooses to state in regard to the area of the land and building-site forming his Bhág or Narva. The dishonest Narvádár gives in a list of his holding, omitting therefrom one field or a plot of building-site, and the creditor or purchaser, being ignorant of the Narvádár's actual holding, accepts his statement and pays him the

money. After the lapse of some years the Narvádár applies to the Collector that a dismemberment of his Narva has taken place and an inquiry is set in motion. Judicious Collectors have in many cases refused to restore the Bhág where evidence has satisfied them of the dishonest intentions of the seller, but it has also happened that the Act has been taken advantage of in restoring Narvás, the dismemberment of which could not have taken place had the Narvádár been honest. If I am correctly informed, out of some 90 villages in the Broach district alone, only 3 are in favour of maintaining the Bhágdári Tenure Act, and the remaining 87 are against it. I have not myself read the correspondence which has necessitated the introduction of the Bill, because it has not been supplied to me. I am therefore not in a position to express my views and arguments as to what is contained in the correspondence, but if, as I hear, the majority of the Bhágdárs and Narvádárs are not in favour of the Act it is unnecessary to go against their wishes. If the Bill is passed, many settled questions might be re-opened and new complications might be created. I am, however, not going to oppose the Bill solely because not having seen the correspondence above referred to, I am not aware that a strong case has not been made out for amending the Act, but if the words "provided also that the Collector is satisfied that the dismemberment of the Bhág or Narvá has not taken place through dishonest intentions on the part of the Bhágdár or Narvádár" are added as second proviso to sub-section (1) of section 6 in clause 3, I have no objection to the Bill being passed, as it will protect people against dishonest transactions.

The Honourable Sir JOHN MUIR MACKENZIE :—The previous speakers have mostly referred to the defects in the Act itself. I would like to point out that this Bill is limited strictly by its preamble to "further amendments of the Act of 1862," and any amendments of the Act itself not contained in this Bill would I think hardly be in order, and I think it would be difficult for us to take up these suggested amendments, but as there is a good deal of difference of opinion with regard to the reconstitution of Bhágs and the conditions under which they should be reconstituted—if they are to be reconstituted—for this reason I shall not ask the Council to pass the Bill at once but shall move, if the first reading is carried, that it be referred to a Select Committee.

The first reading was carried, and, on the motion of the Honourable Sir JOHN MUIR MACKENZIE, was referred to a Select Committee consisting of the mover, the Honourable Mr. CARMICHAEL, the Honourable Sardár Ráo Bahádur MOTILAL CHUNILAL, the Honourable Sardár DÁVAR KATKHSRO EDALJI MODI, the Honourable Mr. PAREKH and the Honourable the THAKOR OF AMOD.

BILL No. II OF 1910 (A BILL FURTHER TO AMEND THE BOMBAY HEREDITARY OFFICES ACT AND THE MATÁDÁRS ACT, 1887).

The Honourable Sir JOHN MUIR MACKENZIE, in moving the first reading of a Bill further to amend the Bombay Hereditary Offices Act and the Matádárs Act, 1887, said :—In moving that this Bill be read a first time it seems advisable that I should say a few words in supplement of the Statement of Objects and Reasons. The first provision to which I desire to draw attention is proviso (1) to section 36 in sub-clause (1) of

The Honourable Sir JOHN MUIR MACKENZIE moves the first reading of a Bill further to amend the Bombay Hereditary Offices Act and the Matádárs Act, 1887.

clause 2 of the Bill. The intention of that provision is to secure that in the devolution of representative vatandárships the rule ordinarily prevailing shall be that of lineal primogeniture. The provision leaves it open for the ordinary rule to be departed from whenever it is proved to the satisfaction of the officer holding an inquiry that there is a contrary custom in the vatan, that is, that it has been the practice to register the name of the nearest heir by proximity even when he does not happen to be the head of the family by lineal primogeniture. The most familiar case is that illustrated in the Statement of Objects and Reasons, where the question of succession lies between the grandson and the brother of the deceased. According to the new provision the succession will be secured in the generality of cases to the grandson. This we believe to have been the intention of the framers of the Vatan Act and to be in accordance with the general sentiment of the country. The decisions of the Courts are not quite clear, but on the whole seem to lean to this view. As regards the sentiment I may mention that in the earlier years of my service I had to frame a large number of vatan registers and to decide questions similar to this pretty frequently. I always decided for the grandson, and do not recollect any instance of my decision being interfered with or even seriously called in question. There have, however, been instances of contrary decisions, largely based upon what I believe to be erroneous views of the law, and in some of these cases the registering officer has given succession to the brother, even although the latter was willing to give way to the grandson. In these circumstances we have thought it right to have declared in the law what the custom of the country undoubtedly is in the great majority of cases, and to secure devolution in conformity with the general policy of the Act. I should not omit to mention that we consulted several members of the late Legislative Council as to the soundness of this amendment, and they concurred in it. The other provisos to section 36 in sub-clause (1) of clause 2 are designed to secure that the vatan, on failure of direct male heirs of any deceased representative vatandár, should remain in the same takshim and should be divided equally among the remaining representative vatandárs of the takshim when there are any remaining. The last of these provisos also secures that the share of the vatan belonging to any takshim shall not lapse to Government so long as there is a representative vatandár to be found in any other takshim. This provision is distinctly liberal to the vatandárs.

The reason for proviso (3) is that the Courts in granting certificates are very prone to lose sight of the custom of primogeniture in the devolution of vatans, and it is not convenient therefore to have the Collector absolutely bound by their decision as he is under the present law.

Sub-clause (6) of clause 2 is another very useful amendment, which will secure uniformity of rulings where much vexatious diversity has prevailed, and will prevent the appointment as deputies of persons not belonging to the vatan, a practice which is certainly contrary to custom and sentiment, but which has been facilitated by the restrictive definition which is given to the word 'family,' a definition which seems to exclude even persons descended from the same original vatandár, when he belongs to a family which has not been accorded separate registration under the Act.

Sub-clause (9). This extends the penalty of forfeiture to vatans of villages other than the village in which the offence occurred. Forfeiture is of course extremely rare, but when it is inflicted it is right that it should be extensible to the whole of the vatan rights of the offending vatandár.

Sub-clause (10) of the same clause is in accordance with the recommendations of the Decentralization Commission and will save many petty references to Government.

Sub-clause (11). It will be generally recognized that the offence of harbouring dacoits is one for which forfeiture may be most rightly incurred. There can be no doubt that if the offence had been specified in the Penal Code at the time when the Vatan Act was passed it would have been included in the Schedule of offences for which forfeiture was made a penalty.

I do not think that any further explanation of the reasons for the provisions of the Bill is necessary at the present stage, but I shall of course be ready to give any further explanations which may be required by Honourable Members in the course of discussion, and, of course, all the provisions of the Bill will be carefully examined and modified so far as may seem necessary in Select Committee.

The Honourable Mr. PAREKH :—Your Excellency,—I do not know whether with regard to this Bill the vatandárs themselves wish to have the change that is intended to be made in the Act and whether they have been asked to express their opinion in the matter. In reference to the question of primogeniture I agree with the honourable mover that the rule should be as he has pointed out. There is no question that it must be the eldest member of the family by lineal primogeniture who should have the succession; and if it be a mere question of excluding the right of Government to escheat I do admit that it is a liberal provision. But as to the question of excluding a certain class of heirs altogether I think this Bill makes no provision whatever. Particularly in Gujarát I see that many vatandárs desire to have the daughter and the daughter's son, and the sister and the sister's son, brought in the place of vatandárs themselves. There is a strong desire to this effect, and when the Vatandár Settlement Commission sat in Gujarát, the vatandárs of two districts clearly said that they acquired their vatans through females and they wished that they should go to the females. I understand that there is the same feeling among the vatandárs even now. I therefore think that male succession may be allowed, say, to five or six degrees, and the succession of 'pitrai' and the exclusion of females to that extent may be recognized. It would be in accordance with the sentiments of the community, but when you come to more distant relations and to pitrais who are more than six degrees removed, I think in those cases the sentiment generally is that the claims of the daughter and the daughter's son, or the sister and the sister's son, should not be set aside in their favour. Therefore, even in the same branch, I should wish that there should be a limitation as where the claims of 'pitrais' and of daughters' sons and sisters' sons may stop. This is important, as Courts in Gujarát have held in cases of Narva tenures that daughters' sons and sisters' sons are not excluded from succession. With reference to other branches, I think although they may have descended from the same common ancestor, the members of those branches ought not to be allowed to come in until the descendants of the man himself or the descendants of the man's father have been exhausted. I think it is necessary to decide whether the daughter and the daughter's son, and the sister and the sister's son, should be completely excluded, or whether they are entitled to come in, and, if so, at what stage. Again, I may point out in connection with this matter that when settlements were made in Gujarát the understanding was that the vatandárs' daughters' sons and sisters' sons would be entitled to inherit particular vatans after the settlement. Then came the Act of 1865, and I do not think that at the time when

that Act was passed it was the intention of the framers that with regard to the settled vatans the understanding that had been arrived at should be departed from. But somehow or other the Courts have subsequently given a different interpretation to the Act and held that even though the settlement had taken place in Gujarát the provisions of the Act of 1886 applied to it, and that by it the daughter and the daughter's son and the sister and the sister's son have been excluded from succession and pitraia only are entitled to succeed. That looks like a breach of faith. But the Courts are bound to administer the law as they interpret it. This is the state of the law as it now exists, and if any amendment of the Hereditary Offices Act is taken up I think this matter should be included in it. I will conclude by expressing the hope that the Select Committee will give it due consideration.

The first reading was carried, and the Bill was referred to a Select Committee consisting of the Honourable Sir JOHN MUIR MACKENZIE, the Honourable Mr. CHAUBAL, the Honourable Mr. CARMICHAEL, the Honourable Sardár YESHAVANTRAO MIRIKAR, the Honourable Mr. GARUD, the Honourable Mr. PAREKH, the Honourable Mr. MOBISON and the Honourable Mr. NATU.

DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST.

Central accommodation for public offices and Law Courts in Karáchi.

The Honourable Mr. HARCHANDRAI VISHINDAS moved:—"That the people of Karáchi in general and the mercantile community in particular, having frequently moved for the location of all the Law Courts and public offices in one central place, and Commissioners in Sind, like Sir CHARLES PRITCHARD and Sir EVAN JAMES, having expressed sympathy with the proposal, and plans having been drawn up long since, the Governor in Council be recommended to be pleased to carry out at the earliest possible opportunity the erection on one central site of a block of buildings to accommodate all the Karáchi Law Courts including the Small Cause Court and the Magisterial Courts and all public offices such as the Collector's katcheri including the Stamp, Registration, Currency and Land Record offices."

He said:—"Your Excellency,—As this is not a resolution in the nature of an amendment to the revised Financial Statement, and as it is only a recommendation to Government to make provision for a certain object in a future budget, I do not think Government will be embarrassed in any way with regard to their future policy if this resolution is carried. I will now give the Council a brief history of the question. At present the several buildings which form the subject of this resolution, namely, the Collector's katcheri, the Stamp, Registration, Currency and Land Record offices, etc., are scattered over a large area, and the principal Courts of the city are at the distance of about one and a half miles from the katcheri. The inconvenience caused by this has been admitted by high officers of Government, such as Sir CHARLES PRITCHARD and Sir EVAN JAMES, who have expressed the opinion that all public buildings should be located as far as possible in one place. Plans and estimates have been drawn up for the purpose, but somehow or other they have been hanging fire for a long time. The matter has even been mentioned in this Council by my honourable friend Mr. WEBB. Again, last year Your Excellency graced our Province with a visit, when in their address the Karáchi Chamber of Commerce approached Your Excellency on the subject in these words:

"For many years past the mercantile community have been pressing upon the attention of Government the desirability of locating the public offices in one central situation. Seven years ago we were informed that as soon as the old jail site (in the centre of the city) became vacant this matter would be taken up. The old jail has now been removed, the site is available, and we beg Your Excellency may sanction the early transfer thereto of all the Law Courts, the Collector's office and katcheri, the Currency and Stamp office of the Sub-Registrar, the City Deputy Collector, Muktiárkar and such others as may prove convenient. We consider that the immediate grouping of these offices is a matter of urgency, as their present scattered situation is a source of much inconvenience and loss of valuable time." Your Excellency in reply said: "I agree with you that the concentration of public offices in one locality would be a great convenience to the public of Karáchi. The question has not been lost sight of, and plans are now under preparation for the utilization of the old jail site for a number of public offices." My information is that plans had been prepared, but as some amendment was to be made Your Excellency's reply was to this effect. But I may point out that my resolution is of an elastic character and does not confine itself to what is called the old jail site. It has been necessarily so worded because I have heard some faint echoes that there is an objection, with which, however, I do not agree, to the old jail site on account of plague having raged in the locality. I submit that it needs no particular reasoning or argument to satisfy the Council that the resolution I am moving is quite sound in principle. In Karáchi we have men of business like in Bombay, and they do not like to go long distances when they have to transact business. And in this category I include both the European and Indian members of the mercantile community there. I will conclude by saying that the plans and estimates have been before Government for a long time and I am disappointed that no provision has been made for the buildings in this year's budget.

The Honourable Mr. JENKINS :—I am well acquainted with the scheme alluded to in the resolution because I was present at its inception 21 years ago and I know the stages through which it has passed since. First of all, we had to get rid of the jail and to build a new one and after that there were other delays, but it is not for me to say where the responsibility for the delay lies. It seems to me, however, that the result may not be unfortunate, for proposals, I understand, are about to be put forward for the transfer from the military authorities of the Artillery parade ground, a measure which would be of very great benefit to the City of Karáchi. It has been suggested that the most suitable site for the new offices would be on some portion of this parade ground. At any rate it is necessary to hold our hand before we decide which site should be utilized; but steps will be taken to come to a decision as soon as possible. I can assure the Honourable Member that Government have been very anxious that the Government offices should be located in one place, and the matter will not be lost sight of but will be pushed on as quickly as possible. With the present energetic Commissioner Mr. Lucas, I think there is every chance that the matter may, at any rate, be set going within the next two months. We fully accept the Honourable Member's resolution, subject, of course, to the provision of funds which must depend upon our resources.

The Honourable Mr. M. DE P. WEBB :—I should like it to be placed on record that so far as the mercantile community is concerned the only site which in their view will meet the requirements of the case is the old jail site. If Mr. HARCHANDRAI can see his way to substitute for the words "on a central site" the words "the old jail site" I shall

be happy to support his resolution. Otherwise I propose to move an amendment that the words "old jail site" be substituted "for a central site."

The Honourable Mr. HARCHANDRAI:—I am quite prepared to accept the amendment of the Honourable Mr. WEBB.

The Honourable Mr. JENKINS:—We are prepared to accept Mr. HARCHANDRAI's original proposition, but we cannot do so if it is to include Mr. WEBB's amendment. Before Government could arrive at a decision they would want to know not merely the opinion of the mercantile community in Karachi but the opinion of the general community of Karachi—lawyers, their clients and all others concerned. We are not prepared to commit ourselves to having the building placed on the old jail site, and if Mr. WEBB desires to press his amendment I am afraid we must put it to the vote.

The Honourable Sir PHEROZESHAH MEHTA:—I confess I have heard with the greatest interest the observations that have fallen from the Honourable Mr. JENKINS. I am delighted to find that there are other bodies besides the Bombay Municipal Corporation who have to plead justification for delay. The inception of this scheme began twenty-one years ago, and it is not improbable it will take twenty-one years more before anybody sees anything of these buildings.

The Honourable Mr. WEBB:—In view of the fact that the Honourable mover of the resolution recognises the soundness of my amendment which however Government are not at the moment prepared to accept, I do not propose to press the amendment; I merely want the view that I have expressed to be placed on record.

The amendment was withdrawn and the original resolution was carried.

Establishment of a High School at Larkana.

The Honourable Mr. HARCHANDRAI VISHINDAS next moved:—"That Larkana in Sind having considerably grown since it was formed into a separate district, and the inhabitants keenly feeling the want of a separate high school and having applied to Government for the same, that the Governor in Council may be pleased to provide for the establishment of a high school at Larkana in the general scheme for secondary education in Upper Sind under the consideration of the Educational Department."

He said:—This resolution is an answer to the Honourable Mr. LALLUBHAI's proposal, which, I am happy to say, has been negatived. Your Excellency, Larkana is a place which has been created by partition of Sind. This district has been made of certain portions of Karachi, Sukkur and some other district. It is situated in the centre of Sind and is most fertile in agriculture. The people of that district memorialised Government about twelve months ago for a high school. It has been the policy of Government, and it has been declared by Government, that every district should have a separate high school. According to the memorialists educational officers have from time to time recommended the establishment of a high school in Larkana, and they added in their memorial that while a small district like the Panch Mahals had a high school of its own it was a pity that they should have none. I am sure we all here have the interest of education at heart, and the efforts to have the educational wants of this district supplied will be duly appreciated. At first I had framed my resolution in a different form, but being informed by the Secretary, Educational Department, that the scheme was under the consideration of the Director of Public Instruction, I modified it in its present shape.

The Honourable Mr. JENKINS :—With regard to this resolution Government fully recognize that Lárkána, having now attained the status of the Head Quarters of a wealthy and populous district, is fully entitled to a high school. This would be in pursuance of the policy of Government that there should be at the Head Quarters of each district a well staffed fully equipped High School which may serve as a model school. Government therefore accept this resolution subject to the condition that the provision of the school must depend upon our resources. We cannot agree to carry it out in any definite time, but as soon as our resources permit Lárkána shall have its school.

The resolution was carried.

The Council then adjourned *sine die*.

By order of His Excellency the Honourable the Governor,

G. D. FRENCH,

Bombay, 12th March 1910.

Secretary to the Legislative Council.

APPENDICES

TO THE

PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF THE
GOVERNOR OF BOMBAY ASSEMBLED ON THE 12TH MARCH 1910.

APPENDIX A.

Year.	Total expenditure of the Board in round figures.	Expenditure sanctioned under last clause of section 45 of the Bombay Local Boards Act, 1884.	Of the amount in column 3, the sum expended outside the limits of the district, if any.	Percentage of column 3 on column 2.	Percentage of column 4 on column 2.
1	2	3	4	5	6
<i>Ahmedabad.</i>					
	Rs.	Rs.	Rs.		
1898-99	2,29,000	5,617	.....	2.488	.....
1899-1900	2,10,000	17	.....	.008	.....
1900-01	1,65,000	67	.....	.041	.....
1901-02	1,66,000	67	.....	.041	.....
1902-03	1,89,000	367	.....	.194	.....
1903-04	2,24,000	367	.....	.164	.....
1904-05	2,03,000	367	.....	.181	.....
1905-06	2,05,000	367	.....	.179	.....
1906-07	2,70,000	667	.....	.247	.....
1907-08	2,79,000	667	.....	.231	.....
1908-09	3,02,000	667	.....	.221	.....
<i>Kaira.</i>					
1898-99	2,48,000	17	17	.007	.007
1899-1900	2,53,000	17	17	.006	.006
1900-01	1,78,000	17	17	.009	.009
1901-02	1,93,000	17	17	.008	.008
1902-03	2,18,000	627	127	.288	.058
1903-04	2,17,000	1,102	277	.51	.128
1904-05	2,18,000	6,641	527	3.046	.24
1905-06	2,81,000	28,906	777	10.28	.276
1906-07	2,47,000	2,402	277	.971	.112
1907-08	2,94,000	2,102	277	.714	.097
1908-09	2,75,000	2,102	277	.763	.1
<i>Panch Mahals.</i>					
1898-99	80,000	5,012	12	6.25	.001
1899-1900	49,000	192	12	3.918	.024
1900-01	40,000	192	12	.48	.03
1901-02	48,000	192	12	.408	.025
1902-03	54,000	192	12	.355	.02
1903-04	69,000	192	12	.278	.017
1904-05	68,000	192	12	.29	.018
1905-06	66,000	300	12	.45	.018
1906-07	79,000	300	12	.379	.015
1907-08	1,07,000	325	12	.303	.011
1908-09	1,22,000	300	12	.245	.009

Year.	Total expenditure of the Board in round figures.	Expenditure sanctioned under last clause of section 45 of the Bombay Local Boards Act, 1884.	Of the amount in column 3, the sum expended outside the limits of the district, if any.	Percentage of column 3 on column 2.	Percentage of column 4 on column 2.
1	2	3	4	5	6
<i>Broach.</i>	Rs.	Rs.	Rs.		
1898-99	2,64,000	517	17	.185	.006
1899-1900	2,49,000	17	17	.007	.007
1900-01	1,80,000	17	17	.009	.009
1901-02	1,88,000	17	17	.009	.009
1902-03	2,18,000	17	17	.008	.008
1903-04	1,88,000	17	17	.009	.009
1904-05	1,87,000	17	17	.01	.01
1905-06	2,36,000	17	17	.007	.007
1906-07	2,18,000	17	17	.008	.008
1907-08	2,96,000	17	17	.006	.006
1908-09	3,14,000	17	17	.005	.005
<i>Surat.</i>					
1898-99	2,73,000	285	17	.104	.006
1899-1900	2,45,000	448	17	.18	.007
1900-01	2,70,000	458	17	.169	.006
1901-02	2,75,000	489	17	.177	.006
1902-03	2,49,000	1,634	17	.656	.006
1903-04	2,46,000	2,508	17	1.018	.006
1904-05	2,58,000	960	17	.379	.006
1905-06	3,28,000	1,960	17	.601	.005
1906-07	3,25,000	960	17	.295	.005
1907-08	3,63,000	2,100	17	.57	.004
1908-09	3,92,000	1,514	17	.386	.004
<i>Thána.</i>					
1898-99	2,25,000	68	.....	.03	.....
1899-1900	2,46,000	.....	.....	.....	.....
1900-01	2,19,000	50	.....	.022	.....
1901-02	2,42,000	720	.....	.297	.....
1902-03	2,32,000	720	.....	.31	.....
1903-04	2,58,000	720	.....	.28	.....
1904-05	3,38,000	945	.....	.279	.....
1905-06	3,47,000	945	.....	.271	.....
1906-07	3,35,000	945	25	.282	.007
1907-08	3,80,000	945	25	.248	.006
1908-09	3,84,000	1,145	275	.298	.071
<i>Ahmednagar.</i>					
1898-99	1,77,000	150	150	.084	.084
1899-1900	1,78,000	150	150	.084	.084
1900-01	1,87,000	130	130	.077	.077
1901-02	1,28,000	130	130	.101	.101
1902-03	2,10,000	370	130	.176	.06
1903-04	1,72,000	370	130	.215	.075
1904-05	1,78,000	370	130	.21	.073
1905-06	2,15,000	430	130	.2	.06
1906-07	2,16,000	370	130	.171	.06
1907-08	2,38,000	550	130	.233	.055
1908-09	2,87,000	370	130	.137	.048

Year.	Total expenditure of the Board in round figures.	Expenditure sanctioned under last clause of section 45 of the Bombay Local Boards Act, 1884.	Of the amount in column 3, the sum expended outside the limits of the district, if any.	Percentage of column 3 on column 2.	Percentage of column 4 on column 2.
1	2	3	4	5	6
<i>Khândesh.</i>					
	Rs.	Rs.	Rs.		
1898-99	3,61,000	4,603	.....	1 275	.....
1899-1900	4,36,000	10,534	.....	2 416	.....
1900-01	3,25,000	3,831	.....	1 178	.....
1901-02	3,36,000	5,321	.....	1 583	.....
1902-03	3,64,000	5,850	.....	1 607	.....
1903-04	4,25,000	5,917	.....	1 392	.....
1904-05	4,83,000	5,637	.....	1 167	.....
1905-06	5,75,000	10,120	.....	1 76	.....
1906-07	6,01,000	24,161	.....	4 02	.....
1907-08	7,33,000	27,596	.....	3 764	.....
1908-09	6,27,000	16,603	.....	2 648	.....
<i>Nâsik.</i>					
1898-99	1,60,000	.....	.....	.....	.....
1899-1900	2,23,000	.....	.....	.....	.....
1900-01	1,18,000	.....	.....	.....	.....
1901-02	1,44,000	.....	.....	.....	.....
1902-03	1,99,000	.....	.....	.....	.....
1903-04	1,56,000	.....	.....	.....	.....
1904-05	1,94,000	.....	.....	.....	.....
1905-06	2,20,000	.....	.....	.....	.....
1906-07	1,98,000	.....	.....	.....	.....
1907-08	2,29,000	.....	.....	.....	.....
1908-09	2,61,000	2,150	.....	823	.....
<i>Poona.</i>					
1898-99	2,19,000	1,100	1,000	502	456
1899-1900	1,82,000	3,601	1,000	1 973	052
1900-01	1,63,000	100	.....	061	.....
1901-02	1,57,000	1,405	1,000	894	636
1902-03	1,86,000	1,150	1,000	618	537
1903-04	2,09,000	1,150	1,000	555	478
1904-05	2,14,000	1,294	1,000	604	467
1905-06	2,44,000	2,650	1,000	1 086	409
1906-07	2,01,000	2,203	1,000	1 096	498
1907-08	2,92,000	1,750	1,000	539	338
1908-09	2,82,000	1,200	1,050	411	372
<i>Sâtâra.</i>					
1898-99	2,36,000	300	100	127	042
1899-1900	2,90,000	300	100	103	034
1900-01	2,34,000	300	100	123	042
1901-02	2,29,000	352	100	153	043
1902-03	2,50,000	464	100	185	04
1903-04	2,45,000	500	100	204	04
1904-05	2,47,000	300	100	121	04
1905-06	2,60,000	300	100	115	038
1906-07	2,27,000	370	100	163	044
1907-08	2,29,000	370	100	161	043
1908-09	3,47,000	2,370	100	682	028

Year	Total expenditure of the Board in round figures.	Expenditure sanctioned under last clause of section 45 of the Bombay Local Boards Act, 1884.	Of the amount in column 3, the sum expended outside the limits of the district, if any.	Percentage of column 3 on column 2.	Percentage of column 4 on column 3.
1	2	3	4	5	6
<i>Sholapur.</i>					
	Rs.	Rs.	Rs.		
1898-99	1,55,000	.....	.....	.....	.....
1899-1900	1,05,000	.....	.....	.....	.....
1900-01	1,37,000	.....	.....	.....	.....
1901-02	1,30,000	1,750	.....	1-346	.....
1902-03	1,42,000	.....	.....	.....	.....
1903-04	1,24,000	1,000	.....	.....	.....
1904-05	1,37,000	.....	.....	.....	.....
1905-06	1,43,000	5,530	.....	3-867	.....
1906-07	1,25,000	6,590	.....	5-272	.....
1907-08	1,74,000	3,640	.....	2-091	.....
1908-09	1,95,000	590	.....	.....	.....
<i>Belgaum.</i>					
1898-99	2,35,000	2,762	.....	1-175	.....
1899-1900	2,19,000	2,762	.....	1-261	.....
1900-01	1,88,000	2,762	.....	1-469	.....
1901-02	1,92,000	2,762	.....	1-438	.....
1902-03	2,17,000	3,847	.....	1-772	.....
1903-04	2,27,000	2,762	.....	1-216	.....
1904-05	2,10,000	2,762	.....	1-315	.....
1905-06	2,34,000	2,862	.....	1-265	.....
1906-07	2,35,000	2,882	.....	1-265	.....
1907-08	2,28,000	4,862	.....	2-132	.....
1908-09	3,29,000	2,862	.....	.....	.....
<i>Bijapur.</i>					
1898-99	1,83,000	115	.....	.....	.....
1899-1900	1,79,000	6,261	.....	3-497	.....
1900-01	1,69,000	115	.....	.....	.....
1901-02	1,48,000	275	.....	.....	.....
1902-03	1,74,000	275	.....	.....	.....
1903-04	1,66,000	350	.....	.....	.....
1904-05	1,82,000	275	.....	.....	.....
1905-06	2,23,000	275	.....	.....	.....
1906-07	2,07,000	975	.....	.....	.....
1907-08	2,32,000	1,075	100	.....	.....
1908-09	2,47,000	3,575	100	1-447	.....
<i>Dhárwar.</i>					
1898-99	2,98,000	30	.....	.....	.....
1899-1900	3,15,000	300	.....	.....	.....
1900-01	3,00,000	300	.....	.....	.....
1901-02	2,50,000	300	.....	.....	.....
1902-03	2,79,000	300	.....	.....	.....
1903-04	3,09,000	300	.....	.....	.....
1904-05	3,00,000	300	.....	.....	.....
1905-06	3,34,000	300	.....	.....	.....
1906-07	3,14,000	700	.....	.....	.....
1907-08	3,29,000	1,620	100	.....	.....
1908-09	3,28,000	700	.....	.....	.....

Year.	Total expenditure of the Board in round figures.	Expenditure sanctioned under last clause of section 45 of the Bombay Local Boards Act, 1884	Of the amount in column 3, the sum expended outside the limits of the district, if any.	Percentage of column 3 on column 2.	Percentage of column 4 on column 2.
1	2	3	4	5	6
<i>Kánara.</i>					
	Rs.	Rs.	Rs.		
1898-99	1,15,000	120	.....	-104	.....
1899-1900	1,13,000	120	.....	-106	.....
1900-01	1,13,000	370	.....	327	.....
1901-02	1,24,000	360	.....	-29	.....
1902-03	1,22,000	380	.....	-29	.....
1903-04	1,38,000	360	.....	-25	.....
1904-05	1,27,000	360	.....	-288	.....
1905-06	1,16,000	360	.....	-301	.....
1906-07	1,47,000	390	.....	-265	.....
1907-08	1,46,000	1,790	.....	1,225	.....
1908-09	1,51,000	1,840	50	1,218	-033
<i>Kojába.</i>					
1898-99	1,41,000	186	.....	-131	.....
1899-1900	1,30,000	738	.....	-604	.....
1900-01	1,28,000	236	.....	-184	.....
1901-02	1,34,000	386	.....	-288	.....
1902-03	1,44,000	356	.....	-268	.....
1903-04	1,44,000	336	.....	-233	.....
1904-05	1,33,000	336	.....	-243	.....
1905-06	1,62,000	423	.....	-262	.....
1906-07	1,87,000	540	.....	-294	.....
1907-08	2,30,000	640	.....	-284	.....
1908-09	2,13,000	695	100	-326	-046
<i>Rainágeri.</i>					
1898-99	1,17,000	.....	.....	.....	.....
1899-1900	1,29,000	.....	.....	.....	.....
1900-01	1,34,000	.....	.....	.....	.....
1901-02	1,18,000	100	.....	-084	.....
1902-03	1,32,000	.....	.....	.....	.....
1903-04	1,26,000	4,080	.....	3,238	.....
1904-05	1,31,000	4,080	.....	3,114	.....
1905-06	1,57,000	6,080	.....	3,872	.....
1906-07	1,69,000	4,080	.....	2,414	.....
1907-08	1,60,000	4,080	.....	2,566	.....
1908-09	1,97,000	4,580	.....	2,324	.....

APPENDIX B

Statement showing Annual Revenue and Expenditure of the Káthidádr Customs Line for three years ending 1908-09.

Names of Heads.		1906-07.		1907-08.		1908-09	
<i>Revenue.</i>		Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
Import Duty	...	70,987	2 9	76,888	14 6	71,814	4 6
Export Duty	...	4,783	5 2	3,522	2 7	6,292	8 1
Fines and Forfeitures	...	1,387	2 5	1,254	0 0	518	4 3
Miscellaneous	...	49	11 3	27	14 2	18	7 3
Total	...	77,207	5 7	81,692	15 3	78,648	8 1
<i>Expenditure.</i>							
Pay of the Establishment	...	27,896	11 11	27,195	11 4	27,260	7 4
Grain Compensation Allowance...	...	88	12 1	897	14 11	530	6 2
Travelling Allowance	...	2,634	1 9	2,315	12 0	2,344	14 7
Petty Construction and Repairs	...	1,369	11 9	1,284	6 0	732	15 0
Rewards	...	592	4 6	457	11 5	309	2 9
Clothing Charges	...	406	12 0	1,198	8 0	1,198	8 0
Rents	...	1,921	14 7	1,963	1 8	1,914	6 4
Miscellaneous Charges	...	1,251	15 10	1,028	4 11	989	2 5
Total	...	36,137	4 5	35,841	6 3	35,279	14 7
<i>Add—Expenditure under Refunds</i>	...	13,417	9 2	6,806	12 0	2,798	14 7
GRAND TOTAL	...	49,554	13 7	42,448	2 3	88,078	13 2

APPENDIX C.

Resolution No. II passed at the First Sind Provincial Conference held at Sukkur on the 17th and 18th April 1908, received with the letter from the President of the Conference, dated 7th May 1908:—

That this Conference prays for the abolition of the rule under which a survey number being fallow for five years is forfeited unless it pays assessment in the fifth year. It serves no useful purpose but on the contrary has been found in practice to operate with hardship on the occupant. The right of the occupant during the continuance of the forfeiture has been admitted by Government as also the anxiety of the Zamindárs to cultivate as much land as they profitably can.

Resolution No. I passed at the General Meeting of the Sind Jághirdárs and Zamindárs Association held at Hyderabad on 21st September 1909, received with the letter from the President of the Association, dated 26th October 1909:—

That Rule 4 of the Sind Fallow Rules is operating most severely and unfairly on the Zamindárs and that the Government should therefore be moved to please see its way to abolish the same.

. True copies,

A. E. SERVAL,

Superintendent, Revenue Department.

APPENDIX D.

Hyderabad, Sind,
Dated 17th September 1909.

From

THE HONOURABLE MR. G. M. BHURGRI,
Barrister-at-Law;

To

THE CHIEF SECRETARY TO THE GOVERNMENT OF BOMBAY.

Sir,

You may be aware that at the last meeting of the Bombay Legislative Council I spoke on the subject of the Sind Fallow Rules and urged that they may be either abolished altogether or modified in the last resource. I now take this opportunity to place before you in full my reason for advocating this step. I have also sent a copy of this to the Commissioner in Sind.

2. Before going into the question of the expediency or justice of the Fallow Rules, I would remind you of one fact, which I am afraid has been lost sight of by the officials of the present régime, when considering the zamindari questions. The result has been that severe steps are taken every now and then, most prejudicial to the interests of zamindars. I am referring to the fact that the zamindars in Sind had the proprietary right over the land they hold, and that they have been deprived of the same without any justification or legal authority. Sind was under Mahomedan Rule for eleven centuries before the British conquest, and the Mahomedan law regulated the rights to the land throughout this period.

According to the Mahomedan law, he who cultivates the land with the permission of the Imám, or Ruling authority is the proprietor of the soil, and the absolute resumption of the proprietor's right for neglect of tillage or default of payment of revenue is unlawful. The Tálpurs also adopted the same law. The Mahomedan law is clear on the point and even now some papers can be seen in which the Kázi's *fatwah* in the time of the Tálpurs has restored such rights against the acts of the servants of the State. When any zamindar's land was given to any other person for neglect or default, the proprietor nevertheless continued to enjoy his own dues and was never deprived on his right.

3. This proprietary right of the zamindars was fully known to the early Sind officials, and their clear opinion about it will be borne out by the early records. It was also fully acknowledged by the Government of India. In their Resolution No. 2280, dated 30th March 1884, the Supreme Government, in permitting the introduction of the Bombay Settlement in Sind after consideration of the papers in which the question was much discussed, distinctly said that they left it to the Bombay Government to introduce what settlement they liked, provided due regard was paid to the proprietary rights of the people in the soil. His Excellency the Governor General added therein that "He has a little doubt, but that proprietary rights in the soil do exist throughout that province and that it only requires the application of knowledge and experience of the subject to develop and record them." No attention was paid to the orders of the Supreme Government, and the zamindars' rights were overlooked. The point was, however, again ventilated when the effects of the original settlement were found to have proved most injurious, but the whole question was closed under *Bombay Government Resolution No. 6836, dated 25th August 1884, which was issued upon the assurance that by the introduction of the temporary settlement all that was intended to be done for the zamindars was done by—*

(1) *always having at their disposal all their waste land without charging value;*

(2) *doing away with Fallow Rules which charged assessment on time-expired fallow numbers and resumed land in default, as in temporary settlement the Fallow Rules were not in force.*

The Bombay Government in closing that vital question said "in view of the facts mentioned and opinion expressed by the Commissioner no further action in the matter is for the present at least necessary."

4. A year or two after the question of the zamindár's proprietary rights was settled in this manner, the temporary settlement was changed into an irrigational one and the new Fallow Rules were shoved in, forgetting the assurance given on which the question of proprietary rights had been dropped. I do not mean now to discuss the question of the zamindár's proprietary rights, nor do I advocate that they be now fully recognized, but I request that the avowed pledge on the assurance of which Government closed that most important question may in fairness be fulfilled, and that rule 4 of the Fallow Rules may be done away with altogether. The rule in fact does no material good to the Government as I would presently show, but on the other hand is most injurious and mischievous to the zamindárs.

5. With these preliminary remarks I come to the question of the expediency of rule 4 of the Fallow Rules. In dealing with the subject there are three questions to be taken into consideration, *viz.*—

(a) does the rule serve the Government any purpose ?

(b) does it act injuriously on the interests of the zamindárs ?

(c) can means be devised to attain the object in view without its reflecting on the interests of the zamindárs ?

6. The considerations which made, or which make, the Sind authorities consider the rule indispensable and the purposes it is considered to serve, I believe, are the following :—

(i) The assessment is fixed on averages on consideration of four years fallow and on the supposition that the land will wholly be cultivated once in every five years. If the land therefore is not cultivated wholly during that period, the Government does not get the full assessment and must make it up by charging assessment on the time-expired fallow numbers.

(ii) It acts as a stimulus to the energy of the zamindár who is compelled thereby to bring his land under cultivation, in order to prevent it from being forfeited or from being charged fallow assessment.

(iii) It is a check on the tendency of the zamindárs to take up more lands than they are able or willing to cultivate.

7. I will now discuss the above considerations and will show of how little avail the rule is to the Government and how seriously it affects the zamindárs.

8. First, as regards the Government attempting to secure full assessment in five years on each holding, I do not mean here to contend against the propriety of this theory, but if you will only consider the effect of the rule in practice you will see that you charge the zamindárs very unfairly, much more than the rule was actually intended to do. Government recover not only the deficit to make up the full assessment, but they unduly recover a great deal extra as fallow assessment, when there is no deficit whatsoever. *Government charge the assessment on time-expired fallows even when the total cultivation in any five years is equal to, or more than, the whole holding.* For example a zamindár holding 1,000 acres would have paid his full assessment if he cultivated two hundred acres a year or 1,000 acres in five years. But as the rule stands the effect is that even if the zamindár in the above case cultivates so much as four hundred acres or even 600 acres a year and thus pays you in any five years double or treble the full assessment, but fails to cultivate during the period any particular portion of his land, say about 100 acres, you charge him fallow assessment on those 100 acres also. I trust you will agree with me that this is a most unfair exaction on uncultivated land; it was never the intention of Government or the Sind authorities that the rule should have this effect. If you collect the data, I am certain you will find that it is in more than 95 per cent. cases that fallow assessment is charged where full assessment on entire holding or much more is already paid to the Government in five years.

9. *Now as regards the stimulus to energy.* Allow me to say that the *stimulus* in question is too strong, so strong, indeed as to paralyze the energy of the zamindárs. No one can deny that every one has his own interest most at heart. No zamindár would, in his own interest, fail to cultivate as much of his land as he possibly can with advantage. If he leaves any survey numbers uncultivated for some time it must be due to causes beyond his control. All that Government is interested in, is that the zamindár should cultivate a particular proportion (*i. e.*) 1/5th of his holding every year. This the zamindárs can easily do, and are actually doing.

Why should they be compelled, at the risk of fine or of forfeiture, to cultivate those survey numbers for which for a time the zamindár has no convenience. The causes obliging the zamindárs to let some of his survey numbers lie fallow for a time, as you know, are several, such as (1) exhaustion of soil which would require longer rest, (2) the land being overgrown with rank grass owing to excessive rain must remain fallow a few years to become fit for cultivation, (3) paucity of water due to unfavourable set of the river at the mouth of the canal and a variety of causes. No *hari* agrees to devote his labor and money on land that would not pay him sufficient under unfavourable conditions for his livelihood. Consequently under the pressure of the stimulus, to save himself from having to pay full fallow assessment or having the land forfeited the zamindár incurs heavy expenses on excavation and reclamation of the land and gives it for cultivation to *haris* on nominal rent, which is often less than the Government assessment. In this case the cultivator gets less for his time and trouble and the zamindár, notwithstanding his expenses, gets nothing. If, on the other hand, had the stimulus not been at work, the cultivator would have cultivated other land in the same holding with advantage both to himself and the zamindár and without any loss or disadvantage to Government. Further, if the expenses required to bring under cultivation any land be excessive, the zamindár has to let it lie fallow and pays the fallow assessment, for the love of a Sindhi for his land is great and if he can help it, he won't let it go.

10. Thus the rule causes an undue and uncalled for drainage on the purse of the zamindárs. The loss in bringing under cultivation land under temporary unfavourable conditions on the one hand and payment of the unfair exaction, the time-expired fallow assessment on the other throws the zamindár into debt. This accumulating year by year the zamindár has to do what he all along avoided. He has to part with a portion of his land so dear to a Sindhi, and the only means of his livelihood, either on his own accord or under a Civil Court decree. This is how the stimulus acts on the zamindárs.

11. It would not be difficult to devise means to achieve the object in view without affecting seriously the interests of the zamindárs. I think a rule that no land should be given to a zamindár who has not cultivated during the preceding five years an area equal to his holding would serve as a wholesome stimulus, in addition to being an effective check on his tendency, to take up more land than he is able or willing to cultivate. To secure full assessment in five years, the fairest course, I think, would be (if any were needed at all) to make a final settlement of assessment every five years. The number *Shumari* being kept for five years, the total area of cultivation of every *khatedár* in the preceding five years could be made out at the end, and if that were less than the area of his holding, the deficit could be charged to him and in default a proportionate area out of the fallow numbers may be confiscated. Such cases, however, as I have said before, are so few that, I am afraid, the insignificant gain would not be worth the trouble.

12. Under these circumstances considering the havoc the rule is making of the zamindárs, without bringing to Government any material good; and in view of the right of the zamindárs, which having been enjoyed for eleven centuries uninterfered with, had become indefeasible owing to long possession, and the pledge given to Government on which the question of zamindárs proprietary right was dropped, I request the Government will be pleased to abolish rule 4 of the Fallow Rules *in toto* and thereby carry into effect the measures intended and sanctioned to be adopted to restore the recognised rights and thus afford some satisfaction to those claiming much stronger rights.

I have the honour to be,

Sir,

Your most obedient Servant,

(Signed) G. M. BHURGRI,

Barrister-at-Law.

True copy,

A. E. SERVAI,

Superintendent, Revenue Department.

APPENDIX E.

No. 266 OF 1905.

REVENUE DEPARTMENT.

Commissioner's Office,
Karachi, 30th January 1905.

The following rules regulating the internal distribution of water on the Jámrao Canal are issued for general information :—

1. Water-courses in the squared and unsquared area belong to the zamindárs irrigating from them, and the zamindárs are bound to keep them in proper repair to the satisfaction of the Executive Engineer. The zamindárs may therefore remove silt and otherwise keep the water-courses in working order, but must neither make them wider nor deeper than the original section, nor extend them, nor alter their course, without leave from the Executive Engineer.

The term "water-course" includes branch water-course.

2. No zamindárs shall in any way interfere with the heads of water-courses. They remain the property of Government.

3. Each square and survey number must take water from the water-course allotted to it by plan, and from that alone.

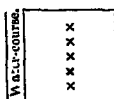
4. Squares in which the cultivation is upon flow alone are each entitled to one outlet from the water-course and no more. Squares in which the cultivation is wholly or partly upon lift are each entitled to two outlets from the water-course and no more.

Exception—When a square has been divided into two halves and allotted to different khátádárs, each may have an outlet, if each half adjoins the water-course, whether the square is cultivated on lift or flow, *e. g.*,



The crossed line shows the division of the square between the two khátádárs.

Provided that, if the square has been divided so that one-half does not adjoin the water-course, then the owner of the half adjoining the water-course must allow the owner of the other half to take water from his field channel, and the latter is not entitled to a separate outlet, *e. g.*,



The crossed line shows the division of the square between the two khátádárs.

5. In the unsquared area each survey number adjoining the water-course is entitled to one outlet therefrom, and no more.

Provided that the Executive Engineer may order that, instead of one number, a group of numbers shall be irrigated from one outlet alone.

6. Survey numbers not adjoining the water-course must take water from kasis excavated therefrom, the course of which shall be determined by the Executive Engineer and shown on the Village map, except where the grouping of numbers alluded to in the preceding rule renders the excavation of such kasis unnecessary.

7. Zamindárs must erect and permanently maintain *bannas* (earthen ridges), 3 feet wide at the base, 9 inches wide across the top and 1 foot in height, along the boundaries of every survey number, square and petty number.

Where the boundaries of petty numbers are not maintained as prescribed, the 16 acres square may be considered the unit of assessment.

Note.—Orders under this rule shall not be passed by an officer lower in rank than the Colonization Officer, who shall have discretion to remit the whole or any part of the assessment levied under this rule in cases where its enforcement appears, in his opinion, likely to cause hardship to the occupant.

8. “*Add*” or interior field channels must follow the *bannas* along the boundaries of the petty numbers, and no petty number may be flooded from another petty number through a breach in the *banna* dividing them.

Where this rule is broken, the boundaries of petty numbers may be held not to have been maintained as prescribed for the purposes of the preceding rule.

9. Waste of water includes—

- (i) Water allowed to run to waste on to Government land or roads through a breach in the field ridges of a field occupied by a khátádár.
- (ii) Water allowed to run out by a breach in the water-course on a khátádár's land which is not being cultivated.
- (iii) Water intentionally allowed by a khátádár to run over waste lands by making a cut in the field ridge of his field.

Unauthorised use of water means—

- (i) Water taken to a field which is not according to plan under the water-course from which water is taken.
- (ii) Taking water out of turn when turns have been fixed.
- (iii) Taking water by more outlets than are permitted under Rules 4 and 5.

Unauthorised extensions or widening or deepening of water-courses mean—

- (i) The extending of a water-course so as to irrigate land not irrigable from it according to plan.
- (ii) Widening of a water-course beyond the original section as constructed by the Public Works Department.
- (iii) Deepening of a water-course beyond the original depth as constructed by the Public Works Department.

By order,

(Signed) W. F. HUDSON,
Assistant Commissioner in Sind.

True copy,

V. P. JOGLEKAR,
Superintendent, Revenue Department.

APPENDIX F.

No. 1921.

From J. M. MACPHERSON, Esq., C. S. I.,
Secretary to the Government of India,
Legislative Department ;

To THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
Legal Department.

Dated Simla, the 9th August 1909.

Sir,

I am directed to return herewith, with the assent of His Excellency the Viceroy and Governor General signified thereon, the authentic copy of the Law noted on the margin, which was received with your letter No. 501, dated the 19th July 1909.

Law to provide for the erection and management of the Prince of Wales Museum of Western India.

I have the honour to be,
Sir,

Your most obedient Servant,
(Signed) J. M. MACPHERSON,
Secretary to the Government of India.

APPENDIX G.

No. 486.

From THE HONOURABLE MR. J. M. MACPHERSON, C. S. I.,
Secretary to the Government of India,
Legislative Department ;

To THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
Legal Department.

Calcutta, the 1st February 1910.

Sir,

I am directed to return herewith, with the assent of His Excellency the Viceroy and Governor General signified thereon, the authentic copy of the Law noted on the margin, which was received with your letter No. 552, dated the 12th August 1909.

The Bombay Repealing and Amending Law, 1909.

I have the honour to be,
Sir,

Your most obedient Servant,
(Signed) J. M. MACPHERSON,
Secretary.

APPENDIX H.

REVISED FINANCIAL STATEMENT OF THE GOVERNMENT OF
BOMBAY FOR THE YEAR 1910-11.

This is the first Revised Financial Statement presented to the Council under No. 10 of the Rules for the Discussion of the Annual Financial Statement which were notified on 29th December 1909 under section 5 of the Indian Councils Act, 1909. As required by the Rules, the preliminary Budget proposals for 1910-11 were considered in January last by the Finance Committee of this Council. Effect has been given to the recommendations of the Committee, and a few other alterations have been embodied in the amended Draft Financial Statement, copies of which have been already supplied to the Honourable Members. The present Statement deals with the Actuals for 1908-09, the Revised Estimates for 1909-10, and the Budget Estimates for 1910-11 concerning the services which under the existing financial system have been placed under the control of the Government of Bombay. The provincialized services are described in Appendix I and details by major and minor heads are given in Appendix J. The figures throughout represent thousands of rupees except where the context shows otherwise. The figures and remarks contained in this Statement are liable to alteration, but in the absence of altogether unforeseen circumstances no alteration seriously affecting the estimates is likely to be required.

2. Part I of this Statement is a preliminary conspectus in which it is attempted to give a brief but fairly comprehensive idea of the financial position, and in particular, in paragraphs relating to the Budget Estimates, to indicate the character of the principal and most interesting objects of expenditure.

Part II is a detailed statement in which fuller particulars are given separately under each head of receipts and expenditure.

PART I.

Accounts of 1908-09.

3. The Accounts of the year 1908-09 opened with a balance of 96,02. The closing balance was estimated in the Revised at 69,62, which in the Accounts was raised to 69,83. The total Provincial revenue amounted to 5,87,84 and compared with the Budget, the actuals show a drop of 16,20 against one of 16,72 calculated in the Revised, showing a trifling improvement which calls for no remark. The total Provincial expenditure amounted to 6,14,03, showing a net advance of 31 over the figure (6,13,72) estimated in the Revised.

Revised Estimates for 1909-10.

4. The opening balance of the year 1909-10 estimated in the Budget at 69,62 was changed to 69,83 on the closing of the accounts of 1908-09.

5. The total Provincial revenue for the current year is now estimated at 6,30,84 against 6,20,87 entered in the Budget. The increase of 9,97 is accounted for mainly by enhanced receipts under *Land-Revenue* (due to a favourable season), *Stamps* (due to extraordinary probate duty and increased sales of court-fee stamps, etc.), *Forest* (due to favourable sales occasioned by competition among contractors), *Interest* (due to larger recoveries from cultivators rendered possible by the good season), and *Irrigation—Major Works—Direct Receipts* (due to the amalgamation of two canals in Gujarat, to an improved supply of water in certain tanks, etc.), partially counterbalanced by decreases under *Excise* (chiefly on account of license fees for country spirits and toddy), *Assessed Taxes* (due to diminished profits of the mill industry), and *Irrigation—Portion of Land Revenue due to Irrigation* (due to deficiency of water in two canals in Sind), and by reduced Imperial assignments for certain objects. The variation from the Budget Estimate is practically accounted for by the character of the season, a fluctuation to which our estimates must always be liable, and which it is impossible to forecast.

6. The total Provincial expenditure is estimated at 6,22,83, or a decrease of 3,24 from the provision of 6,26,07 entered in the Budget. The savings occur chiefly under *Lana-Revenue* (due to smaller payments on account of salaries and temporary establishments), *General Administration* (due to delay in the introduction of schemes for the

grant of house-rent and local allowances to certain officers in Bombay and Karáchi), *Education* (being the net result of (i) transfer of a building grant to the Public Works Department, (ii) non-utilization of grant-in-aid of primary school buildings in Bombay, (iii) savings in salary and technical education charges, and (iv) increased expenditure on account of new primary schools and grants-in-aid), *Medical* (due to savings in salary payments and in charges for mofussil hospitals, plague, Bombay Bacteriological Laboratory, etc.), and *Scientific and other Minor Departments* (due to the non-utilisation of the provision for land compensation charge for the Northcote Cattle Farm, and to smaller expenditure on experimental farms, and veterinary dispensaries and establishments). The savings referred to above are partially counterbalanced by larger expenditure under *Refunds* (chiefly Excise and Stamps), *Assignments and Compensations* (due to arrear payments), *Stationery and Printing* (due to larger supplies of printing paper, type-writers, etc.), and *Irrigation—Minor Works* (due to river embankment works necessitated by severe erosion by the Indus). The net decrease is insignificant and shows that the budgetting was creditably accurate.

7. The closing balance of the year is estimated at 77,84, or an increase of 13,42 over the Budget. Important variations between the Budget and Revised Estimates are explained in detail in Section II of Part II.

8. The disbursements of takávi and other loans in the Provincial Advance and Loan Account are estimated at 39,43 compared with 42,09 entered in the Budget, the difference being due to a decrease in the advances taken by cultivators and the Gujarát Talukdárs, partly counterbalanced by increased provision on account of a loan to the Aden Port Trust. The recoveries are estimated at 42,33 against 36,60 entered in the Budget, the difference being due to increased repayments expected from cultivators in consequence of the favourable season.

Budget Estimates for 1910-11.

9. The Budget for 1910-11 opens with a balance of 77,84, which it is anticipated will be reduced to 62,37 by the close of the year, the total revenue being estimated at 6,23,40 and the total expenditure at 6,38,87. The estimates thus involve a drain of 15,47 on the Provincial balance. The total revenue shows a small advance of 2,53 over the current year's Budget, but a decline of 7,44 from the Revised, which allows for a larger collection of land-revenue. The total expenditure shows a considerable advance of 12,80 over the current year's Budget and of 16,04 over the Revised.

10. The revenue estimates for 1910-11 are, as usual, framed in anticipation of a normal season, and allow for expected increases, chiefly under the heads of *Stamps* (from extra taxation recently announced in the Viceregal Legislative Council and general improvement in the sales of court-fee and impressed stamps), *Registration* (in view of increase of registering operations in the current year), and *Interest* (on takávi advances and the Aden Port Trust loan), partially counterbalanced by decreases mainly under *Land-Revenue*, and *Civil Works* (in view of smaller receipts from buildings to be demolished or sold, and further abolition of tolls).

11. The estimate of *Land-Revenue* (including the portion due to irrigation) is taken at 4,36,00 (Provincial share = 2,18,00) in the expectation that with a normal season it will be possible to collect a part of the suspended revenue in addition to the current dues. The Budget for 1910-11 shows a decrease from the current year's estimates, which contemplate recovery of arrears to a larger extent. The figures of the estimated demand, collections, remissions and suspensions for the years 1909-10 and 1910-11 are given below :—

	1909-10, Revised.	1910-11, Budget.
Outstanding Balance ...	1,43,72	89,09
Demand ...	4,27,97	4,24,10
	5,71,69	5,13,19
Collections ...	4,49,00	4,36,00
Remissions ..	33,60	19,38
	4,82,60	4,55,38
Balance { Suspensions.	42,41	11,49
{ Arrears	46,68	46,32
	89,09	57,81

Out of the outstanding balance 21,63 are expected to be collected in 1909-10 and 11,90 in 1910-11. The remissions of arrears in 1909-10 are now estimated at 33,60 compared with 23,2 entered in the Budget of the year, while with the steady decrease of the outstanding balance the remissions in 1910-11 are estimated at a smaller figure.

12. The continuous growth of the *Excise* revenue during recent years due chiefly to increase of duty and improvements of system and administration has received a check, consequent on the discouragement of speculative bids at auction sales of country spirit and toddy shops, and the introduction, as a tentative measure, in three districts of the system of fixing the fees for shops on the basis of the sales and of allotting the shops to persons selected from amongst approved applicants. A small increase of 12 is expected from the extra taxation on beers and spirits recently announced in the Viceregal Council.

13. In order to check the tendency to over-estimate expenditure due chiefly to the anxiety of disbursing officers not to outrun the particular grants with the expenditure of which they are entrusted, and with a view to securing a greater accuracy of estimates, lump deductions for "Probable savings" have been made under eight major heads of account to the amount of 5,55 compared with 6,99 under twelve major heads in the Budget of 1909-10. These deductions, however, do not necessitate corresponding reductions in detailed grants entered in the Budget, which includes provision for the following items of special interest.—

- (i) remuneration to village-accountants for making copies of entries in the record-of-rights to be granted to applicants whose names appear in the record;
- (ii) regrading of Mámlatdárs, and of Deputy Collectors in the Presidency proper and in Sind;
- (iii) local or house-rent allowances to certain officers and establishments in superior service employed in Bombay, Bándra and Karachi, and to peons in Bombay City;
- (iv) creation of the Nawábshah District in Sind;
- (v) reorganization of subordinate forest establishments;
- (vi) measures for the protection of forests from fire;
- (vii) reorganization of Registration establishments and opening of additional Sub-Registry offices;
- (viii) salary and allowances of an additional Ordinary Member of the Executive Council;
- (ix) revision of the staff of the Legal Department of the Secretariat and the Remembrancer of Legal Affairs;
- (x) additional Judge for the High Court;
- (xi) extension of Police reorganization and reforms;
- (xii) improvement of the pay of teachers in primary schools and extension of primary education;
- (xiii) strengthening of the Subordinate Educational Inspectors' staff;
- (xiv) revision of salaries of Head Masters of High and Middle Schools;
- (xv) grants-in-aid of University and Collegiate Education;
- (xvi) grants-in-aid of educational buildings;
- (xvii) grants-in-aid to local bodies in respect of sanitary projects;
- (xviii) grants to medical institutions and dispensaries;
- (xix) increase of pay of Civil Medical Assistants;
- (xx) additional staff for the Grant Medical College;
- (xxi) separation of the Civil administrative duties of the Principal Medical Officer, Sind, from the Military;
- (xxii) investigation in connection with the epidemic of malária in Bombay;
- (xxiii) hiring of houses in Bombay for the accommodation of pilgrims proceeding to, and returning from, Mecca;
- (xxiv) grant of time-scale pay to Military officers employed in the Bombay Political Department;

- (xxv) purchase of land for the Northcote Cattle Farm, Chhārōdi;
- (xxvi) increased expenditure in connection with the Agricultural Department;
- (xxvii) appointment of an Assistant to the Registrar of Co-operative Credit Societies in connection with hand-weaving industry.

14. (a) Certified copies of entries from the record of rights are now required by law on many occasions, while on many more they will be required on account of changes which are being introduced in the revenue procedure. With a view to encouraging the taking of extracts from the record whenever necessary, Government contemplate that copies of the entries, for whatever purpose they may be required, should be given free to all applicants whose names appear in the record, and that village-accountants should be allowed remuneration for making the copies. Item (i) represents the provision of 30 for this expenditure.

(b) Item (ii) relates to the schemes for regrading the Mámlatdárs and the Deputy Collectors in the Presidency proper and in Sind, which are calculated to improve the prospects of these officers at an extra cost of 23·7 in the case of the former class and 3·6 in the case of the latter. The schemes are expected to be introduced in the course of the year 1910-11.

(c) Since 1908 clerical establishments employed in Bombay City whose salary does not exceed Rs. 200 a month and has not been revised in recent years in view of the existing conditions of living, have been granted local allowances, varying from 10 to 20 per cent. of salary on account of the increased cost of living in the City. The concession has been extended from 1st March 1910 to Government employees in superior service in Bombay City who are not specifically designated clerks. The question of granting similar allowances to Government servants employed in Bándra and Karáchi is under consideration. In view of the difficulty of obtaining suitable houses at reasonable rent in Bombay City, Government are also considering the question of the provision of quarters and the grant of house-rent allowances to certain gazetted officers, and to peons stationed in Bombay. Item (iii) refers to these local and house-rent allowances, for which 93 is provided in next year's Budget on the assumption that part of the expenditure will be incurred later in the year and part throughout the year.

(d) For the purposes of proper administration of the tract covered by the existing districts of Hyderabad and Thar and Parkar, it has become necessary to formulate proposals for the division of the area into three districts, the head-quarters of the new district being fixed at Nawábsháh. Item (iv) relates to this scheme, which has been submitted to higher authorities, and is calculated to involve a recurring expenditure of 75 per annum and an initial expenditure of over 2,00 for buildings, furniture, etc. A provision of 50 for the buildings was made in the Public Works Budget for 1909-10 and a provision of 70 is made for the same purpose in the new Budget. The scheme is not expected to be introduced long before the close of the year 1910-11 and a lump provision of 21 only is made under the head *Land-Revenue* for recurring charges.

(e) Item (v) relates to the scheme for the re-organization of the Forest Department, allusion to which was made in paragraph 17 of the Financial Statement for 1909-10. The sum of 2,75 (of which one-half will fall on Provincial) is provided in the new Budget in the expectation that it will be introduced early in the year 1910-11.

(f) At a conference of Forest Officers held at Poona in July 1909 the question of protecting the forests in this Presidency from fire was discussed. The measures suggested with a view to reducing the total area burnt by fire, which in 1907-08 amounted to 744 acres for the whole Presidency, consist of (a) fire tracing, (b) establishment of fire stations on hills from which a view of the forest is gained, (c) establishment of drum stations, and (d) grant of rewards to village-officers and villagers who assist in keeping out fires. The total annual expenditure is estimated at 1,23 against 48 incurred at present, and a provision of 15 for item (vi), one-half of which will fall on Provincial, is made in the new Budget to make a beginning. If the scheme proves successful, the provision will be increased gradually until the full additional limit of 75 is reached.

(g) Item (vii) represents the provision of 26 made for (a) the addition of nineteen posts to the higher grades of Sub-Registrars consequent on the grading of District

The question of improving the pay of teachers in primary schools has for some time past engaged the attention of Government. The minimum pay of the teachers was raised to Rs. 9 per mensem with effect from 1st September 1908 at an extra cost of 98 per annum. Since then Government have sanctioned the following measures, the provision made for each item in the new Budget being shown against it:—

(1) Raising the pay of untrained and unqualified teachers of five years' standing and over to Rs. 10 a month	17
(2) Raising the minimum pay of all trained head masters to Rs. 12 a month	3
(3) Raising the minimum pay of all trained assistants to Rs. 11 a month	3
(4) Raising the minimum pay of all untrained head masters to Rs. 11 a month	66
(5) Fixing Rs. 10 as the minimum and Rs. 15 as the maximum monthly pay for qualified but untrained teachers in Sind	43
(6) Giving to trained teachers in the Presidency proper the face value of their certificates	55
Total	1,89

The total provision in the Budget for improvement in the pay of teachers in primary schools thus amounts to 2,87 against 2,42 in the current year's Budget. During the year 1909-10, 35 have been allotted for non-recurring expenditure and 67 for recurring expenditure for seven months against a budget grant of 60 for the opening of new primary schools, the annual recurring liability in respect of which amounts to 1,14. The new Budget provides for this expenditure, as well as an additional amount of 1,44 (1,14 recurring and 30 non-recurring) for the same object. The provision of means for the training of teachers is one of the most pressing needs of the day and a further sum of 18 is provided for this object for the Presidency town and of 30 for the mofussil.

(l) Item (xiii) refers to the provision of 34 made for eighteen additional Assistant Deputy Educational Inspectors and for revision of clerical establishments of Deputy Inspectors. Besides the actual work of inspection, inspecting officers have to pay surprise visits, hold conferences of masters, give model lessons before them, and do much office work. The need for strengthening the inspecting staff has been felt in almost all parts of the Presidency and with the additional staff a redistribution of the inspecting officers' circuit will be effected generally on the reckoning of 3,000 children as the proper share for each Deputy Inspector and 5,000 children for each Assistant Deputy Inspector.

(m) In connection with the measures for the improvement of secondary education in this Presidency, Government have decided to raise the grading of Head Masters of seventeen High Schools and the pay of Head Masters of four Middle Schools at an annual expenditure of 17. The salaries of these officers have been dissociated from their appointments and made personal with a view to enabling them to remain for a considerable period in one place and acquire local influence, which is so important a power in education. The additional expenditure was sanctioned by the Government of India in April 1909, but effect could not be given to it for want of funds. Item (xiv) refers to the provision made for this purpose.

(n) The period of five years for which an annual assignment of 65 was sanctioned by the Government of India in connection with the reforms necessitated by the Indian Universities Act, 1904, expired on 31st March 1909. For the year 1909-10 that Government has made a special assignment of 45 for the Colleges, and 10 for the University (for administration, inspection and travelling). The latter grant has been paid to the University and a sum of 10 has been recently sanctioned for payment to the Wilson College for additions to a hostel building. The new Budget provides 1,00 for similar grants-in-aid (item xv), of which 55 will be met from the special assignment which the Government of India propose to continue for three more years and the balance (45) represents the grants to Colleges for 1909-10 which are not likely to be claimed before the close of this year.

(o) In the year 1906 the question of providing suitable buildings for primary schools in Bombay City was considered, and Government promised a total grant of 5,00 for the purpose to the Bombay Corporation, payable in instalments of one lakh a year, on

the understanding that the Corporation would provide an equal sum. The annual payment commenced, in 1908-09, when the Corporation was ready with its programme. The current year's grant of 1,00 is not expected to be taken up and is not repeated for next year as it is understood that the provision of 1,00 made in the new Budget for the purpose will suffice. For financing the expenditure on account of the new buildings for the David Sassoon Industrial and Reformatory Institution the Budget provides 99 for next year in addition to the sum of 1,00 paid in the current year. The whole of this expenditure, less 50 which has been given as a building grant, will be eventually recouped to Government. Item (xvi) refers to the special provisions mentioned above, as well as a sum of 2,50 for normal building grants.

(p) Out of the total provision of 7,20 for expenditure on sanitary improvements in the current year 6,85 have been distributed as grants-in-aid towards the Poona City Drainage and Water Supply (3,00 in addition to 2,32 previously sanctioned), Pandharpur Water Supply (1,50 in addition to the grant of 2,00 in 1908), Bijapur Water Supply (70), sanitary improvements at Belgaum (50), Nasik City Water Supply (35), preliminary investigations in connection with the Aden Water Supply Scheme (30), Kurla Drainage (24), Bhusaval Town Improvement Scheme (16), and Sholapur City Improvement Scheme (10). Government have also sanctioned as a grant-in-aid the remission of charges amounting to 58 on account of establishments and tools and plant leviable from the Hyderabad Municipality in connection with the improvement of its water supply, which work is to be carried out by the Public Works Department. Grants-in-aid amounting to 9,40 have been promised for schemes in connection with the Poona Drainage and Water Supply (5,00 in addition to 5,32 already sanctioned), Nasik Water Supply (2,10), Bijapur Water Supply (1,30), Pandharpur Water Supply (75), and Albag Water Supply Improvement (25), while measures of sanitary improvements in several other towns are under consideration. In view of these demands item (xvii) provides 8,00 in next year's Budget. In addition to this sum, 30 are allotted in the current year and 16 provided for next year on account of the scheme for the improvement of water supply at Ratnagiri which is being carried out by the Public Works Department.

(q) Item (xviii) includes provisions of 25 for building grants to the Mission Hospital, Poona (20 in addition to 15 given this year and 15 promised to be given after 1910-11 against a total estimated cost of 1,40), and St. Margaret's Hospital for Women in Poona (5 against an estimated cost of 10 for making certain additions), and of 32 for the opening of new dispensaries. Government have under consideration a scheme for the opening of new dispensaries, one at each taluka head-quarter where none at present exists, and with a view to enabling local bodies to open such dispensaries with grants-in-aid 20 are provided for the initial cost and 10 for half upkeep.

(r) Under item (xix), 19 is provided for the improvement of the pay and prospects of Civil Medical Assistants, for which detailed proposals in accordance with certain principles recently laid down by the Government of India have been called for from the Surgeon-General.

(s) Item (xx) refers to the provision of 25 repeated from the current year's Budget for strengthening the superior staff of the Grant Medical College and the J. J. Hospital in connection with the M. B., B. S. course and in pursuance of the recommendations made some time back by the Grant Medical College Reorganization Committee, and item (xxi) refers to the provision of 12, also repeated from this year's Budget, in connection with the separation (desired by the Government of India) of the Civil administrative duties of the Principal Medical Officer in Sind from the Military, involving additional work and responsibility on the Civil Surgeon, Karachi. Details of both the schemes have not been finally settled, and the provision for item (xx) is made on the assumption that the scheme will not be in working order for part of the year.

(t) Under item (xxii) a provision of 22 against 13 in the current year is made for charges on account of the Special Officer (and his establishment) deputed to investigate the causes of the outbreak of malaria in Bombay and to devise measures for its prevention in future, the period of deputation being prolonged owing to the necessity of observing the results of the means taken to eradicate the evil. The Bombay Municipality and Port Trust and the B. B. & C. I. Railway Company have contributed 9 towards the cost of the investigation, and have also commenced independent anti-malaria work.

(μ) Pending the construction of the Sabu Siddik Musáfarhána in Bombay, for which Government have provided a site valued at 60, accommodation will have to be found for pilgrims to or from Mecca by hiring houses. Item (xxiii) relates to the provision of 10 made for the purpose.

(ν) The current year's provision of 25 for the improvement of the prospects of Military Officers employed in the Political Department by the grant of time-scale pay has not been utilized, as the approval of the scheme by higher authorities is awaited. Item (xxiv) refers to the provision of 34 made for the full scheme in next year's Budget.

(ω) Item (xxv) refers to the provision of 1.07 for compensation for land in course of acquisition for the Northcote Cattle Farm at Chhárodi, the provision made in the current year's Budget being not likely to be utilized.

(x) Item (xxvi) refers to an additional provision of 59 for further development of agricultural work in various directions, chiefly in connection with—

- (1) experimental farms at the Agricultural College, Poona, and at Mánjri, Lonávla, Rahuri, etc. ;
- (2) new kalar reclamation station at Jamesábád in Sind ;
- (3) irrigation experiments to be conducted by an Assistant Agricultural Engineer in connection with water-lifting in all its branches (whether by oil, gas or steam engines, by wind-mill or bullock power), well-boring and survey of subsoil water, and agricultural machinery with a view to reducing the great waste of labour caused by the mechanical inefficiency of existing implements and methods ;
- (4) reorganization of subordinate establishments at a cost of 8 out of 24 to be gradually introduced ;
- (5) additional Assistant Professors at the Agricultural College, Poona ;
- (6) vernacular training classes for cultivators residing in the vicinity of farms, their education having attracted keen discussion at the Agricultural Conference held in September 1909 ; and
- (7) distribution of American cotton seed.

(y) In connection with an investigation into the condition of the hand-loom industry of the Presidency it has been brought to the notice of Government that the first step towards assisting the workers should take the form of a well-directed effort to improve their economic position by forming their associations or societies with a view to using joint credit. To this end it is essential that the economic aspect of the question should take precedence over the technical. It is therefore proposed, in the first instance, to appoint for a period of three years an Assistant to the Registrar, Co-operative Credit Societies. It will be his function to assist and advise the Registrar in creating such societies among the hand-weavers of the Presidency in order that they may be relieved from the disadvantageous economic position in which they now are, and may proceed to adopt the improved methods of production by the erection of warping factories, the purchase of improved looms, and the sale, at more favourable prices, of their cloth. Item (xxvii) refers to the provision of 7 made for the purpose in next year's Budget.

15. In the Provincial Advance and Loan Account the payments of takávi and other loans are estimated at 39,33 and the recoveries at 40,72. Compared with the Revised estimate for 1909-10 the former figure shows decreases of 4,14 under loans to local bodies, and 42 under advances under special laws, partially counterbalanced by increases of 4,00 under advances to cultivators, and 46 under loans to land-holders and others. The provision of 9,00 made for loans to local bodies includes 82 for unforeseen demands and the rest is for grant of loans varying from 5 to 3,00 to nine Municipalities in the Mofussil for sanitary projects. The recoveries for next year fall short of the current year's Revised by 1,61, which is the net result of a decline of 2,50 under takávi (the Revised being affected by a favourable season) and an increase of 89 under loans to local bodies.

General Remarks.

16. Owing to the favourable character of the seasons our revenues have been abundant, and the Council may be congratulated on being able to undertake once more an expenditure exceeding all previous records. This has been effected by a reduction of 2 lakhs of the closing balance of 64½ lakhs for which we budgetted at the beginning of the current year, but would hardly have been possible if the revised estimate had not shown the probability of our budget calculation being exceeded by about 13½ lakhs. There is no reason to fear that we are in any way exceeding the bounds of prudence. The Finance Committee agreed to retrenchments which brought our estimated recurring expenditure within the estimated revenues, so that the draft on our balances is made entirely on account of non-recurring expenditure. Our closing balance will be over 42 lakhs in excess of the prescribed minimum of 20 lakhs, and stands at only 14 lakhs, less than the closing balance of 1905-06. The reduction amounts to less than 3 lakhs per annum. Considering that in 1905-06 we were given 50 lakhs for the express purpose of overtaking expenditure which had had to be postponed on account of the famines, we may claim to have shown the greatest moderation. At the same time the Council will do well to mark the rate at which expenditure has been progressing. In 1904-05 it was nearly 467 lakhs, in 1905-06 it was 525, in 1906-07 it was 553, in 1907-08 it was 580, in 1908-09 it was 614, in 1909-10 it will be about 623 and in 1910-11 we expect it to be nearly 639. It could hardly have been more rapid and we are very fortunate in having been able to spend so freely. We cannot, however expect to be able to go on increasing our expenditure at the same rate. The probabilities are that even with a continuance of normal seasons we shall receive a set-back in Land-Revenue, as there will be no more arrears to come in. There may also be a set-back in excise on account of the effects of increased duties and reductions in the number of shops which diminish consumption and of abandonment of the shop auction system which will reduce our revenue from licenses. The general result is likely to be a reduction, in 1911-12, on the total revenues realised in 1910-11, and the expenditure of that year will probably have to be restricted in consequence. On the other hand the urgent demands for expenditure will not cease. There is practically no limit to them. To mention a few of our immediate needs. We urgently require funds to improve the pay and organisation of our subordinate establishments in both the Revenue and Judicial Departments. There is heavy expenditure still required to bring our police up to a full level of efficiency. Large sums are required for education. The demands even for primary education which come first are far from being satisfied. Expenditure ought to be increased still more in the Medical, Agricultural and Veterinary Departments. All Departments are clamouring for their share of the grant for Public Works which ought not, if we can help it, to be curtailed.

17. To meet these inevitable increases of expenditure we have to look only to such expansion as we may hope for in the revenues assigned to us under the Provincial Settlement. Much is not to be expected from Imperial since for the time being owing to the inevitable fall in the opium revenue and other causes the resources of the Government of India are subject to evident strain, as demonstrated by the necessity of increasing Imperial taxation during the coming year.

18. In these circumstances it is evident that we shall have to make up our minds to one of two courses—either the arrest of our rate of progress, or the increase of our resources by Provincial or Local taxation. It is my earnest hope that before I hand over charge to my successor of the Financial portfolio of this Government, the Council may be invested with the requisite power to impose the taxation required to meet our requirements, and that our dependence for resources upon the Imperial Government may before very long be a thing of the past. Such a change will, I am convinced, be in every way beneficial. It will bring home to us in the most wholesome manner the responsibility which we ought to feel for the expenditure which we project, it will increase the power and dignity of our Council, and will impart an altogether new and vivifying interest to its discussions of Provincial Finance.

J. W. P. MUIR MACKENZIE.

PART II.

SECTION I.

Accounts of 1908-09.

19. The estimated and actual transactions of the year 1908-09 are given below :—

	Budget Estimate.	Revised Estimate.	Actuals.
Opening Balance ...	85,85(a)	96,02	96,02
Revenue ...	6,04,04	5,87,32	5,87,84
Expenditure ...	6,09,13	6,13,72	6,14,03
Closing Balance ...	80,76	69,62	69,83

(a) Inclusive of 87 estimated in the Budget on account of the balance of the Government Central Book Depot Fund, which was abolished on 31st March 1908.

The important differences between the Budget and Revised estimates for 1908-09 have been explained in Part II, Section II, of the Financial Statement for 1909-10. Important variations of the Actuals from the Revised estimates are noticed below.

20. On the revenue side, the Actuals show a net increase of 52 over the Revised estimates. The following is the explanation of the principal differences :—

1, *Land-Revenue (Divided), including portion due to irrigation.*—The increase of 2,28 was due to larger collections having been made in the closing months of the year than was anticipated in the Revised. It would have been larger still but for the deficiency of water in the Jámráo Canal and for outstandings on several canals.

V, *Excise.*—The decrease of 77 was due to sufficient allowance not having been made in the Revised for the fall in revenue consequent on the change of system in certain districts where auction bids of higher amounts than those fixed by Collectors for country liquor shops were not accepted.

21. The expenditure of the year exceeded the Revised by 31. The principal differences are explained below :—

2, *Assignments and Compensations.*—The increase of 64 was chiefly under "Assessment of Alienated Lands," due to a change in the classification of kadim cash allowances, and under "Excise Compensations" owing to payment of arrears.

22, *Education.*—The increase of 61 was due mainly to payments on account of certain grants-in-aid having been made more promptly than was expected. The increase was partially counterbalanced by smaller expenditure due to transfer of funds to the Public Works Department and the non-utilization of the grant for the publication of the Sanskrit Series.

24, *Medical.*—The decrease of 78 was due mainly to smaller expenditure on the equipment of hospitals in the Presidency than was anticipated in the Revised.

45, *Civil Works (Public Works Department).*—The decrease of 89 was due mainly to (i) delay in payments and adjustments of value of certain stores obtained from England, (ii) savings on several works in the Poona district, owing to non-completion of the final bills of contractors, and (iii) to an additional grant of 20 allowed for in the Revised not having been sanctioned.

SECTION II.

Revised Estimates for 1909-10.

22. The Budget and Revised estimates of 1909-10 are shown below—

Revenue.				No.	Heads.	No.	Expenditure.			
Budget	Revised.	Revised					Budget	Revised.	Revised	
		Better	Worse.						Better	Worse.
...	...	...	...	..	Refunds ...	1	2,69	3,38	...	69
...	..	..	..	...	Assignments and { Cash ... } Compensations { Alienations. }	2	{ 9,43 79,63	9,86 79,78	...	{ 43 15
2,03,66	2,10,85	5,19	..	} 1	Land-Revenue—	...	..	...	...	...
92,04	92,28	24	..		{ Provincial share... }	...	..	...	...	...
93,50	92,63	..	87		{ Alienations ... }	...	..	...	...	...
...	...	..	...	..	{ Fixed Allotment, etc }	...	..	...	...	...
...	...	..	...	..	{ Cash ... }	3	{ 74,35 7,43	73,21 7,49	1,14	...
...	...	..	...	..	{ Alienations ... }		...	...	...	6
32,50	36,40	3,90	...	IV	Stamps ..	6	1,16	1,14	2	..
87,00	86,00	..	1,00	V	Excise ...	7	4,90	4,80	10	..
24,19	23,48	..	71	VIII	Assessed Taxes ...	10	48	47	1	..
18,50	19,05	55	..	IX	Forest ...	11	10,53	10,68	..	15
7,04	7,10	36	..	X	Registration ...	12	3,62	3,68	..	6
7,67	10,00	2,33	...	XII	Interest..	13	6,52	6,23	29	...
..	..	..	..	...	General Administration	18	16,65	16,11	54	..
5,60	6,00	40	...	XVI A	Law and Justice—Courts of Law	19-A	52,49	52,60	..	12
2,35	2,50	15	...	XVI B	Law and Justice—Jails	19-B	9,81	9,86	..	2
4,40	3,96	...	44	XVII	Police ... { Cash ... } ... { Alienations ... }	20	{ 88,10 4,98	88,14 5,01	..	{ 4 3
90	90	...	...	XVIII	Ports and Pilotage	21	57	60	...	3
4,10	4,10	...	...	XIX	Education ...	22	44,73	43,00	1,73	..
2,24	2,20	...	4	XX	Medical ..	24	29,15	26,75	2,40	...
...	..	..	...	...	Political ..	25	4,47	4,60	...	13
85	80	...	5	XXI	Scientific and other Minor Departments	26	8,69	7,16	1,53	...
2,05	2,30	25	...	XXII	Superannuation Allowances, etc	29	28,79	28,79	...	...
1,00	1,05	5	...	XXIII	Stationery and Printing	30	12,72	13,45	..	73
1,00	1,00	...	...	XXV	Miscellaneous ...	32	3,00	2,95	5	...
...	...	...	...	...	Reduction or Avoidance of Debt	36	13,70	13,70	...	...
14,34	13,65	..	69	XXIX	Irrigation—Portion of Land- Revenue due to Irrigation ..	...	...	...	...	...
5,20	5,80	60	...	XXIX	Irrigation—Major Works— Direct Receipts.	...	...	...	...	...
...	...	..	...	...	Working Expenses ...	42	{ 5,31 8,63	5,26 8,64	5	..
...	...	..	...	...	Interest ...		...	...	...	1
...	...	..	...	} XXX	{ Irrigation—Minor Works Civil Department	43	{ 5 15,50	8 17,27	...	{ 3 1,77
1,67	1,80	13	...		Public Works Department		...	...	...	...
7	9	2	..	} XXXI	{ Civil Works— Civil Department	45	{ 8,10 69,86	8,14 70,00	...	{ 4 14
7,00	6,60	..	40		Public Works Department.		...	...	...	...
6,20,87	6,30,84	14,17	4,20	.	Total ...	..	6,26,07	6,22,83	7,86	4,62
69,62	69,83	21	.	Opening ..	Balance...	Closing	64,42	77,84	13,42	...

23. The Revised estimates of revenue show a net improvement of 9,97 over the Budget. The important increases anticipated are under the following heads.—

I, Land-Revenue.—4,56 made up of—

- (i) an increase of 5,19 under "Provincial $\frac{1}{2}$ share" of Land—Revenue due to the favourable season;
- (ii) an increase of 24 under "Alienations," based on the latest estimates furnished by District officers; and
- (iii) a net decrease of 87 under "Fixed Allotment and Adjustments," due to the absence of the grant (1,52) for St. Peter's School in Bombay, which is not to be sold at present, and to additions on account of grants in-aid to the University and aided Colleges (55) and archæological expenditure (10).

IV, Stamps.—3,90, due to extraordinary receipts on account of probate duty, and to larger receipts from court-fee stamps, impressed stamp papers, unstamped documents, and share transfer stamps.

IX, Forest.—55, occurring chiefly in the Northern Circle, where, owing to keen competition among contractors, the annual coupes and royalty trees on *gurcharan* lands fetched high prices. The Sind Circle, however, shows a decrease of revenue owing to slackness of business and low sale-bids.

XII, Interest.—2,33, due to larger recoveries of interest on advances to cultivators rendered possible by the good season and the increase of the rate of interest to 6 $\frac{1}{2}$ per cent.

XXIX, Irrigation—Major Works—Direct Receipts.—60, due chiefly to (i) the transfer of the revenue of the Khari Cut Canal which has been amalgamated with the Hathmati Canal, (ii) an improved supply of water in the *rabi* season and increased sugarcane cultivation on the Nira Canal, (iii) better storage and demand for water on certain tanks, and (iv) anticipated recovery of arrears on the Krishna Canal.

24. On the other hand, the Revised estimates indicate decreases of revenue principally under the following heads.—

V, Excise.—1,00, due mainly to smaller receipts of country spirit and toddy shop license fees in the Presidency proper and still-head duty in Sind, partly counterbalanced by increases on account of still-head duty in the Presidency proper, duty on *gánja* and gain on sale-proceeds of excise opium. Contributions from farmers on account of Excise peons which were shown in the Budget under *Police* are now transferred to *Excise*.

VIII, Assessed Taxes.—71, being the net result of (i) a large decrease under tax on profits of mill industry, and (ii) improvement in the tax on "Salaries and Pensions" (of employees of Government, local authorities and companies) and on "Other sources of income".

XXIX, Irrigation—Portion of Land-Revenue due to Irrigation.—69, due to deficiency of water in the Eastern Nara and Jámráo Canals.

25. On the expenditure side, the Revised estimates indicate a net decrease of 3,24 from the Budget. The important savings anticipated are under the following heads:—

3, Land-Revenue.—1,08, chiefly in the grants for temporary establishments (89), indirect famine charges other than grain compensation (48), and salaries (28). The saving is partly counterbalanced by increases of 30 on account of contingencies under "Charges of District Administration", 11 for the survey of *tálukdári* villages, and 6 under "Assessment of Alienated Lands."

18, General Administration.—54, due mainly to the non-utilization of the lump provision of 79 for local allowances to establishments in Bombay and Karáchi and for house-rent allowances to certain gazetted officers in Bombay, partially counterbalanced by an increase (17) in tour charges in connection with His Excellency the Governor's visit to Simla.

22, Education.—1,73, due to the transfer of 1,00 for the David Sassoon Industrial and Reformatory buildings to the Public Works Department, and to anticipated savings

in the provisions for building grant for primary schools in Bombay which the Municipality does not expect to spend in the current year (1,00), for technical education (57), for salaries of Professors and Inspectors (25), and for the preparation of Sanskrit series and departmental books (18). The decrease would have been larger but for (i) grants to the Bombay University (10) and for the opening of new primary schools (42), (ii) provision for a grant-in-aid to the Indian Institute of Science at Bangalore (50 out of 1,00 promised as a building grant), and (iii) increased expenditure on grants-in-aid by results (30).

24, *Medical*.—2,40, mainly due (i) to savings anticipated in the provisions for salaries of District Medical and Sanitary Officers (95), for the Bacteriological Laboratory (88), for mofussil hospitals and dispensaries including grants-in-aid (75), and for direct plague expenditure (54), and (ii) to the non-utilization of the provisions made for the revision of the staff of the Grant Medical College (25) and Medical Schools (11), and for the transfer of the civil duties of the Principal Medical Officer, Sind, to the Civil Surgeon, Karáchi (12). These savings were partly counterbalanced by the lump deduction of 1,50 from the major head provision in the Budget.

26, *Scientific and other Minor Departments*.—1,53, due mainly to the non-utilization of the provision (1,07) for the purchase of land for the Northcote Cattle Farm, and to smaller expenditure on experimental farms, on grants to Veterinary dispensaries, and on the re-organization of the Civil Veterinary Department.

26. The Revised estimates indicate noticeable increases of expenditure under the following heads —

1, *Refunds*—69, mainly under Excise and Stamps.

2, *Assignments and Compensations*.—58, due mainly to arrear payments to inámdárs and other grantees. The increase includes 15 on account of alienated transactions, which do not represent cash dealings but nominal book adjustments.

30, *Stationery and Printing*.—73, due to larger supplies of paper of Indian manufacture to the Yeravda Central Press, and of type-writers, duplicators and their accessories and other stationery supplied from Central Stores.

43, *Irrigation—Minor Works (Public Works Department)*.—1,77, due to expenditure on urgent river embankment works in Sind, which were rendered necessary by severe erosion by the Indus.

27. The opening balance of the year 1909-10 estimated in the Budget at 69,62 is now raised to 69,83. According to the Revised estimates, the expenditure during the year falls short of the revenue by 8,01 instead of showing the deficit of 5,20 estimated in the Budget, and the closing balance of 77,84 shows an improvement of 13,42 over the Budget.

SECTION III.

Budget Estimates for 1910-11.

28. The year 1910-11 is estimated to open with a balance of 77,84 and to close with a balance of 62,37 to the credit of the Provincial account as shown in the following table.—

	1909 10.		1910-11.	Column 4 better+, or worse —, than	
	Budget.	Revised.	Budget.	Column 2.	Column 3.
1	2	3	4	5	6
Opening balance ...	69,62	69,83	77,84	+8,22	+8,01
Revenue ...	6,20,87	6,30,84	6,23,40	+2,53	—7,44
Expenditure ...	6,26,07	6,22,83	6,38,87	—12,80	—16,04
Closing balance ..	64,42	77,84	62,37	—2,05	+15,47

Refunds—1.

29. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Refunds ..	2,36	3,24	391	2,69	3,38	3,02

The Budget provides for a moderate advance in view of large excise and other refunds now estimated for the current year.

Assignments and Compensations—2.

30. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Cash ..	8,65	8,43	9,56	9,43	9,86	9,54
Alienations ..	79,04	79,32	79,85	79,63	79,78	79,78
Total ..	87,69	87,75	89,41	89,06	89,64	89,32

The Budget practically follows the current year's Budget under cash payments with additional provision for excise compensations sanctioned for the Rewa Kántha Agency, and agrees with the Revised under "Alienations."

1.—Land-Revenue—3.

31. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
<i>Revenue.</i>						
Provincial $\frac{1}{2}$ share	2,09,57	1,32,23	1,80,81	2,05,66	2,10,85	2,03,68
Alienated ..	91,26	91,66	92,24	92,04	92,28	92,28
Fixed allotment and adjustments.	75,61	80,40	91,92	93,50	92,63	89,10
Total ..	3,76,44	3,54,29	3,64,97	3,91,20	3,95,76	3,85,06
<i>Expenditure.</i>						
Cash ..	67,82	68,98	73,77	74,35	73,21	74,87
Alienations ..	7,24	7,37	7,40	7,43	7,49	7,49
Total ..	75,06	76,35	81,17	81,78*	80,70	82,36*

* This is the major head estimate after deduction of 1,00 for probable savings.

Since 1907-08 the revenue due to irrigation is shown in equal shares between Imperial and Provincial under the head *XXIX, Irrigation—Major Works.*

(a) The Budget under "Provincial $\frac{1}{2}$ share" is framed on the basis of a normal season, and contemplates recoveries of arrears to a smaller extent than are expected in the current year.

Under "Alienations," the Budget follows the Revised estimate for 1909-10.

The provision of 89,10 under "Fixed allotment and adjustments" is made up of the fixed assignment of 42,77 under the Provincial Settlement and the further allotments

(a) The revenue Budget shows a small advance over the current year's Budget, the increase under country spirits in the Presidency proper being nearly counterbalanced by a decrease in Sind, and the decrease of toddy revenue and license fees on retail vend of opium by increase under "Duty on Gánja" and "Gain on sale-proceeds of Excise Opium". A small increase of 12 is expected in view of the revision of excise duty on beer and spirits at tariff rates. The increase over the Revised is under still-head duty.

(b) The expenditure Budget differs from the current year's Budget owing to provision (i) for a Distillery Expert, (ii) for establishment for controlling toddy tapping and transport in certain districts, and (iii) for the supply of tin boxes for the preservation of peons' uniforms and tents for Excise Officers.

VIII.—Assessed Taxes—10.

34. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue	23,10	24,11	23,76	24,19	23,48	23,98
Expenditure	42	42	45	48	47	59

(a) In the revenue Budget a decrease of 85 is anticipated in the receipts under "Tax on Profit of Companies" owing to unfavourable prospects of the mill industry in the current year, on the accounts of which assessments for the ensuing year will be based, while an increase of 64 is estimated under other heads.

(b) The expenditure Budget includes a provision of 8 for the contemplated revision of establishments for income-tax work in certain cities in the mofussil.

IX.—Forest—11.

35. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue	17,11	18,23	17,94	18,50	19,05	18,55
Expenditure	9,95	9,78	10,22	10,53*	10,68	11,31*

* This is the major head estimate after deduction of 20 in the current year's Budget and 25 in the Budget for 1910-11 for probable savings.

(a) The decrease in the revenue Budget as compared with the Revised estimate for 1909-10 is due chiefly to the completion of the clearance of málki teak in the Thána district.

(b) The increase in the expenditure Budget over the Budget for 1909-10 is due chiefly to the provision for the reorganization of subordinate forest establishments (1,38 against 59 for temporary establishments in the current year's Budget), for percentage charge (14) on sale-proceeds of málki teak, and for the extension of measures for the protection of forests from fire (8). On the other hand, no provision is made for grain compensation charges in 1910-11.

X.—Registration—12.

36. The figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue	6,55	6,95	7,03	7,04	7,40	7,60
Expenditure	3,13	3,26	3,52	3,62*	3,68	3,90

* This is the major head estimate after deduction of 25 for probable savings.

(a) The revenue Budget provides for a small advance in view of the normal expansion in registering operations exhibited in the Revised estimate for 1909-10.

(b) The increase in the expenditure Budget as compared with the Revised estimate for 1909-10 is due to the provision for additional Sub-Registrars and establishments. The Budget for 1909-10 was framed with a lump deduction of 25 for "probable savings." As certain proposals for the re-organization of the Registration Department which were then under consideration have since been sanctioned, no deduction is made for "probable savings" in the new Budget.

XII.—Interest—13.

37. The Provincial figures are —

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue ..	5,38	8,05	7,04	7,67	10,00	9,81
Expenditure ...	6,30	6,29	6,22	6,52	6,23	6,13

(a) The increase in the revenue Budget over the Budget for 1909-10 is due chiefly to (i) larger receipts of interest on takávi expected in view of a normal season, (ii) the increased rate of interest (6½ per cent.) chargeable on takávi advances made since November 1908, and (iii) interest recoverable from the Aden Port Trust in respect of the loan granted to it in 1909-10. The Revised estimate does not include item (iii), but allows for larger receipts from interest on loans to cultivators.

(b) The decrease in the expenditure Budget as compared with the Budget for 1909-10 is due chiefly to the reduction of the outstanding balance at the close of that year, and to smaller provision for advances to, and larger recoveries expected from, cultivators in anticipation of a normal season, and for the grant of loans to Gujarát Táluk-dárs in connection with the settlement of their debts.

38. The amount to be obtained from the Government of India for loans is provisionally distributed as shown below:—

(i) Loans to cultivators	...	...	...	...	26,00
(ii) Loans to Tálukdárs in Gujarát	...	...	...	...	3,00
(iii) Loans to land-holders and notabilities apart from the provisions of any law	...	...	...	...	83
(iv) Loans to local bodies on account of public works	...	...	...	...	9,00
(v) Loans for the purposes of the Co-operative Credit Societies Act	...	...	...	...	56
Total	...	...	...	...	<u>39,33</u>

General Administration—18.

39. The Provincial figures are —

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Expenditure.	14,57	15,67	16,07	16,65*	16,17	17,04

* This is the major head estimate after deduction of 25 for probable savings.

Next year's Budget exhibits an increase of 39 over the current year's Budget, or an increase of 14 if the lump deduction of 25 for probable savings in this year's Budget is not taken into account. The real increase, however, comes to 84 as in lieu of the lump provision of 79 made in the latter Budget for charges debitable to various heads on account of local allowance to certain establishments in Bombay and Karáchi and house-rent allowance to certain gazetted officers in Bombay, next year's Budget provides 9 for the charges falling under this head. The increase is due mainly to the provision for an additional Ordinary Member of the Executive Council (66) and for the revision of establishments in Commissioners' offices (6).

XVI.A.—Law and Justice—Courts of Law—19-A.

40. The figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08	1908-09.	Budget.	Revised.	Budget.
Revenue ...	5.08	5.30	5.89	5.60	6.00	5.87
Expenditure ...	50.92	51.81	52.81	52.49*	52.60	53.03*

* This is the major head estimate after deduction of 75 in the current year's Budget and 60 in next year's Budget for probable savings.

(a) The revenue Budget practically follows the Revised, and shows increases under "General Fees, Fines and Forfeitures" and "Miscellaneous Fees and Fines" over the current year's Budget.

(b) Leaving aside the lump deductions for probable savings, the expenditure Budget shows an increase of 39 over the current year's Budget, due mainly to special provisions on account of (i) an additional Judge of the High Court (55), (ii) local and house-rent allowances to certain officers (14), and (iii) the contemplated revision of the Legal Remembrancer's staff (12), partly counterbalanced by the absence of grain compensation, and by smaller provision for salaries and allowances of Magisterial officers and for payments to officers of other Provinces.

XVI.B.—Law and Justice—Fails—19-B.

41. The figures are :—

	Actuals.			1909-10.		1910-11.
	1906 07	1907 08	1908-09	Budget.	Revised.	Budget.
Revenue ...	2.21	2.14	2.17	2.35	2.50	2.65
Expenditure ...	8.93	8.66	9.92	9.84*	9.86	10.49

* This is the major head estimate after deduction of 25 for probable savings.

The increase in the revenue and expenditure Budget is due mainly to the manufacture of Police clothing, the contract for which for the year 1910-11 has been given to the Jail Department. The latter Budget provides also for the re-opening of the Shikarpur Prison in order to meet the increasing demand on Sind prisons. The current year's Revised shows smaller provision for the revision of warder establishments.

XVII.—Police—20.

42. The figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue ...	4.46	4.49	3.94	4.40	3.96	4.03
Expenditure—						
Cash ...	66.05	71.45	84.38	88.10	88.14	89.95
Alienations ...	4.98	4.95	4.99	4.98	5.01	5.01
Total ...	71.03	76.41	89.37	93.08*	93.15	94.96*

* This is the major head estimate after deduction of 1.00 for probable savings.

(a) The decrease in the revenue Budget from the Budget for 1909-10 is due chiefly to the transfer to the head V, *Excise* of contributions on account of Excise peons.

(b) The increase in the expenditure Budget as compared with the estimates for 1909-10 is due mainly to (i) increased provision under "District Executive Force" of (a) 52 on account of salaries, chiefly due to a smaller deduction for probable savings,

(8) 26 under police establishments, (7) 28 under travelling allowances, and (8) 1,65 on account of supplies, services, and contingent charges (chiefly for arms and ammunition, bicycles, clothing, conservancy charges, furniture, petty construction, rents, and rewards), (ii) 1,21, including a lump provision of 75, for additional police re-organization and reforms mentioned at (a), (8), and (7) in paragraph 14 (7), and (iii) the supply of motor cars for the Deputy Commissioners of Police, Bombay (12). The increase is partially counterbalanced by the absence of the provisions for grain compensation, for arrear payment of rent for Bombay City Police, and for the creation of an armed reserve in Káthiáwár, and by smaller provision for the Police Training School.

XVIII—Ports and Pilotage—21.

43. The figures are :—

	Actuals			1909 10.		1910-11.
	1906-07	1907-08.	1908-09.	Budget	Revised.	Budget.
Revenue	84	94	89	90	90	95
Expenditure ...	45	54	53	57	60	96

(a) The revenue Budget includes 5 for fees received by the Shipping Master, Aden, which did not hitherto pass through the public accounts.

(b) The increase in the expenditure Budget is due mainly to a special provision of 30 or repairs to the steamer *Jhelum* which is used for service on the Indus.

XIX.—Education—22.

44. The figures are :—

	Actuals.			1909 10.		1910-11.
	1906 07.	1907 08.	1908-09	Budget.	Revised.	Budget.
Revenue ...	3.73	3.78	4.09	4.10	4.10	4.20
Expenditure ...	26.96	28.05	41.21	44.73*	43.00	50.60*

* This is the major head estimate after deduction of 54 in the Budget for 1909-10 and 50 in the Budget for 1910-11 for probable savings

(a) The increase in the revenue Budget occurs in fees at secondary schools and in examination fees.

(b) The increase in the expenditure Budget over the current year's Budget is due mainly to the provisions made for the following items :—

(i) Additional grants for opening new primary schools in local areas ...	1,98
(ii) Grants-in-aid of University and Collegiate education ...	1,00
(iii) Additional provision for building grants ...	77
(iv) Unexpended balance of the grant for 1909-10 for the development of technical education ...	57
(v) Training of teachers and establishment of normal classes in the mofussil (30) and in Bombay City (18) ...	48
(vi) Entertainment of additional Assistant Deputy Educational Inspectors, revision of clerical establishments of Deputy Educational Inspectors, and provision for binding their records and for furniture required by them ...	39
(vii) Additional grant to pay trained teachers the face value of their certificates...	24
(viii) Additional grant to meet the progressive cost of the scheme fixing Rs. 10 a month as minimum and Rs. 15 a month as maximum pay for qualified but untrained teachers in Sind ...	21
(ix) Local allowances to certain establishments in Bombay and Karáchi ...	18
(x) Revision of salaries of Head Masters of High and Middle Schools ...	17
(xi) House-rent allowance to certain gazetted officers in Bombay City ...	7
(xii) Additional provision for allowances for examinations ...	6

The increase is partially counterbalanced by the absence of the provisions for a grant (46) to the St. Peter's School and for grain compensation. A provision of 2,24 is made

as shown below against the Imperial assignment (1,67) for technical and industrial education for the year 1910-11 and the unexpended balance (57) of the grant of 1909-10 :—

(i) Development of technical education	...	...	1,90
(ii) Grant-in-aid to the Victoria Jubilee Technical Institute	...	...	15
(iii) Additional expenditure in connection with the Pottery Department and the Architectural Class at the Sir J. J. School of Art	...	...	13
(iv) Instructor of the Normal Class, College of Science, Poona	...	...	3
(v) School of Industry, Ratnágiri	...	...	2
(vi) Manual Training Class at the Belgaum High School	...	...	1
		Total	2,24

45. The expenditure estimate of 50,60 mentioned above is exclusive of the following items which are provided under other heads for purposes connected with education :—

(i) Construction and maintenance of Government educational buildings	...	3,51
(ii) Grant Medical College and Medical Schools at Poona, Ahmedabad and Hyderabad	...	2,96
(iii) Agricultural College at Poona	...	88
(iv) Veterinary College in Bombay (exclusive of 31 borne by Imperial revenues on account of the salary and allowances of the Principal and Assistant Principal)	...	35
(v) Allowances to Dakshina Fellows and others (Provincial share)	...	10
(vi) Donations to Scientific Societies	...	10
(vii) Preservation and translation of ancient manuscripts	...	3
	Total	7,93

The total Provincial expenditure on educational objects in 1910-11 is thus estimated at 58,53.

XX.—Medical—24.

46. The figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue	2,23	2,20	2,22	2,24	2,20	2,16
Expenditure	22,02	19,05	25,52	29,15*	26,75	30,19*

* This is the major head estimate after deduction of 1,50 for probable savings.

(a) The decrease in the revenue Budget is due mainly to smaller receipts from Medical School and College fees. The decrease in the Revised is also due to the same cause, partially counterbalanced by a contribution of 4 from the Bombay Port Trust towards the cost on account of the Malaria Investigation Committee.

(b) The increase in the expenditure Budget over the current year's Budget is principally due to the provision of 25 for the contemplated revision of the pay of, and entertainment of temporary, Civil Medical Assistants, and to additional provisions for (i) grants-in-aid of sanitary projects (80), (ii) nursing and dispensary grants (46), (iii) contract grants of hospitals and dispensaries (15), (iv) building grants-in-aid of private hospitals (12), (v) charges for the accommodation of pilgrims (10), and (vi) the Malaria Investigation Committee (9). The increase is partially counterbalanced by the absence of the provision for grain compensation allowance, and by smaller provisions for plague and other epidemic charges, for the equipment of hospitals, and for salaries and allowances of the superior staff owing to officers of lower rank being on duty. The current year's provisions for the revision of the staff of the Grant Medical College (25) and for the transfer of the civil duties of the Principal Medical Officer in Sind to the Civil Surgeon, Karachi (12), are repeated in the new Budget, the subjects being still under consideration.

Political—25.

47. The Provincial figures are—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Expenditure.	4,29	3,90	4,06	4,47*	4,60	4,87

* This is the major head estimate after deduction of 25 for probable savings.

The increase in next year's Budget is due chiefly to the provisions of 19 for the supply of tents to Political officers, and 34 (against 25 in the current year's Budget) on account of a time-scale pay for Military officers employed in the Political Department, and to the absence of the lump deduction of 25 made for probable savings in the current year's Budget. The increase is partially counterbalanced by smaller provision on account of payments to officers of other Provinces. The Revised for the current year includes a refund of 58 on account of excess contributions towards establishment charges received in previous years from the Sávantvadi State, and allows for delay in the introduction of a time-scale pay for Military officers.

XXI.—Scientific and other Minor Departments—26.

48. The Provincial figures are—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue ...	53	66	64	85	80	98
Expenditure ...	5,29	5,76	7,00	8,69*	7,16	8,96*

* This is the major head estimate after deduction of 75 in the current year's Budget and 50 in next year's Budget for probable savings.

(a) The increase in the revenue Budget over the current year's estimates is due mainly to larger receipts anticipated from experimental cultivation.

(b) The expenditure Budget exceeds the current year's Budget by 27, but lump deductions for probable savings amount to 53 more in the new Budget. But for these deductions the provision under "Agriculture" would show an advance of 59 instead of 5, the increase being due chiefly to further development of farm operations and re-organization of subordinate establishments, while the provision under "Veterinary and Stallion Charges" would show an advance of 23, instead of a decline of 1, the increase being due chiefly to the contemplated transfer of certain horse-breeding stands from the Army Remount Department, for which an Imperial assignment of 17 is provided on the receipt side. A new provision of 7 for the appointment of an officer in connection with hand-weaving industry is almost counterbalanced by the absence of the provision for Gazeteeer work, while the unutilised grant of 1,07 for land compensation on account of the Northcote Cattle Farm is transferred to the new Budget.

XXII.—Superannuation Allowances—29.

49. The Provincial figures are—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue ...	2,06	2,09	2,11	2,05	2,30	2,35
Expenditure ...	25,09	26,22	27,27	28,79	28,79	30,20

(a) The Budget allows for a small increase over the Revised for 1909-10, which shows an increase on account of increments in salaries, and a larger number, of officers in foreign service.

(b) In the expenditure Budget provision is made for the aggregate amount of existing pension charges and for an increase of 75 for probable additions to the pensions list over the lapses.

XXIII.—Stationery and Printing—30.

50. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
Revenue ..	79	89	1,08	1,00	1,05	1,01
Expenditure ...	11,74	13,01	12,87	12,72*	13,45	13,29*

* This is the major head estimate after deduction of 25 in the Budget for 1909-10 and of 20 in the Budget for 1910-11 for probable savings.

(a) The revenue Budget is normal.

(b) The increase in the expenditure Budget is due mainly to larger provision (6,50 against 5,95 in the current year's Budget) for "Stationery supplied from Central Stores" owing to increasing demands for paper from the Government Presses and for stationery, typewriters, etc., from public offices, partly counterbalanced by the absence of the grant (13) for printing charges of the Bombay Gazetteer in the current year.

XXV.—Miscellaneous—32.

51. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906 07	1907-08	1908 09.	Budget.	Revised.	Budget.
Revenue ...	61	98	76	1,00	1,00	98
Expenditure ...	3,58	2,48	2,97	3,00	2,95	3,62

(a) The revenue Budget is normal.

(b) The increase in the expenditure Budget is due to the additional provision of 58 on account of taxes on Government buildings and lands in Bombay City, 43 being for arrears and 15 in view of the enhanced rates to be introduced from next year, and to a grant (7) in aid of a Labour Home to be started for European vagrants in Bombay.

Famine Relief—33.

Reduction or Avoidance of Debt—36.

52. The Provincial figures are :—

	Actuals.			1909-10.		1910-11.
	1906 07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
33. Famine Relief.	9,37	...	..	...	..	...
36. Reduction or Avoidance of Debt.	...	13,70	13,70	13,70	13,70	13,70

In accordance with the arrangement for the incidence of direct famine charges described in paragraph 15 of the Financial Statement for 1907-08, an annual assignment of 13,70 has been made since 1907-08 from Imperial to Provincial, through the head 1, *Land-Revenue* for the purpose of building up a reserve of credit up to a maximum of 80,00. *Per contra*, the assignment is debited in the Provincial account to the expenditure head No. 36. A separate administrative account is kept of the accumulations to the credit of the Local Government, which will show at the end of the year 1910-11 a balance

of 54.32, direct famine expenditure chargeable to Imperial revenues under head No. 33 having amounted to 15 in 1907-08 and 32 in 1908-09, and being estimated at 1 for 1909-10 and nil for 1910-11.

XXIX and XXX.—Irrigation—42 and 43.

53. The Provincial share of the receipts under *XXIX, Irrigation—Major Works—* Portion of *Land-Revenue due to Irrigation* was until the beginning of 1907-08 included in the "Provincial $\frac{1}{2}$ share" under the head *I, Land-Revenue*. The revenue is now shared equally between Imperial and Provincial under the head *XXIX*. The Provincial figures are:—

	Actuals			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget
<i>Revenue.</i>						
XXIX, Major Works—						
{ Portion of Land-Revenue due to Irrigation.	..	10.81	12.47	14.34	13.65	14.32
{ Direct Receipts ..	4.60	5.62	4.91	5.20	5.80	5.69
XXX, Minor Works and Navigation.	1.51	1.83	2.02	1.67	1.80	1.56
Total ..	6.11	18.26	19.40	21.21	21.25	21.57
<i>Expenditure.</i>						
42, Major Works.						
{ Working expenses Ex.	5.13	5.40	5.87	5.31	5.26	6.34
{ Interest on Debt.	7.87	7.98	8.23	8.63	8.64	9.13
43, Minor Works and Navigation.						
{ Civil Department.	..	..	..	5	8	7
{ Public Works Department.	13.79	15.20	16.31	15.50	17.27	15.19
Total ..	26.79	28.58	30.41	29.49	31.25	30.73

The foregoing statement should not be taken as a complete indication of the profitableness of the irrigation works, because no separate account is taken in the Budget for a considerable amount of land-revenue earned by minor irrigation works.

(a) The increase of 67 over the Revised for 1909-10 under *Land-Revenue due to Irrigation* is due chiefly to a good supply of water in the Dad and Nasrat Canals, as well as to the new settlement in the villages on the Canals. The increase of 49 over the Budget for 1909-10 under *Direct Receipts* is due chiefly to the transfer of the revenue from the Khari Cut Canal to this head on account of its amalgamation with the Hathmati Canal, while the decrease of 11 from the Revised is due to the inclusion in the latter estimate of certain arrears of the previous year and to deficiency of water in the Desert Canal. Under *XXX, Minor Works and Navigation*, the estimates for 1909-10 provide for the recovery of certain outstandings.

(b) The provision of 30.73 for expenditure in 1910-11 is distributed as shown below:—

	Major Works.			Minor Works.		
	Deccan and Gujarat.	Sind.	Total.	Deccan and Gujarat.	Sind.	Total.
Original Works	16	64	80	1.48	53	2.01
Maintenance and Repairs	59	2.98	3.57	1.73	7.18	8.91
Establishment	46	1.38	1.84	94	3.05	3.99
Tools and Plant	5	..	7	..	..	..
Refunds of Revenue	1	..	1	..	..	..
Interest Account..	4.82	4.31	9.13	..	..	..
Free Grants for the Encouragement of Irrigation	..	..	..	7	..	7
* Works in specially Precarious Tracts.	..	..	..	..	..	..
Total ..	6.09	9.38	15.47	4.29	10.97	15.26

Under 42, *Major Works—Working Expenses*, the increase over the estimates for 1909-10 is due mainly to larger provision for extensions and improvements on the Desert and Begári Canals and for establishment charges. The increase in the interest charges is due to the large outlay incurred during 1909-10 and to be incurred in 1910-11 from Imperial revenues on the Godávári and Pravara River Irrigation Works. Under 43, *Minor Works and Navigation* smaller provision for original works in Sind and for establishment charges is partly counterbalanced by increase of maintenance and repair charges. The Revised for 1909-10 includes heavy outlay for the construction of loop embankments, etc., in Sind.

XXXI.—Civil Works—45.

54. The Provincial figures are:—

	Actuals.			1909-10.		1910-11.
	1906-07	1907-08	1908-09.	Budget.	Revised.	Budget.
<i>Public Works Department.</i>						
Revenue ...	7,30	7,99	7,49	7,00	6,60	5,95
Expenditure ...	61,50	73,22	70,53	69,86	70,00	65,02
<i>Civil Department</i>						
Revenue .	8	7	8	7	9	7
Expenditure .	94	26	8,22	8,10	8,14	8,44

(a) The variation of the Public Works revenue Budget from the Budget for 1909-10 is due to smaller receipts expected from buildings to be demolished or sold and from tolls, and from the Revised to less receipts from tolls and sale of old materials.

(b) The expenditure Budget in the Public Works Department is distributed as follows:—

Original Works.

Civil Buildings ...	...	...	...	18,70	
Communications ...	...	...	...	4,54	
Miscellaneous Public Improvements	...	...	...	35	
Reserve, including discretionary grants (5,00) to certain Heads of Departments.	...	...	...	8,21	31,80

Repairs.

Civil Buildings ...	...	...	...	6,71	
Communications ...	...	...	...	11,77	
Miscellaneous Public Improvements	...	...	...	26	18,74
Establishment	...	...	...	...	12,68
Tools and Plant	...	...	...	...	1,80
Total ...					65,02

The provision of 31,80 for original works is made up of 20,31 for major works in progress, 3,28 for new major works, 5,00 for minor works, and 3,21 for reserve with Government. The provision of 18,70 for "Original Works—Civil Buildings" is distributed as shown below:—

Administration ...	...	...	...	...	6,00
Police ...	...	...	...	...	3,97
Education ...	...	...	...	...	3,10
Medical ...	...	...	...	...	2,48
Jails ...	...	...	...	...	2,15
Miscellaneous ...	...	...	...	...	63
Law and Justice	...	...	...	...	35
Total ...					18,70

The grants exceeding 10 in each case for major works in progress will be spent chiefly on—

- (i) Central block of buildings for the accommodation of various offices at Poona (1,00), Buildings in connection with the contemplated formation of a new district in Sind (70), Kacheri and Court-house at Hyderabad (55), Commissioners' offices at Ahmedabad (36) and Belgaum (19), Deputy Commissioner's office and Huzur Treasury and Deputy Collector's office at Mirpurkhás (25), Mámlatdárs' Kachers at Ráver (25), Dhárwár (25), Sátára (20), and Dindori (20), and Improvements and alterations to the Commissioner's Press, Karáchi (20);
- (ii) Police lines near the Arthur Crawford Market, Bombay (50), Quarters for the City and Head Quarter Police, Surat (50), City Police Lines at Sholápur (35), Lines for the armed police and conversion of the head-quarter office into quarters for the City Police at Broach (30), Head-quarter police lines at Kárwár (23), Buildings for the Head-Quarter Police at Sátára (20) and Thána (20), Police Lines at Ráver (18), Kirkee (14), Sékhat, Central Hyderabad Canals District (13), and Ankola (11), and Police offices and stores (17) and new Lines for the armed police (12) at Jacobabad,
- (iii) Agricultural College and Research Institute Buildings (including hostel for students) at Poona (1,25), Laboratory at the College of Science, Poona (50), Physiological Laboratory (35), Quarters for students (17) and Lecture Theatre (14) in connection with the Grant Medical College, Hostel for the High School at Dhárwár (25), and Additions and alterations to the students' hostel, Elphinstone College (24);
- (iv) Central Lunatic Asylum at Yeravda (1,00), Depôt for the preparation of vaccine lymph at Belgaum (32), Quarters for the Assistant Surgeons and Stewards of the J. J. Hospital, Bombay (26), certain works at the Gokuldás Tejpal Hospital, Bombay (25), and Quarters for nurses at the Civil Hospital, Belgaum (13);
- (v) Jail for Bombay at Andheri (1,25), and Civil Debtors' Jail at Crater, Aden (13);
- (vi) Court for the District Judge at Surat (24);
- (vii) Bridges at Kalyán (90), Mahuli in the Sátára district (50), Khed in the Poona district (40), and Konkangaon (25), and on the Kolhápur Road (20), Improvements to the Khándesh-Nízám Frontier Road (25), Karád-Bijápur Road, Section from Tikota (15), and Málwan-Phonda Road (15), Roads from Érandol to Paldhi (25), from Vihigaon to Khodála (24), from Uran to Jasái (20), and from Bhátkal to Mysore Frontier (20), Widening the Bombay-Agra Road in Násik (17), and Dips and bridges on Palí-Phonda Road (12), and
- (viii) Construction of the Visápur Tank (20), and Water-supply to the Lunatic Asylum and the town of Ratnáguri (15).

Among the new major works the most important are :—

- (i) Sanitary fittings at Government House, Ganeshkhind (60), Mukhtíárkar's Kacheri at Tatta (25), Works in connection with the development of Sálsette (21), and Residence for the Assistant Political Agent at Pálanpur (19);
- (ii) Construction of a building of three flats in the Marine Lines, Bombay (40);
- (iii) Quarters for extra warders at Yeravda (25);
- (iv) Chemical Analyser's Laboratory at Karáchi (22); and
- (v) Additions to the Nágpada Police Station in Bombay (11).

(c) For the Civil Department the estimate of receipts is normal, and the expenditure Budget provides for a special grant-in-aid of 20 to the District Local Board, Panch Maháls, for improvement to the Godhra-Kalol Road and does not reproduce the current year's provision of 16 for the balance of the contribution (82) payable by the District Local Board, Thána, for the upkeep of certain forest roads.

G. CARMICHAEL.

APPENDIX I.

Schedule of Provincial Revenue and Expenditure.

REVENUE			EXPENDITURE		
1	2	3	4	5	6
Major Heads.	Minor Heads.	Provincial Share.	Major Heads.	Minor Heads.	Provincial Share.
I, Land Revenue.	Assessment of Alienated Lands <i>less</i> quit-rent. All other minor heads ..	The whole. One-half.	1, Refunds, etc. ...	The heads of which the corresponding receipts are wholly or partly Provincial.	The same share as in the case of the corresponding heads of receipts.
IV, Stamps ..	All	One-half.	2, Assignments and Compensations.	Do. do. ... Miscellaneous Compensations.	Do. do. The whole.
V, Excise ..	All	One-half.	3, Land-Revenue	All	The whole.
VIII, Assessed Taxes.	All, except Tax on Surplus Profits of Railway Companies.	One-half.	6, Stamps ..	All	One-half.
IX, Forest ...	All	One-half.	7, Excise ...	All	One-half.
X, Registration	All	The whole	10, Assessed Taxes	All	One-half.
XII, Interest ...	Interest on Provincial Loans and Advances. Interest on Government Securities.	The whole.	11, Forests ...	All	One-half.
XVI-A, Courts of Law.	All	The whole.	12, Registration	All	The whole.
XVI-B, Jails ...	All	The whole.	13, Interest ..	Interest on Provincial Advance and Loan Account.	The whole.
XVII, Police ...	All	The whole.	18, General Administration.	Civil Offices of Account and Audit. All other minor heads, except— Currency Department. Reserve Treasury. Allowance to Presidency Banks.	Local Audit Establishment. The whole.
XVIII, Ports and Pilotage.	All	The whole.	19-A, Courts of Law	All	The whole.
XIX, Education ...	All	The whole.	19-B, Jails	All	The whole.
XX, Medical ...	All	The whole.	20, Police	All	The whole.
XXI, Scientific and other Minor Departments.	All	The whole.	27, Ports and Pilotage	All	The whole.
XXII, Superannuation Receipts.	Contribution for Pensions and Gratuites. Miscellaneous ...	The whole.	22, Education ...	All	The whole.
XXIII, Stationery and Printing.	All	The whole, except receipts for the value of supplies from Central Stores to Railways, Local Funds, Municipalities, and other independent bodies.	24, Medical ..	All	The whole.
XXV, Miscellaneous.	Extraordinary Items ... All other minor heads, except— Gain by Exchange ... Premia on Bills ... Unclaimed Bills of Exchange. Percentage chargeable on European Stores for Provincial and Local Funds, etc. Value of old Currency Notes assumed to be no longer in Circulation.	Items not exceeding Rs. 10,000. The whole.	25, Political ...	All, except— Refugees and State Prisoners. Charges of Aden, Baroda and Persian Gulf.	The whole.
			26, Scientific and other Minor Departments.	Veterinary and Stallion Charges.	The whole except the pay and allowances of officers on the cadre of the Civil Veterinary Department.
			29, Superannuation Allowances, etc	All, except— Census Ethnographic Survey.	The whole.
			30, Stationery and Printing.	Pensions of the Military Fund. Pensions of the Military Orphan Fund. Pensions of Civil Fund.	The whole.
			32, Miscellaneous ..	All, except Stationery purchased for Central Stores. Extraordinary Items	The whole.
				All other minor heads, except— Charges for Remittance of Treasure. Discount on Bills ... Loss by Exchange ...	Items not exceeding Rs. 10,000. The whole.
			33, Famine Relief 35, Reduction or Avoidance of Debt.	All	As explained in paragraph 15 of the Financial Statement for 1907-08.

REVENUE.			EXPENDITURE.		
1	2	3	4	5	6
Major Heads.	Minor Heads.	Provincial Share.	Major Heads.	Minor Heads.	Provincial Share.
XXIX, Irrigation—Major Works.	{ Portion of Land-Revenue due to Irrigation. } { Direct Receipts ... }	One-half.			The whole, except in cases in which the outlay is specially incurred from Imperial Funds. But Provincial expenditure under these heads is permitted only under special orders of the Government of India in regard to each Railway.
XXX, Irrigation—Minor Works and Navigation.	All	One-half.	40, Subsidized Companies. Com-	Land	
XXXI, Civil Works	All	The whole, except receipts on account of buildings for the use of Imperial Departments.	41, Miscellaneous Railway Ex-	Surveys	
			44, Construction of Railways.	All	
			42, Irrigation—Major Works.	Working Expenses Interest on Debt	
			43, Irrigation—Minor Works and Navigation.	All ... ..		One-half.
			45, Civil Works	All	The whole, except expenditure on buildings for the use of Imperial Departments.

APPENDIX J.

*Provincial Revenue and Expenditure by Major and Minor Heads for the
years 1908-09, 1909-10 and 1910-11.*

REVENUE.

Rupees in thousands.

Major and Minor Heads of Account.	1908-09.	1909-10.		1910 11.
	Actuals.	Budget.	Revised.	Budget.
<i>I, Land-Revenue.</i>				
Ordinary	1,91,67	2,18,50	2,23,00	2,16,50
Miscellaneous	1,61	1,50	1,50	1,50
<i>Deduct—</i>				
Portion of Land-Revenue due to Irrigation	—12,47	—14,34	—13,65	—14,32
Fixed Allotment and Adjustments	91,92	93,50	92,63	89,10
Assessment of Alienated Lands less Quit-rents	92,24	92,04	92,28	92,28
Total	3,64,97	3,91,20	3,95,76	3,85,06
<i>IV, Stamps.</i>				
Sale of General Stamps	14,08	14,50	15,35	15,22
Sale of Court Fee Stamps	16,92	17,10	20,00	18,75
Duty on Impressing Documents	63	59	67	65
Fines and Penalties	12	8	12	12
Miscellaneous	36	23	26	26
Addition due to enhancement of taxation announced by the Government of India.	...	...	...	3,51
Total	32,11	32,50	36,40	38,51
<i>V, Excise.</i>				
License and Distillery Fees and Duties for the Sale of Liquors and Drugs.	75,22	78,81	76,90	78,06
Transit Duty on Excise Opium	4,68	4,37	4,37	4,50
Gain on Sale-proceeds of Excise Opium	55	23	52	52
Duty on Gánja	3,18	3,08	3,43	3,43
Fines, Confiscations and Miscellaneous	60	51	78	61
Total	84,23	87,00	86,00	87,12
<i>VIII, Assessed Taxes.</i>				
Income Tax on—				
Salaries and Pensions	4,98	4,85	5,15	5,20
Profits of Companies	3,85	3,89	2,70	3,04
Interest on Securities	1,95	1,95	1,95	2,05
Other Sources of Income	12,98	13,50	13,68	13,69
Total	23,76	24,19	23,48	23,98
<i>IX, Forest.</i>				
Timber and other produce removed from the Forest by Government Agency .	5,88	6,88	7,00	7,01
Timber and other produce removed from the Forest by Consumers or Purchasers.	11,46	11,12	11,50	11,00
Confiscated Drift and Waif Wood	3	2	2	2
Revenue from Forests not managed by Government. Miscellaneous	6 51	5 43	6 47	4 48
Total	17,94	18,50	19,05	18,55
<i>X, Registration.</i>				
Fees for registering documents	6,74	6,70	7,11	7,27
Fees for copies of registered documents	19	20	19	19
Miscellaneous	10	14	10	14
Total	7,03	7,04	7,40	7,60

Major and Minor Heads of Account.	1908 09.	1909-10.		1910-11.
	Actuals.	Budget.	Revised.	Budget.
<i>XII, Interest.</i>				
Interest on Provincial Loans and Advances ...	6,53	7,15	9,48	9,29
Interest on Government Securities ...	51	52	52	52
Total ...	7,04	7,67	10,00	9,81
<i>XVI-A, Law and Justice—Courts of Law.</i>				
Sale-proceeds of Unclaimed and Escheated Property.	58	35	37	32
Court Fees realized in cash ...	56	55	65	57
General Fees, Fines and Forfeitures ...	3,98	4,10	4,25	4,25
Pledership Examination Fees ...	1	1	1	1
Miscellaneous Fees and Fines ...	48	35	52	52
Miscellaneous ...	28	24	20	20
Total ...	5,89	5,60	6,00	5,87
<i>XVI-B, Law and Justice—Jails.</i>				
Jails ...	66	75	95	82
Jail Manufactures ...	1,51	1,60	1,55	1,83
Total ...	2,17	2,35	2,50	2,65
<i>XVII, Police.</i>				
Presidency Police ...	2,34	2,52	2,47	2,57
Police supplied to Municipal, Cantonment and Town Funds.	21	20	22	20
Police supplied to Public Departments, Private Companies and Persons.	65	1,04	68	68
Fees, Fines and Forfeitures ...	10	9	9	9
Superannuation Receipts ...	4	5	5	5
Miscellaneous ...	60	50	45	44
Total ...	3,94	4,40	3,96	4,03
<i>XVIII, Ports and Pilotage.</i>				
Registration and Other Fees ...	88	89	89	94
Miscellaneous ...	1	1	1	1
Total ...	89	90	90	95
<i>XIX, Education.</i>				
Fees, Government Colleges, General ...	55	59	57	60
Fees, Government Colleges, Professional ...	48	50	43	45
Fees, Schools, General ...	2,08	2,10	2,15	2,15
Fees, Schools, Special ...	11	9	11	10
Contributions ...	6	1	...	...
Miscellaneous ...	81	81	84	90
Total ...	4,09	4,10	4,10	4,20
<i>XX, Medical.</i>				
Medical School and College Fees ...	81	90	83	83
Hospital Receipts ...	78	76	73	74
Lunatic Asylum Receipts ...	27	28	28	28
Medicines sold by Civil Surgeons ...	1	1	1	1
Contributions ...	32	28	32	27
Miscellaneous ...	3	1	3	3
Total ...	2,22	2,24	2,20	2,16

Major and Minor Heads of Account.	1908-09.	1909-10.		1910-11.
	Actuals.	Budget.	Revised.	Budget.
<i>XXI, Scientific and other Minor Departments.</i>				
Veterinary and Stallion Receipts ...	13	13	14	14
Agriculture Receipts, including Receipts on account of Experimental Cultivation.	35	55	50	65
Emigration Fees ...	...	1	...	1
Examination Fees ...	12	12	12	14
Miscellaneous ...	1	1	1	1
Botanical and other Public Garden Receipts ...	3	3	3	3
Total ...	64	85	80	98
<i>XXII, Receipts in aid of Superannuation, etc.</i>				
Contributions for Pensions and Gratuities ...	2,11	2,05	2,30	2,35
<i>XXIII, Stationery and Printing.</i>				
Stationery Receipts ...	4	3	4	4
Sale of Gazettes and other Publications ...	34	37	34	34
Other Press Receipts ...	70	60	67	63
Total ...	1,08	1,00	1,05	1,01
<i>XXV, Miscellaneous.</i>				
Unclaimed Deposits ...	15	52	52	50
Treasure Trove ...	1	1	1	1
Sale-proceeds of Darbár Presents ...	4	1	1	1
Sale of old Stores and Materials ...	1	1	1	1
Sale of Land and Houses ...	...	1	1	1
Fees for Government Audits ...	4	4	4	4
Contributions ...	8	7	8	8
Miscellaneous Fees, Fines and Forfeitures ...	7	7	8	8
Miscellaneous ...	24	26	24	24
Recoveries of Famine Expenditure ...	12	...	...	...
Total ...	76	1,00	1,00	98
<i>XXIX, Irrigation-Portion of Land-Revenue due to Irrigation.</i>				
	12,47	14,34	13,65	14,32
<i>XXIX, Irrigation-Major Works—Direct Receipts.</i>				
	4,91	5,20	5,80	5,69
<i>XXX, Irrigation—Minor Works and Navigation.</i>				
	2,02	1,67	1,80	1,56
<i>XXXI, Civil Works.</i>				
In charge of Civil Officers ...	8	7	9	7
In charge of Public Works Officers ...	7,49	7,00	6,60	5,95
Total ...	7,57	7,07	6,69	6,02
Total of the Major heads ...	5,87,84	6,20,87	6,30,84	6,23,40
Opening Balance ..	96,02	69,62	69,83	77,84
Grand Total ...	6,83,86	6,90,49	7,00,67	7,01,24

EXPENDITURE.

Major and Minor Heads of Account.	1908-09.	1909-10.		1910-11.
	Actuals.	Budget.	Revised.	Budget.
<i>1, Refunds and Drawbacks.</i>				
Land Revenue.....	1,55	1,00	1,10	1,05
Stamps.....	68	50	65	60
Excise.....	1,47	1,00	1,35	1,12
Assessed Taxes.....	14	10	20	15
Forest.....	5	4	5	5
Registration.....	2	5	3	5
Total	3,91	2,69	3,38	3,02
<i>2, Assignments and Compensations.</i>				
<i>Divided Heads (Provincial share).</i>				
Land Revenue Compensations—				
Inámdárs and other Grantees.....	4,28	4,19	4,61	4,16
Pensions in lieu of Resumed Lands.....	1,62	1,64	1,65	1,62
Miscellaneous Land Revenue Compensations.....	32	32	32	32
Excise Compensations.....	3,15	3,08	3,08	3,24
<i>Provincial Heads.</i>				
Inámdárs and other Grantees.....	79,24	69,54	69,67	69,67
Pensions in lieu of Resumed Lands.....	9,61	10,09	10,11	10,11
Miscellaneous Compensations.....	19	20	20	20
Total	89,41	89,06	89,64	89,32
<i>3, Land Revenue.</i>				
Charges of District Administration.....	36,10	37,00	36,00	37,30
Survey and Settlement.....	1,33	1,40	1,46	1,48
Land Records.....	30,17	30,85	29,84	30,97
Allowances to District and Village Officers.....	13,57	13,53	13,40	13,61
Lump Deduction.....	...	1,00	...	1,00
Total	81,17	81,78	80,70	82,36
<i>6, Stamps.</i>				
Superintendence.....	42	43	42	43
Charges for the Sale of General Stamps.....	38	39	39	39
Charges on Sale of Court Fee Stamps.....	8	9	9	9
Stamp Paper supplied from Central Stores.....	23	25	24	25
Total	1,11	1,16	1,14	1,16
<i>7, Excise.</i>				
Presidency Establishment.....	57	65	60	64
District Executive Establishments.....	4,52	4,25	4,20	4,34
Total	5,09	4,90	4,80	4,98
<i>10, Assessed Taxes.</i>				
Presidency charges.....	39	42	41	44
Up-country or Mofussil Charges.....	6	6	6	15
Total	45	48	47	59

Major and Minor Heads of Account.	1908-09.	1909-10.		1910-11.
	Actuals.	Budget.	Revised.	Budget.
<i>11, Forest.</i>				
Conservancy and Works	4,82	5,12	5,22	5,15
Establishments	5,40	5,61	5,46	6,41
Lump Deduction ... ..	...	-20	...	-25
Total	10,22	10,53	10,68	11,31
<i>12, Registration.</i>				
Superintendence	28	29	29	29
District Charges	3,24	3,58	3,39	3,61
Lump Deduction ... ..	...	-25	...	...
Total	3,52	3,62	3,68	3,90
<i>13, Interest on Ordinary Debt.</i>				
Interest on Provincial Advance and Loan Accounts...	6,22	6,32	6,23	6,13
<i>18, General Administration.</i>				
Salary of the Governor	1,20	1,20	1,20	1,20
Civil Offices of Account and Audit	80	83	80	85
Staff and Household of the Governor	2,08	2,08	2,00	2,11
Expenditure from Contract Allowance	1,13	98	1,15	98
Tour Expenses	9	11	11	11
Executive Council	1,32	1,30	1,30	1,96
Legislative Council, Travelling Allowances to Non-Official Members of the Council.	2	6	4	6
Civil Secretariats	6,02	6,00	6,10	6,07
Commissioner in Sind	1,32	1,25	1,21	1,30
Commissioners	2,25	2,41	2,32	2,45
General Establishment of Local Funds	-16	-11	-12	-11
Lump provision for Local and House-rent Allowances.	...	79	...	6
Lump Deduction ... ..	...	-25	...	...
Total	16,07	16,65	16,11	17,04
<i>19-A, Law and Justice—Courts of Law.</i>				
High Court	7,52	7,20	7,32	7,99
Law Officers	3,36	3,13	3,51	3,36
Administrator General	43	41	41	41
Coroner's Court	14	15	15	17
Presidency Magistrates' Courts	95	94	94	96
Judicial Commissioners	1,59	1,49	1,49	1,53
Civil and Sessions Courts	21,38	21,93	21,34	21,55
Courts of Small Causes	2,74	2,72	2,76	2,72
Criminal Courts	14,45	14,96	14,40	14,03
Pleadship Examination Charges ... ..	...	1	1	1
Refunds	25	30	27	30
Lump Deduction ... ..	...	-75	...	-60
Total	52,81	52,49	52,60	53,03
<i>19-B, Law and Justice—Jails.</i>				
Jails	8,79	9,01	8,68	8,92
Jail Manufactures	1,13	1,08	1,18	1,57
Lump Deduction ... ..	...	-25	...	...
Total	9,92	9,84	9,86	10,49

Major and Minor Heads of Account.	1908-09.	1909-10.		1910-11.
	Actuals.	Budget.	Revised.	Budget.
20, Police.				
Presidency Police	12,66	13,30	13,00	13,14
Superintendence	3,06	3,30	3,56	3,34
District Executive Force	55,73	59,20	58,75	61,49
Village Police	10,24	9,88	9,80	9,76
Special Police	5,84	6,01	5,75	5,75
Railway Police	1,80	2,25	2,25	2,44
Refunds	4	5	4	4
<i>Lump Deduction</i> ... ..	...	-1,00	...	-1,00
Total ..	89,37	93,08	93,15	94,96
21, Ports and Pilotage.				
Salaries and Allowances of Officers and Men afloat .	7	8	8	7
Purchase of Stores and Coal, etc.	4	6	7	37
Ports and Pilotage Establishments	39	41	43	47
Miscellaneous	2	2	2	2
Light-houses and light-ships ... ..	...	...	...	3
Refunds	1	...	...	...
Total ...	53	57	60	96
22, Education.				
University	15	...	10	...
Direction	58	60	56	62
Inspection	3,92	3,95	3,86	4,42
Government Colleges, General	1,16	1,68	1,62	1,65
Government Colleges, Professional	1,53	1,63	1,55	1,59
Government Schools, General	6,93	6,68	6,80	7,03
Government Schools, Special	3,02	4,41	3,92	5,23
Grants-in-Aid	23,01	25,00	24,40	29,18
Scholarships	41	50	53	50
Miscellaneous	50	82	65	81
Refunds ... ..	...	...	1	...
Lump provision for House-rent Allowance to Gazetted Officers. ... ..	...	...	...	7
<i>Lump Deduction</i> ... ..	...	-54	...	-50
Total ...	41,21	44,73	43,00	50,60
24, Medical.				
Medical Establishment	3,94	4,46	3,85	4,12
Hospitals and Dispensaries	5,20	6,14	5,43	7,09
Sanitation and Vaccination	9,31	10,92	10,63	11,93
Grants for Medical Purposes	2,21	3,53	2,00	3,04
Medical Schools and College	2,49	3,09	2,47	2,96
Lunatic Asylums	1,90	1,90	1,90	1,90
Chemical Examiner	42	58	44	61
Refunds	5	3	3	4
<i>Lump Deduction</i> ... ..	...	-1,50	...	-1,50
Total ...	25,52	29,15	26,75	30,19
25, Political.				
Political Agents	3,99	4,58	4,52	4,73
Entertainment of Envoys and Chiefs ... ..	...	1	1	2
Darbar Presents and Allowances to Vakils, etc.	5	7	5	6
Miscellaneous	2	6	2	6
<i>Lump Deduction</i> ... ..	...	-25	...	...
Total ...	4,06	4,47	4,60	4,87

Major and Minor Heads of Account.	1908-09.	1909-10.		1910-11.
	Actuals.	Budget.	Revised.	Budget.
26, Scientific and other Minor Departments.				
Provincial Museums	26	1	1	...
Public Observatories	13	10	10	11
Donations to Scientific Societies	10	11	11	11
Agriculture	4,27	5,99	4,70	5,24
Public Exhibitions and Fairs	8	...	...	...
Veterinary and Stallion Charges	1,10	2,87	1,30	2,86
Botanical and other Public Gardens	...	2	...	...
Inspectors of Factories	22	32	22	30
Gazetteer and Statistical Memoirs	13	7	...	...
Registration of Railway Traffic	27	31	31	32
Provincial Statistics	5	6	5	6
Preservation and Translation of Ancient Manuscripts.	3	3	1	3
Examinations	2	2	2	3
Registrar of Co-operative Credit Societies	30	32	31	40
Miscellaneous	4	...	...	...
<i>Lump Deduction</i>	...	75	...	30
Total	7,00	8,69	7,16	8,96
29, Superannuation Allowances and Pensions.				
Superannuation and Retired Allowances	26,60	28,03	28,07	29,51
Compassionate Allowances	55	59	55	54
Gratuities	11	16	14	14
Refunds	1	1	3	1
Total	27,27	28,79	28,79	29,20
30, Stationery and Printing.				
Stationery Office at the Presidency	47	39	39	41
Stationery purchased in the Country	1,23	1,33	1,18	1,26
Government Presses	4,51	5,25	5,00	5,23
Printing at Private Presses	6	5	8	9
Stationery supplied from Central Stores	6,60	5,95	6,80	6,50
<i>Lump Deduction</i>	...	25	...	20
Total	12,87	12,72	13,45	13,29
31, Miscellaneous.				
Travelling Allowances to Officers attending Examinations.	3	3	4	3
Rewards for Proficiency in Oriental Languages and Allowances to Language Examination Committees.	18	25	18	20
Subscriptions to Periodicals	22	22	22	22
Cost of Books and Publications	2	5	2	2
Donations for Charitable Purposes	35	37	38	44
Charges on account of European Vagrants	13	13	15	16
Rewards for the Destruction of Wild Animals	3	7	4	5
Petty Establishments	2	2	2	2
Special Commissions of Inquiry	...	4	2	2
Irrecoverable Temporary Loans written off	45	30	30	30
Rents, Rates and Taxes	1,22	1,33	1,36	1,94
Contributions	4	14	14	14
Miscellaneous and Unforeseen Charges	4	6	4	4
Miscellaneous Refunds	24	1	3	3
Miscellaneous Charges for the treatment of patients at the Pasteur Institute.	...	...	...	1
Total	2,97	3,00	2,95	3,62

Major and Minor Heads of Account.	1908-09*	1909-10.		1910-11.
	Actuals.	Budget.	Revised.	Budget.
<i>36, Reduction or Avoidance of Debt ...</i>	13,70	13,70	13,70	13,70
<i>41, Miscellaneous Railway Expenditure ...</i>	47	..	..	..
<i>42, Irrigation—Major Works.</i>				
Working Expenses	5,87	5,31	5,26	6,34
Interest on Debt	8,23	8,63	8,64	9,13
Total ...	14,10	13,94	13,90	15,47
<i>43, Irrigation—Minor Works and Navigation.</i>				
Civil Department ... ..	..	5	8	7
Public Works Department	16,31	15,50	17,27	15,19
Total ...	16,31	15,55	17,35	15,26
<i>45, Civil Works.</i>				
Civil Department	8,22	8,10	8,14	8,44
Public Works Department	70,53	69,86	70,00	65,02
Total ...	78,75	77,96	78,14	73,46
Total of the Major heads ...	6,14,03	6,26,07	6,22,83	6,38,87
Closing Balance ...	69,83	64,42	77,84	62,37
Grand Total ...	6,83,86	6,90,49	7,00,67	7,01,24

APPENDIX K.

FINANCIAL DEPARTMENT.

*Bombay Castle, 11th March 1910.***Memorandum.**

The following alterations have been made in the figures given (in thousands of rupees) in the Revised Financial Statement of the Government of Bombay for the year 1910-11, copies of which were furnished on 5th March 1910 to Honourable Members of the Legislative Council:—

Revised Estimates for 1909-10.

Major head.	Figure in the Revised Financial Statement.	Figure now adopted.
22, Education	43,00	44,00

The saving expected in view of the inability of the Bombay Municipality to take up in 1909-10 the grant of 1,00 for primary school buildings is now discounted, as it is likely to be wholly swamped by fluctuations under I, Land-Revenue, the estimate under which may not be fully realised.

Budget Estimates for 1910-11.

Major head.	Figure adopted in the Revised Financial Statement.	Figure now adopted.
<i>Revenue.</i>		
(a) I, Land-Revenue—Fixed Allotment and Adjustments	89,10	89,35
(b) IV, Stamps ...	38,51	38,26
<i>Expenditure.</i>		
(c) 45, Civil Works (Public Works Department).	65,02	65,52

The revision under (a) and (b) is due to alterations since made by the Supreme Legislative Council in the original Stamps Act Amendment Bill. Under (c) the grant is now raised by 50 in view of heavier demands for new works. The result of these alterations will be to reduce the closing balance for 1909-10 and the opening balance for 1910-11 from 77,84 to 76,84, and the closing balance for 1910-11 from 62,37 to 60,87.

G. CARMICHAEL.

Acting Chief Secretary to Government.

APPENDIX L.

No. A/1632 of 1910.

From

G. F. KEATINGE, ESQUIRE, I. C. S.,
Director of Agriculture, Bombay, Poona ;

To

THE CHIEF SECRETARY TO GOVERNMENT,
Revenue Department, Bombay.

Poona, 10th March 1910.

Sir,

In reply to the telegram received from the Honourable Sir J. Muir Mackenzie regarding the question on the subject of agricultural implements to be asked in Council by the Honourable Sirdar Kuppaswamy V. Mudaliar, I have the honour to state that the wording of the question is based on the assumption that this Department is about to open a large number of "Demonstration Farms" in the near future. The form that our demonstration work has recently taken has been to show in a cultivator's field that a certain crop, manure or implement, is useful and economical, and in this way to induce the cultivators to take it up. This method has been tried in connection with agricultural associations and independently of them. As an instance of this I may mention that the use of Sulphate of Ammonia as a top dressing for sugarcane was demonstrated last year in the Sátára district, and orders have now been placed by the newly-formed Wálwa Táluká Association for seven tons of Ammonium Sulphate. I think it likely that our demonstration work will take this form rather than the form of opening many demonstration farms equipped with buildings, stores, etc., which can be established only if the funds of this Department are very largely increased. In the absence of such demonstration farms, implements will continue to be distributed as at present by the agency of the existing agricultural stations (10 in number) by agricultural associations, and by touring members of the Agricultural Department.

2. Of the implements that we are pushing, the Turn Wrest Plough is the most important. Large numbers have been purchased by cultivators and in the last few months 40 have been sold in the Sholápur district, 25 in the Bijápur district and a considerable number in the Poona, Sátára, Ahmednagar and other districts, apart from those purchased from Government farms. Messrs. Kirlosker of Belgaum manufacture and sell a large number of iron ploughs. A fair number of chain pumps are also purchased on the farms. A start is being made in pushing the disc thresher.

Winnowers have been demonstrated but seem to find little favour, as they are expensive ; but I have seen several at work in Gujarát. As regards reapers and rollers for clod-crushing I have no doubt that some types of these implements might find favour in some localities ; but they are expensive, and we require more knowledge before we can recommend them. We do lend implements to agricultural associations and sometimes to cultivators whom we know, so as to allow the people to form an opinion on their merits ; but we have no organised system of doing so.

3. On the whole, I am satisfied that improved implements are being pushed as fast as is desirable. They are more expensive than the ordinary country implements and must be taken care of, and it would be a mistake to push them too fast and cheapen them in the eyes of the cultivators.

4. What I should like, if the money for the purpose is available, would be a workshop for the experimental manufacture and adaptation of implements, and a few fitters who could go round the districts to look after and repair the implements sold and teach local blacksmiths, in some localities, how to repair them.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) G. F. KEATINGE,
Director of Agriculture.

Journal of the Proceedings of the Legislative Council of the Governor of Bombay, assembled under the provisions of the Indian Councils Acts, 1861 to 1909.

The Council met at Poona on Saturday, the 25th June 1910, at 12 o'clock noon.

P E E S E N T :

His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E., Governor of Bombay, *presiding*.

The Honourable Sir JOHN W. P. MUIR MACKENZIE, K.C.S.I., M.B.A.C., I.C.S., J.P.

The Honourable Mr. MAHADEV BHASKAR CHAUBAL, LL.B. /

The Honourable Mr. WILLIAM THOMSON MORISON, C.S.I., I. C. S.

The Honourable MOULVIE RAFIYUDDIN AHMAD, Bar.-at-Law.

The Honourable Sardar LAKHAMGAUDA BASAVPRABHU, Sar Desai of Vantmuri.

The Honourable Mr. W. L. S. L. CAMERON, C.S.I., A.M.I.C.E.

The Honourable Mr. GEORGE CARMICHAEL, I. C. S.

The Honourable Mr. GEORGE SEYMOUR CURTIS, I. C. S.

The Honourable Sardar Ráo Bahádúr MOTTILAL CHUNILAL.

The Honourable Sardar PURSHOTTAMDAS VIHARIDAS DESAI.

The Honourable Mr. FAZULBHOY CURRIMBHOY EBRAHIM.

The Honourable Sardar SYED ALI EL EDROOS.

The Honourable Mr. SIDDEHANATH DHONDEV GARUD.

The Honourable Sardar NARAYANRAO GOVIND *alias* BABA SAHEB GHORPADE, Jágírdár of Ichalkaranji.

The Honourable Mr. M. C. GIBB, I. C. S.

The Honourable Mr. W. L. GRAHAM.

The Honourable Sardar NAHARSINGHJI ISHWARSINGHJI, Thakor of Amod.

The Honourable Lieutenant-Colonel J. JACKSON, M.B., I. M. S.

The Honourable Sardar SHAMBHUSING AMARSING JADHAVRAY, Raje of Malegaon.

The Honourable Mr. M. R. JARDINE, Bar.-at-Law, Advocate General.

The Honourable Ráo Bahádúr GANESH VYANKATESH JOSHI.

The Honourable Mr. LALUBHAI SAMALDAS MEHTA.

The Honourable Sardar Ráo Bahádúr YASHAVANTRAY TRIMBAK MIRIKAR.

The Honourable Sardar Davar KAIKHOSRO EDALJI MODI.
 The Honourable Sardar COOPOOSWAMY VIZIARUNGUM MOODLIAR.
 The Honourable Mr. HUGH MURRAY.
 The Honourable Dr. TEMULJI BHIKAJI NARIMAN, L.M., F.R.M.S. (London).
 The Honourable Mr. VISHNU BAGHUNATH NATU, LL.B.
 The Honourable Mr. GOKULDAS KAHANDAS PAREKH, LL.B.
 The Honourable Mr. ABDUL HUSSEIN ADAMJI PEERBHOY.
 The Honourable Mr. F. G. PRATT, I. C. S.
 The Honourable Mr. H. E. E. PROCTER.
 The Honourable Mr. IBRAHIM RAHIMTOOLA, C.I.E.
 The Honourable Mr. MANMOHANDAS RAMJI.
 The Honourable Ráo Bahádúr SHEENIWAS KONHEER RODDA.
 The Honourable Mr. CHIMANLAL HARILAL SETALVAD, LL.B.
 The Honourable Mr. W. H. SHARP.
 The Honourable Surgeon-General H. W. STEVENSON, I. M. S.
 The Honourable Khán Bahádúr NOWROJEE PESTONJEE VAKIL, C.I.E.
 The Honourable Mr. HARCHANDRAI VISHINDAS, LL.B.

Observations by His Excellency the President in opening the Meeting.

HIS EXCELLENCY THE PRESIDENT said:—We shall commence by certain new additional members taking the oath of affirmation and then go on to the questions. I hope you will all feel that Government have been liberal in giving the information asked for. I would, however, point out that it has been necessary to disallow certain questions, or modify their form, because they did not fully comply with the rules, which require that nothing of an argumentative character should be put into a question, and that there should be no hypothetical suggestions in them. I hope that in a short time this will be thoroughly understood by Honourable Members, and that in future there will be no necessity either to disallow or alter questions. In discussing the Budget I propose that speeches shall be limited to fifteen minutes. Considering that the Budget has been thoroughly debated and discussed by an important and representative committee I hope you will all agree with me that speeches of fifteen minutes should suffice on this occasion.

NEW MEMBERS.

The Honourable Mr. G. S. Curtis, the Honourable Mr. W. L. Graham, the Honourable Mr. M. R. Jardine, the Honourable Mr. Hugh Murray and the Honourable Mr. F. G. Pratt made the prescribed oath or solemn affirmation of allegiance to His Majesty the King-Emperor and took their seats in Council.

QUESTIONS AND ANSWERS.

The following is a list of the questions put by Honourable Members with the answers given by Government in each case :—

<i>Questions.</i>	<i>Answers.</i>
<p>THE HONOURABLE MR. GOKULDAS KAHANDAS PAREKH.</p>	
<p>1. Will Government be pleased to say—</p> <p>(a) Whether the inhabitants of Gandeva in the Chikhli taluká had asked that a pakka Local Fund Road be constructed from their village to join the Chikhli-Matvád Road ?</p> <p>(b) Whether they were asked to contribute Rs. 400 towards the cost of the road ?</p> <p>(c) Whether they paid the said contribution ?</p> <p>(d) Whether the work was sanctioned by the Táluká Local Board ?</p> <p>(e) Whether preliminary work to the extent of about Rs. 150 was done in connection with the road in 1908 ?</p> <p>(f) Whether the further work in connection with the road has been stopped ?</p> <p>(g) What has become of the contribution that has been recovered from the inhabitants of Gandeva ?</p> <p><i>[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]</i></p>	<p>1. (a) Yes.</p> <p>(b) Yes.</p> <p>(c) Yes in 1905-06.</p> <p>(d) Yes—Rs. 750 having been provided in the Budget for 1908-09 and Rs. 250 in the Budget of 1909-10.</p> <p>(e) Rs. 299-8-3 were expended on this road in 1908-09.</p> <p>(f) The District Deputy Collector, Southern Sub-Division, and President, Táluká Local Board, ordered that the popular contribution, i. e., Rs. 400 only, should be expended on this road, as it was a branch road and, useful to the villagers, of Gandeva only.</p> <p>(g) Rs. 299-8-3 have already been expended leaving Rs. 100-7-9. This further sum will be utilized on the road.</p>
<p>2. (a) Will Government be pleased to say under what circumstances a new shop for the sale of foreign liquors was allowed to be opened near the Market place at Deoláli ?</p> <p>(b) Will Government be pleased to state whether there has been such a change in the character of the Deoláli population as to require a new liquor shop ?</p> <p><i>[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]</i></p>	<p>2. The opening of a foreign liquor shop at Deoláli was sanctioned in August 1909. There has always been a demand for a shop and this demand has increased in recent years since Deoláli began to develop into a health resort much frequented by people from Bombay.</p>

Questions.

3. Will Government be pleased to say—

- (a) Whether the Broach District Co-operative Society, Limited, advanced Rs. 5,000 on 6th March 1906 as debt to one Jorbhai Dadabhai as principal debtor and Mathurbhai Hirabhai as surety?
- (b) Whether the interest stipulated on this loan was $1\frac{1}{2}$ pies per rupee per month till 6th June 1908, to be increased to pies 3 per rupee per month if the debt was not repaid on or before 6th June 1908?
- (c) Whether a suit was instituted for the recovery of the debt in the Subordinate Judge's Court at Vagra from the principal debtor and his surety?
- (d) Whether the Court held that the defendant surety was admittedly an agriculturist to whom the Dekkhan Agriculturists' Relief Act applied?
- (e) Whether it was held in that suit that the stipulated rate of interest to run after 6th June 1908 was opposed to the bye-laws and oppressive?
- (f) Whether the debt has been ordered to be repaid by monthly instalments of rupees seventy-five?

[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]

4. Considering the desirability of enabling the people to purchase fresh toddy at rates which are not beyond the means of persons accustomed to drink it, do Government propose to reduce the Government charges in connection with the traffic, so that fresh and undiluted toddy may be sold at one anna per bottle?
5. (a) Will Government be pleased to say whether in accordance with Government Resolution No. 4576 of 11th May 1909, paragraph 17, the question of the distribution of toddy shops within the City of Bombay has been referred to the Local Committees appointed by them?
- (b) If not, will Government be pleased to say why it has not been referred to the Committees?
6. Will Government be pleased to say—
- (a) What is the amount of the arrears of the Government land-revenue demands of previous years for the taluká of Dohad in the Panch Maháls which have

Answers.

3. (a) Yes.

(b) Yes.

(c) Yes.

(d) Yes.

(e) Yes.

(f) Yes. Rs. 4,115 was, however, paid by the surety within seven months.

4. Attention is invited to the Press Note No 4577, dated 11th May 1909, in which the policy of Government in respect of the excise arrangements regarding toddy is fully described. Government are not contemplating any reduction in the taxation on toddy.

5. (a) and (b) The toddy shop licenses in Bombay that are disposed of by auction, were issued for a period of three years from 1st April 1908. The local committees will be consulted as to the distribution of the shops before the existing licenses expire.

6. The information will be called for.

Questions.

been recovered between 1st January and 31st May 1910 ?

(b) Will Government be pleased to say what is the amount of the arrears for each year that has been recovered ?

7. (a) Will Government be pleased to say whether the Collector of Bombay is also the Chief Controlling Revenue Authority subject to whose control the Collector has to exercise his powers under section 56 of the Stamp Act ?

(b) Whether occasions have arisen when the Collector of Bombay has made references to himself as Chief Controlling Authority under section 56 of the Stamp Act ?

(c) Whether occasions have arisen when the Chief Controlling Authority for the City of Bombay has declined to make references to the High Court under section 57 of the Stamp Act ?

(d) Do Government propose to appoint some officer other than the Collector of Bombay to be the Chief Controlling Revenue Authority under the Stamp Act ?

8. (a) Are Government aware that the Educational Inspector, Northern Division, has issued a notification prohibiting the use of any historical work other than the translation of Marsden's History of India as text book in Indian History in Vernacular Standards V, VI and VII ?

(b) Are there other books on Indian History which were sanctioned as text books for use in Vernacular Schools ?

(c) Will Government be pleased to say why their use as text books is prohibited ?

9. (a) Are Government aware that the inhabitants of Diva in the Ankleswar taluká have been for some years petitioning the Divisional Officer, the Collector of the district and the Commissioner, Northern Division, to take measures to prevent the washing away by the waters of the creek of about 750 acres of agricultural lands of their village ?

(b) Has any inquiry through experts been made about their complaints and is it ascertained whether their complaints are well grounded or not ?

Answers.

7. (a) Government have appointed the Superintendent of Stamps, Bombay, to be the Chief Controlling Revenue Authority for the purposes of the Stamp Act. The office of Superintendent of Stamps is held by the Collector of Bombay.

(b) Government have no information. If such references are made, they would necessarily be merely of a formal nature.

(c) The terms of section 57 of the Stamp Act being permissive it is not incumbent on the Chief Controlling Authority to state a case, unless he is in doubt as to the construction of the law.

(d) Government see no inconvenience in the existing arrangement, which has been in force since 1875.

8. Besides Marsden's History of India referred to, Hunter's History and "Bharat Khandno Saral Itihas" by V. D. Patel, have been included in the list of Gujaráti text books sanctioned for use in primary schools. The Notification referred to was issued by the Educational Inspector through a misunderstanding and he has been asked to withdraw it.

9. (a) No.

(b) Government have no information. The officers to whom the petitions were addressed will doubtless have replied and if the petitioners are dissatisfied with the replies given it is open to them to apply to Government.

Questions.

THE HONOURABLE MR. LALUBHAI
SAMALDAS MEHTA.

1. Will Government be pleased to place on the table a statement showing the total amount which has been sanctioned for each year since 1884 under the last clause of section 45 of the Bombay Local Boards Act, 1884, of expenditure outside the area of each Local Board for the use or benefit of that area, and the proportion of the amount to the total expenditure of Local Boards?

[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]

2. (a) Is the Government aware of the arrival at the Port of Bombay on the 5th May by the British steamer S. S. "Umhloti" of 60 Transvaal Indians deported to India by the Transvaal Government for technical breach of the Registration Law of that Colony?
- (b) Is the Government aware that the large majority of these men were born or domiciled in South Africa; that some of them have never been to this country before, whilst of the remainder almost all belonged to the Presidency of Madrás?
- (c) Is the Government aware that these men arrived in a destitute condition and but for the patriotism and generosity of private citizens would have had to be maintained at public expense?
- (d) Will the Government be pleased to say what measures they propose to adopt and whether they would make representations on the subject to the Government of India and the Secretary of State to ensure that there shall be no recurrence of such a deplorable incident?
3. Will Government be pleased to place on the table a statement showing the amount of unrecovered Takávi due at the beginning of 1908-09 and the amount advanced and the amount recovered in the same year and also give similar figures for the year 1909-10?

Answers.

1. A statement is laid on the Council
See Appendix A. Table.

2. (a) Government are aware of the arrival in Bombay of the Indians referred to and have been informed that in the majority of instances these Indians were deported because they declined to submit to certain Laws in force in the Transvaal.
- (b) The Governor in Council has not full information but of the 25 regarding whom the facts have been ascertained 19 were born in India while 15 have no family ties in South Africa. The majority of them were born in the Madras Presidency. It is understood that about 26 of the party were domiciled in Natal.
- (c) Government are aware that the great majority of these men arrived in a destitute condition and have been informed that they have been provided for from a fund raised for the relief of Transvaal Indians.
- (d) As soon as the matter came to their notice representations on the subject were made by the Bombay Government to the Government of India.

3. A statement showing the figures asked
for is placed on the
See Appendix B. Table.

Questions.

Answers.

	Amount due at the beginning of the year.	Amount advanced during the year.	Amount received during the year.	Balance at the end of the year.
1908-09	...			
1909-10	...			

THE HONOURABLE MR. FAZULBHOY
CURRIMBHOY EBRAHIM.

1. Will the Government be pleased to inform the Council if the appointment of a Special Mahomedan Deputy Educational Inspector in the Southern Division has proved successful? Have Government considered the advisability of extending that experiment in the Northern and Central Divisions also?

[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]

THE HONOURABLE MR. HARCHAND-
RAI VISHINDAS.

1. Do Government propose to establish an experimental farm in each district of Sind to provide training to the people in introducing improved methods for the cultivation, growth and preservation of crops, and to that end take over and use as a model the farm now under the management of the District Local Board of Hyderabad?

1. As the experiment was commenced only in June 1909, it is too early to pronounce a definite opinion as to its success. Government do not intend at present to extend the experiment to the Northern and Central Divisions.

1. There is no immediate prospect of Government being able to afford an experimental farm for each district in Sind. The Province has already been treated quite generously as compared with the Presidency proper. One farm has been provided at Mirpur Khás for the Jámráo tract while in Upper Sind one has been established at Sukkur and to serve the tract on the other side of the river proposals have been approved for another at Lárkána which will be opened as soon as funds are available. Besides the main farms ten sub-stations have been organized at each of which a plot of ten acres is laid out for demonstration purposes under the supervision of the Agricultural Department. These afford a cheap and effective method of inculcating simple lessons and one that is well suited to conditions in Sind. A "Kálar" reclamation experiment has also been successfully carried out at Daulatpur in the Thar and Párkar district. Government do not consider the District Local Board garden at Hyderabad to be suitable for an experimental station.

2. The supply of water in the old Fuleli Canal being inadequate to the wants of

2. The area is included in the project for the Rohri Canal which will be

Questions.

lands irrigated by it as admitted by both Revenue and Irrigation Officers, will Government be pleased to state if it has under consideration measures for effecting early improvements in such supply which are calculated not only to benefit the landholders concerned but to bring such increase to the land-revenue as will recoup the entire outlay in a few years?

3. Do Government propose to place within reach of the public, the compilation of Special Circulars of the Commissioner in Sind by including it in other Government publications open for sale, as in the absence of such publicity people are misled into erroneous views of their rights and responsibilities?
4. Do Government propose to establish a Subordinate Civil Court at Mirpur Khás?
5. Will Government be pleased to state whether the local allowances to Government establishments in Karáchi provided under different heads in the Financial Statement have received the sanction of the Government of India and when they are expected to take effect?

Supplementary Question.—Will Government be pleased to move the Government of India if they think necessary?

6. Will Government be pleased to state whether they have taken any steps to gauge public opinion as to the most suitable site, as foreshadowed in the speech of the Honourable Member in charge on the Resolution unanimously passed at the last meeting of this Council for the accommodation of public buildings in Karáchi on one central site, and whether any, and what, progress has been made with the scheme in question?

Supplementary Question.—Will Government be pleased to make the recommendations of the Committee public so as to give an opportunity to the public to express their views before any final decision is arrived at?

Answers.

shortly submitted to the Government of India.

3. The present compilation was framed entirely for the guidance of Government Officers, is in part obsolete and is unsuitable for publication in other respects. The question of its revision is under consideration, and the possibility of making it suitable for publication will not be lost sight of.
4. Government have for some time been considering the possibility of affording some relief to the Civil Courts in this part of Sind, and definite proposals have lately been received, which include the establishment of a Court at Mirpur Khás. As the cost of the charges proposed, both initial and recurring, is considerable, it is not yet possible to say when orders will issue on these proposals.
5. To the first part of the question the answer is "No." In the absence of sanction no answer can be given to the second part of the question.

The matter is under the consideration of the Government of India.

6. A Committee assembled at Karáchi on the 5th April last to discuss the question of the location of the new public offices. Among the members were the Chairman of the Chamber of Commerce, the President of the Karáchi Municipality and the Chief Officer of the Municipality. The recommendations made by the Committee are under the consideration of Government.

Government will consider the report as soon as it is received and will then consider whether it shall be made public or not.

Questions.

THE HONOURABLE SARDA'R RA'O
BAHA'DUR MOTILAL CHUNILAL.

1. Will Government be pleased to place on the Table a list of towns and villages with a population of 4,000 and upwards in the Bombay Presidency where no dispensaries exist and do they propose to take early steps to provide them with the most urgent need for medical assistance?
2. (a) Will Government be pleased to state the number of villages in each district which have no source of drinking water such as a well, tank or river?
- (b) Do Government propose to direct the District Local Boards concerned to take up the question of water-supply in earnest and will Government be pleased to call for annual statements or such other returns as may enable Government to control the work of the District Local Boards in this direction?

Answers.

1. The collection of the statistics for which the Honourable Member asks would involve an amount of labour out of proportion to the value of the figures.

It is admitted that there is great need for the extension of facilities for medical relief throughout the up-country districts of the Presidency.

Under the instructions of Government the Surgeon-General with the Government of Bombay is preparing a scheme for the establishment of additional dispensaries in the districts, preference being given to taluká head-quarter stations. A sum of Rs. 30,000 has been allotted in the Budget of this year for the purpose. The efforts of Government in this direction would be greatly furthered if charitable persons would come forward with liberal contributions towards the expenditure involved.

2. (a) and (b). Government do not propose to collect exact statistics as suggested by the Honourable Member.

Large and increasing sums are expended every year by local boards on the improvement of water-supply in rural areas, the figures for the last three years being:—

			Rs.
1906-07	...	...	3,08,000
1907-08	...	...	3,75,000
1908-09	...	...	4,16,000

The resources of the local boards available for expenditure on this and other objects have been supplemented by a grant of 7 lakhs of rupees received from the Government of India.

The expenditure of the local boards upon water-supply is closely scrutinized every year when the annual reports are presented and Government do not propose to order the submission of any special returns.

Experiments have recently been inaugurated with the object of finding in rural areas a good supply of potable water by deep borings. A large supply of subartesian water, has been struck at Sánand in the Ahmedabad district and it is now proposed to extend the scope of the experiments so as to include

Questions.

3. (a) Will Government be pleased to lay on the Table the figures for each of the five years, namely, 1905-06, 1906-07, 1907-08, 1908-09 and 1909-10 showing the number of liquor shops throughout the Bombay Presidency, the quantity of liquor sold, the price at which it was retailed and the revenue realized by Government?
- (b) Has the reduction in the number of liquor shops effected any improvement in the drinking habits of the people so far as can be judged from the figures?
4. Will the Government be pleased to state how many City Municipalities and how many Town Municipalities exist in the Presidency and how many of them have elected non-official Presidents and how many have preferred to continue official Presidents?
5. Since Government already notify in the *Bombay Government Gazette* the names of elected and nominated members and of the elected Vice-Presidents of Municipalities and District Local Boards and of the nominated official Presidents of the two Boards, do they propose in future also to notify all the appointments, whether by election or nomination of the Presidents of the Municipalities for the information of the public?
6. Will the Government be pleased to obtain from the Municipalities in the Bombay Presidency and place on the

Answers.

- all areas where the supply of drinking water is scanty or of bad quality and where this class of subterranean water is likely to be found.
3. (a) The information required by the Honourable Member, for the years 1905-06 to 1908-09 will be found in the Excise Administration Reports for those years. Similar information will be given in the report for 1909-10 which is not yet published.
- (b) In 1908-09 there was a decrease of 77 shops in the Presidency proper and of 13 shops in Sind as compared with 1907-08 and the consumption per head of population fell from 8.1 drams to 7.2 drams and from 3.3 drams to 2.9 drams respectively. The causes of the decrease in consumption are fully discussed in paragraph 15 of the report of the Commissioner of Customs, Salt, Opium and A'bkari, in paragraph 5 of the report of the Commissioner in Sind and in the Government review published with the Excise Administration Reports for 1908-09. There is no indication as yet that the reduction in the number of liquor shops has effected any improvement in the drinking habits of the people.
4. There are at present 14 City Municipalities and 143 Town Municipalities in the Presidency including Sind. Of these 77 Municipalities have been granted the privilege of selecting their own President. Of the latter 56 have elected non-officials to be their Presidents, two have non-official Presidents appointed by the Commissioner in Sind and 19 have elected Government officials to be their Presidents. The remaining Municipalities have ex-officio Presidents.
5. The appointment of Presidents of Municipalities will be notified in future.
6. The information is being collected.

Questions.

Table the figures showing the amount of arrears of taxes in each of the Municipalities of the Presidency together with the amount of collection for each of the past three years ending with 31st March 1910 with an explanation for the reasons of the arrears ?

7. Will Government be pleased to obtain from the Municipalities in the Bombay Presidency and place on the Table information in regard to each, showing the number of undisposed of subjects and correspondences for more than (a) six months, (b) one year, (c) three years and (d) five years ?

8. (a) Will Government be pleased to state as to whether the Divisional Commissioners and the District Collectors examine the accounts, records, and arrears of work of the Municipalities within their jurisdiction and, if so, will Government be pleased to state in regard to each of the Municipalities the dates on which such examination was made during the last three years ?

(b) If no such examination is made do Government propose to direct that the same may be done in future, so that the Municipal administration may be properly controlled, and frauds like those which occurred at Kaira may be quickly detected and the arrears of work may diminish ?

9. Are Government aware that the best Broach cotton is undergoing adulteration for some years past and that in consequence thereof the seed has greatly deteriorated ? Do they propose to take steps to protect the seed and cotton from being adulterated ?

Answers.

7. Government consider that it would serve no useful purpose to collect the elaborate statistics for which the Honourable Member asks.

8. (a) and (b). The Divisional Commissioners and the Collectors exercise general supervision over, and keep themselves informed of, the proceedings of the Municipalities in their respective jurisdictions. The attention of the Honourable Member is invited to the recent declaration of the policy of Government with regard to Municipalities, which runs as follows :—

With the extended franchise and the withdrawal of official and nominated Presidents municipal administration in this Presidency is now about to enter on a new era. Direct official control will be withdrawn and the result of this change will be watched with interest. In future the policy of Government will be to allow municipalities great latitude in the administration of their affairs, while retaining and exercising, whenever the public interest may demand, the full power of control vested in them by the law. The success of this policy will depend for the most part on the spirit which the boards bring to bear upon the business with which they have to deal. The well-being of ratepayers and town folk generally has been entrusted to their own representatives on whom great responsibility now rests.

9. The question of the adulteration of the best Broach cotton has repeatedly been investigated in recent years in conjunction with the Chamber of Commerce and other Associations interested in the cotton trade. The conclusion arrived at is that though there may be deterioration of Broach cotton as marketed there is no reason to believe that there has

Questions.

Answers.

been any deterioration in the cotton as grown. It does not appear to be a fact that in the cultivators' hands the seed of the short stapled varieties has become mixed or is likely to become mixed with the seed of the best Broach cotton. There is a grave danger that the admixture with inferior cottons that does take place after ginning and before sale may seriously affect the commercial good name of Broach cotton but it is generally agreed on the one hand that Government cannot take any effective action against fraudulent mixing unless by legislation on the lines of the Cotton Frauds Act and on the other that insuperable difficulties stand in the way of any such legislation.

For the improvement of the existing varieties of cotton, the Agricultural Department distribute selected seed from the Government farm at Surat and have taken steps to increase largely the stock available for distribution. They have also approached the Cotton Trades Association with a suggestion for their co-operation in carrying out on an extended scale the selection, separate ginning and distribution of good seed.

10. Do Government propose to open an agricultural farm at Broach for the benefit of the cultivators of that district?

10. Government have established three farms (Nadiád, Surat and Muvália) in Upper, Lower and Eastern Gujarát, and the Agricultural Department is trying some of the best cottons from the Surat farm on a plot of land that has been hired at Broach. Gujarát is thus well supplied with agricultural stations and, in view of the fact that there are none in the Konkan or in the Eastern Deccan, it is improbable that Government will be in a position to do anything more for Broach for some time to come.

11. (a) Will Government be pleased to place on the Table a list of buildings such as schools and dispensaries showing their costs in each district of the Bombay Presidency which were constructed with the District Local Board money and handed over to the Municipalities without recovering from them either their cost or charging rent for the same?

11. (a) to (d). The collection of the statistics would involve much trouble and Government do not propose to undertake the work.

(b) Will Government be pleased to state what would be the amount of rent at the rates at which Government charge house-rents for their buildings?

Government have no reason to doubt that the transfer of buildings from Local Boards to Municipalities was effected on equitable terms and with the consent of both bodies in each case, and the levy of rent in the manner suggested would not now be possible.

*Questions.**Answers.*

(c) Were the buildings handed over by any executive orders of the Government or were the wishes of the District Local Boards concerned consulted before doing so?

(d) Are Government of opinion that the income of the District Local Boards is insufficient for their requirements and that it is derived mainly from agriculturists who are not in a position to bear additional taxation and that more money is required by the District Local Boards to open schools? If so, do Government propose to allow the District Local Boards to charge rent to the Municipalities for their buildings so that they may earn a fair return for their money spent within Municipal limits?

12. Will Government be pleased to place on the Table the following information in regard to the Broach-Jambusar District Local Board Road?

(a) How many years is it since that this road is under construction and when is it likely to be completed?

(b) What is its total length?

(c) What was the estimate for the entire road and what has been the total expenditure on it up to date year by year and the length of it done every year?

(d) Is it done by the Executive Engineer, Surat and Broach, departmentally or by contract? If the latter, who has been giving the contract? Is the President of the District Local Board consulted by the Executive Engineer in regard to the giving of the contract or the District Local Board?

13. Do Government propose to authorize the District Local Boards to employ their own engineers to construct their works and to order that no contract of Local Board works may be given by the Executive Engineer without the sanction of a Committee consisting of the President and two members of the District Local Board?

a 1665—32

12 (a) The Broach-Jambusar road has been in existence for very many years. Estimates were prepared for improving the road, that is, for metalling the portion from the 12th to the 21st mile, and for collecting metal (which is to be spread and consolidated from the grant for ordinary repairs) from the 22nd to the 30th mile. The date of completion depends on the grants by the District Local Board.

(b) The length of the road is 30 miles.

(c) The estimated cost of the work described above is Rs. 1,59,316.

(d) The collection of material is let out on contract. Metal is spread and consolidated Departmentally. Contracts are given by the Executive Engineer, or the Superintending Engineer according to the amount involved. The President, or the District Local Board, is not consulted in giving out contracts.

13. Government are not prepared to make a pronouncement at present. The subject will come under consideration in connection with the proposals made by the Decentralization Commission.

Questions.

Answers.

THE HONOURABLE MR. SIDDHANATH
DHONDEDEV GARUD.

1. (a) Is it true that the edible articles sold to Indian passengers on Railway Stations are of a very inferior quality and are prepared and sold under conditions not favourable to cleanliness?
- (b) Will Government be pleased to state what precautions are taken to ensure that the articles supplied shall be of the best quality and to enforce a reasonable standard of cleanliness among the vendors?

[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]

2. (a) Has the attention of Government been drawn to an article in the *Khândesh-Waidhav* of the 21st February 1910 regarding some inconveniences on the Dhulia-Chálisgaon Section of the G. I. P. Railway?

- (b) Will Government be pleased to state what action the Railway authorities propose to take in the matter?

[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]

3. (a) Will Government be pleased to state the number of country liquor-shops in each district of the Central Division at which the consumption of liquor is less than one thousand gallons per year?

- (b) Have Government considered the advisability of abolishing such shops?

[This question was asked at the meeting held on the 12th March 1910, when an ad interim reply was given.]

4. Will Government be pleased to lay on the Table information about the progress of the work of building a bridge across the river Krishna on the Sátára-Pandharpur road, referred to in question No. 5 put by the Honourable Mr. Dikshit at a meeting of the Legislative Council held on the 5th of February 1909.

1. (a) * * * *

- (b) A copy of the correspondence with the See Appendix C. Railway Administration is laid on the Council Table.

2. (a) * * * *

- (b) A copy of the letter from the Agent, See Appendix D. G. I. P. Railway Company, No. 62-C-4, dated the 17th May 1910, is laid on the Council Table.

3. (a) The number of shops in each district of the Central Division at which the consumption of country liquor is less than 1,000 gallons per year is given below:—

Ahmednagar	...	...	14
West Khândesh	...	...	8
East Khândesh	...	...	15
Násik	...	...	41
Poona	...	...	20
Sátára	...	...	46
Sholápur	...	...	19

- (b) * * * *

4. Plans and estimates have not yet been received. They are expected shortly, and a sum of Rs. 50,000 has been provided for the work in the Budget for the current year.

Questions.

Supplementary Question.—Will Government be pleased to state whether the work of building this bridge will be undertaken in the present year?

5. (a) Has the attention of Government been drawn to a memorial submitted on the 14th of August 1909 by the President of a public meeting of the inhabitants of Bārsi, regarding the operation of certain rules framed by Government for the guidance of Village Registrars, under the Dekkhan Agriculturists' Relief Act?

(b) Will Government be pleased to lay on the Council Table the memorial and the reply given to the memorialists?

6. (a) Is it true that Third Class accommodation on the Southern Maráthá Railway is insufficient to meet the ordinary requirements of the Third Class passenger traffic; and that Third Class passengers have daily to be carried in goods waggons?

(b) If so, will Government be pleased to invite the attention of the Railway Company to the necessity of building more Third Class carriages?

7. Will Government be pleased to state—
(a) the amount of the Educational Grant which the Municipalities and Local Boards of the Central Division are entitled to receive?

(b) how much of their share remains unpaid and for what reasons?

8. (a) Is it true—

(i) that cities and villages on the banks of the river Godávari in the Násik and Ahmednagar districts depend upon the river-water for their drinking water-supply?

(ii) that discharges of municipal drains into the river-water, and percolations of night-soil manure from the cultivations of *Dāngar-Wadis* and *Kharbaj-Wadis* in the bed of that river render the water impure and unfit for drinking purposes?

Answers.

In the answer to the question it has been stated that Rs. 50,000 have been provided for the work in the current year. The probability is therefore that the work will be undertaken in the present year.

5. (a) Yes.

(b) Attention is invited to the reply to Question No. 2 put by the Honourable Ráo Bahádúr Ganesh Vyankatesh Joshi. In view of the orders in the notifications therein referred to it is unnecessary to place the papers now asked for on the Table.

6. (a) and (b) The Agent of the Railway has been informed that complaints of overcrowding have been received and that they appear to be not without foundation. He has been asked what steps are being taken to increase the number of vehicles. The ultimate control of these matters, however, is not vested in the Local Government.

7. Inquiries are being made.

8. Government have no information on the subject. A report has been called for.

Questions.

- (b) If so, have Government considered the desirability of keeping the river-water pure and free from such contamination?
9. (a) Has the attention of Government been drawn to the resolutions unanimously passed at the Agricultural Conference held at Poona in September 1909?
- (b) Will Government be pleased to state what action they propose to take in connection with those unanimous recommendations of the Conference?

THE HONOURABLE RA'O BAHADUR
SHEENIWAS KONHER RODDA.

1. Is it a fact that the school house at Gokarn, district Kánara, is used as a rest-house by the Missionary at the time of the Maha Shivaratra festival? If so on what authority? Will Government be pleased to state whether they propose to take measures to see that the school houses are used only for their legitimate purposes?
2. Do Government propose to appoint a Committee of influential persons to co-operate with the Head Masters of High Schools in each locality where such schools exist in maintaining the discipline of students especially outside school hours?
3. Will Government be pleased to inquire from the Railway Department about the number of passenger cars attached to each train on the 30th and 31st May 1910 and the number of passengers booked at each station and their different destinations between Poona and Hubli, so that it might be ascertained how cars are overcrowded and how the notice of limiting the seats is more honoured in the breach than in the observance?
4. Will Government be pleased to recommend to the Railway authorities the appointments of Honorary Superintend-

Answers.

9. (a) Yes.
- (b) The recommendations of the Conference are under consideration. The report of the Director of Agriculture upon these recommendations has only recently been received.

1. Inquiries are being made.
2. Head Masters of High Schools have already been asked to invite gentlemen in their respective towns from time to time to visit the school and to manifest an interest in the work and play of the boys. A good many have already responded to the invitations. Government are of opinion that while such informal and unofficial association of the citizens with the schools will prove of service to the latter the appointment of formal Committees might tend to subvert the influence and prestige of Head Masters. The reply to the question is therefore in the negative.
3. Government have requested the Agent, Madras and Southern Marátha Railway Company, to furnish the required information. When received, it will be duly placed on the Council Table.
4. Government have caused a letter to be addressed to the Railway Board, asking what is being done on the Rail-

Questions.

ents to look to the comfort of passengers as is being done in some Railways in Northern India where the arrangement is said to work satisfactorily ?

5. Will Government be pleased to put in hand the construction of the light Railway which starts from Kalyán *vid* Panvel and Chowk to Karjat to remove great inconvenience and risk of passengers who now travel by harbour ferries and country crafts ?
6. Will Government be pleased to establish a model farm for rice cultivation in one of the districts in Konkan ?
7. Will Government be pleased to say when the Uran Water Project will be proceeded with ?
8. Do Government propose to permit the District Local Boards to get their estimates and plans checked by the private recognised engineers of approved ability and confidence and entrust to them the supervision of important works as is done now by many Departments to reduce the heavy charges of Public Works Department where such a course is possible ?
9. Will Government be pleased to arrange the construction of a Bridge at Dharamtar so that the people of Alibág might travel to Pen and other places with greater facility than now ?
10. Do Government propose to raise the pay of Fourth Grade Subordinate Judges of the Second Class from Rs. 150 to Rs. 200 and create a new Grade of Rs. 250 in conformity with the practice in vogue in the Madrás Presidency ?
11. Will Government be pleased to debar institution of suits against Municipalities in respect of City Survey Settlement as the City Survey is entirely a Government measure and conducted by Government officers ?

Answers.

ways in Northern India to which the Honourable Member refers.

5. Government are not in a position to undertake the construction of this Railway, which must be left to be taken up by private enterprise. Government are prepared to consider favourably, proposals from capitalists for a concession for the Line.
6. The question of the establishment of an Agricultural station in the Konkan is under consideration. The provision of a farm there mainly devoted to rice cultivation is regarded as one of the most urgent needs of the Agricultural Department. The difficulties of getting a farm upto the present have been acquisition of land in a suitable locality, and provision of funds and of competent agency to work the farm.
7. No project for the improvement of the water-supply of Uran is before Government.
8. The Honourable Member is referred to the reply given to question No. 13 put by the Honourable Sardár Ráo Bahádúr Motilál Chumilál at this meeting of the Council.
9. Rough plans and an approximate estimate have already been called for.
10. The question of the pay of Subordinate Judges is receiving the consideration of Government.
11. Government have under consideration certain proposals to give some measure of finality to the decisions passed by the Collector in the course of City Survey operations determining what lands vest in the Municipality.

Questions.

THE HONOURABLE MR. IBRAHIM
RAHIMTOOLA.

1. Will Government be pleased to state—
 - (a) whether their attention has been drawn to the leading article which appeared in the issue of the *Akhbar-I-Islam* of the 25th May 1910?
 - (b) whether Government propose to adopt any further measures to bring the cocaine traffic under greater control?

2. With reference to the recent amendment of the Bombay Port Trust Act to which the assent of the Governor General in Council was published in the *Bombay Government Gazette* on the 23rd February 1910, will Government be pleased to state whether as required by the provisions of the amended Act they have selected "the body or bodies for electing the two Indian Members to the Board of Trustees as best representing the interests of the Indian Mercantile Community"?

3. Will Government be pleased to take into their consideration the desirability of inviting the Indian Chamber of Commerce, for the time being, to elect the said two Trustees?

4. Will Government be pleased to state—
 - (a) whether it is a fact that the maximum numerical strength of each of the principal communities in Bombay on the Bench of His Majesty's Justices of the Peace has been fixed by them and that in the annual revision of the list fresh nominations are usually confined to filling up the vacancies occurring during the preceding year?
 - (b) whether such numbers were fixed many years ago and whether the number of Mahomedan Justices is the lowest amongst the four principal communities in Bombay?

5. Will Government be pleased to state whether they have laid down any principles for the selection of gentlemen for nomination to the Bench of Justices?

6. If the reply to interpellation No. 5 is in the affirmative, will Government be pleased to state what such principles are?

Answers.

1. (a) Yes.
 - (b) The officers of the Police and A'bkari Departments already exercise due vigilance in the control of the traffic in cocaine. In order to render their action more effective in the suppression of illicit traffic Government have certain proposals under consideration.

- 2 and 3. The attention of the Honourable Member is invited to section 10 of the Bombay Port Trust Act, 1879, under which the election of Indian Members cannot take place until March 1911.
Government will announce their selection of the body or bodies to elect the two Indian Members in January 1911.

4. It is the practice to replace gentlemen who die or leave Bombay by others of the same community selecting those most distinguished by their loyalty, public spirit, influence and ability.

- 5 and 6. Government must reserve to themselves an entirely free hand in the matter and are unable to give any undertaking as to the numbers appointed or the principles of selection.

Questions.

7. Will Government be pleased to state—
- (a) what was the total amount of the unclaimed balance on account of railway coupons purchased by Mahomedan pilgrims before their departure for Mecca?
- (b) what is the balance of the fund now available for expenditure for the relief of indigent pilgrims?
- (c) will Government be pleased to publish the accounts of this fund giving detailed particulars of the expenditure incurred during each official year, the number of indigent pilgrims relieved and the manner of the relief afforded?

THE HONOURABLE RA'O BAHADUR
GANESH VYANKATESH JOSHI.

1. Referring to judgments of the Bombay High Court one of December 15th, 1903, reported in Indian Law Reports, Bombay Series, Volume XXVIII, page 276, and one in Appeal No. 58 of 1905, decided on February 21st, 1910, do Government propose to consider the advisability of revising their Resolution No. 4168 of June 3rd, 1897, in accordance therewith regarding these payments to inferior Inámdárs in the Inám villages?
2. (a) Is it a fact the numerous mortgage-deeds have been during recent years registered in the four districts under the Dekkhan Agriculturists' Relief Act without due attestation by witnesses as required by section 59 of the Transfer of Property Act (IV of 1882) and section 69 of the Evidence Act, in cases in which the executants were agriculturists able to read and sign in their own handwriting, under a misconstruction of the provisions of section 63-A of the Dekkhan Agriculturists' Relief Act?
- (b) Has the attention of Government been drawn to a recent decision of the Bombay High Court in Second Appeal No. 42 of 1908 reported in Indian Law Reports, Bombay Series, Volume XIII, pages 44-9, declaring such unattested mortgage-deeds invalid?
- (c) And, if so, what action, if any, do Government contemplate in reference thereto?

Answers.

7. The attention of the Honourable Member is invited
See Appendices E and F. to the accompanying statements A and B which give the information asked for.

1. Government do not consider it necessary to modify the general orders referred to in the question.
2. (a) Yes.
- (b) Yes.
- (c) Attention is invited to Government Notifications Nos. 4659 and 4659-A, dated 24th May 1910, copies of which are placed on the Table.

Questions.

3. Referring to the Honourable Mr. Jenkins' remarks during the Budget debate of last year, will Government be pleased to say when it is proposed to liberalize the constitution of the District and Táluká Local Boards - by expansion of the elective element?
4. As regards Zilla Darbárs, in what districts are they at present held? And what rules if any have been laid down for the holding of such Darbárs as also for the conduct of business thereat?

5. Referring to Press Note No. 3552 of April 8th, 1907, will Government be pleased to say in what districts of the Presidency Pátasthal assessment is still levied and what the total amount of such assessment is? Is it under contemplation, in accordance with the liberal policy therein indicated, to abolish such assessment where it exists?

Answers.

3. The question of enlarging the elected element on Local Boards will be considered in connection with the remarks made by the Decentralization Commission in paragraphs 788, 789, 807 and 808 of their Report.

4. In desiring Collectors to hold Darbárs occasionally in each district Government have issued the following instructions:—

The Collectors should select the gentlemen whom they consider eligible for attendance at the Darbárs, and should prepare regular lists of the Darbáris for each district, additional nominations being made from time to time as occasions require.

Besides these occasional Darbárs, an annual Darbár should be held in each district to which the principal officials, especially the Mámátdárs, and a few non-official gentlemen selected for their judgment and knowledge of the affairs of the district should be invited. The non-official gentlemen invited to these annual Darbárs should all be chosen from among the Darbáris. Questions of general interest should be discussed at the annual Darbár, and at some convenient date after the annual Darbár the Collector should hold a meeting of the officials alone at which administrative matters should be confidentially discussed, the Collector's orders explained, and instructions issued for carrying out his orders.

The proceedings of the Darbárs should invariably be conducted in the vernacular of the district.

5. Pátasthal assessment is still levied in the districts of Poona, Ahmednagar, Násik, East and West Khándesh, Sátára, Belgaum and Dhárwár. Since the Press Note was issued the concession granted under the orders of 1907 has been extended to the following areas, *viz.*, the Paragad táluká of Belgaum, Ron, Navalgund and Gadag tálukás of Dhárwár, Nándgaon táluká of Násik, the Nagar táluká and certain villages of the Akola táluká in Ahmednagar and certain lands under páts in East Khándesh. The inquiries have not been completed in all districts. Government have no intention to extend the concession to lands

Questions.

6. Will Government be pleased to furnish the Council with a tabular statement showing the total cost of revision settlement operations in the various districts of the Presidency, and the total revenue demand consequent on such resettlement since the famine of 1899-1900, detailed as below ?

1	2	3	4	5	6
District	Number of villages resettled	Total revenue demand before resettlement.	Total revenue demand as revised on resettlement.	Percentage of increase.	Cost of resettlement operations.

7. What has been the total expenditure during the past 5 years on Village Sanitation divided as—
 (1) from Provincial Revenue,
 (2) from Local Funds,
 (3) from Local Contributions levied under the Village Sanitation Act of 1889 ?

Answers.

where the supply of water in the pats is reasonably secure. Information as to the total amount of patasthal assessment will be called for.

6. Since April 1901 the usual course has been to entrust revision settlement work to Assistant Collectors in addition to their ordinary duties. They have been given no extra allowance but where necessary have been permitted to entertain for short periods additional establishment costing usually Rs. 30 in the Presidency proper and Rs. 130 in Sind per mensem. In the few instances where Deputy Collectors have been entrusted with the duty an extra allowance of Rs. 50 per mensem has been sanctioned. As the expenditure involved is small Government do not consider it necessary to collect the information in respect of the numerous settlements that have been carried out since 1899-1900. The information regarding the financial effect of the settlements sanctioned since 1899-1900 is contained in the Selections from the Records of Government which are published in respect of each settlement, but a return in the form proposed by the Honourable Member will be called for.

7. The information required under sub-heads (1) and (2) can be obtained from the Civil Estimates and the Local Board Reports respectively. The figures are as follows :—

Years.	Government Grants to Village Sanitary Committees.	Local Fund Expenditure on Sanitation.
	Rs.	Rs.
1904-05	8,324	2,594
1905-06	11,025	6,068
1906-07	10,825	8,543
1907-08	16,374	11,920
1908-09	16,609	11,354

The information asked for under the third sub-head is not available on the records of Government, and has been called for.

8. With reference to petitions submitted
 December 31st, 1908.
 March 22nd, 1909.
 July 15th, 1909.
 October 30th, 1909.
 December 6th, 1909.
 to Government in the Public Works Department dated as per margin by the villagers of

8. (1) Yes.
 (2) There has been a regular supply for sugar-cane but the quantity has always been limited and liable to be exhausted before arrival of monsoon replenishments.

Questions.

Pimpalgaon, Poona district, Mr. Krishnaji Trimbak Abhyankar and others, complaining of unfair and sometimes irregular distribution of water-supply from the Matoba Tank during recent years and of losses resulting in consequence in respect of sugar-cane cultivation, and praying after public inquiry for redress, will Government be pleased to state for the information of the Council what action they have taken or propose to take in the matter? The main issues are:—

- (1) Whether the water-supply in the tank continues as before?
 - (2) Whether there was a regular supply from the tank for sugar-cane for 25 years from 1878—1903?
 - (3) Whether it has since been diverted to rabi crops, and if so, with or without due and timely notice to the sugar-cane growers?
9. Is it a fact that the Southern Marátha Railway Line is entirely unprotected by fencing of any kind for considerable distances in the Sátára district, and that accidents now and then occur in consequence, resulting in loss of cattle? And if so, will Government be pleased to draw the attention of the Railway Authorities to the matter?
10. Is it a fact that fishing is permitted in the river Ulás near the village of Dahi-vali in the Kolába district to the serious annoyance of the villagers? And if so, will Government be pleased to issue orders with a view to stop the nuisance?
11. Will Government be pleased to lay on the Council Table a copy of the Report—referred to in the answer given to a question by the Honourable Mr. Dikshit in June last—on the working of the two experimental liquor shops in Poona conducted under the control of the A'bkári Department during 1908-09?

Answers.

(3) No.

In reply to the general question, Government have inquired thoroughly into the management of the tank and are satisfied that it is efficient and equitable.

9. Considerable lengths of the Madrás and Southern Marátha Railway in the Sátára district and elsewhere are unfenced. Statistics obtained a short time ago by Government showed that during the seven years 1900 to 1906 the total number of cattle killed in the Sátára division, a length of 97 miles, was 92 or an average of 13 a year. Of the 92 accidents, 47 occurred on the unfenced portion of the line.

In face of the demand which cannot be met for funds for many urgent Railway works and equipment, and in consideration of the comparatively light traffic on the sections of the Madrás and Southern Marátha Railway traversing this Presidency, Government are not prepared to press for more fencing on that Railway at present.

10. Government have no information on the subject. If any person living in the neighbourhood considers that he has a grievance it is open to him to represent the matter to the local officers.

11. Government are not prepared to lay on the Council Table the reports on the See Appendices I and J. information regarding the transactions at the two shops is given in the accompanying note and statements.

Questions.

12. Referring to popular complaints about the increase of drunkenness, will Government be pleased to consider the desirability of publishing an annual return of offences arising therefrom, for the various districts in the Presidency as recommended by the A'bkári Commissioner in 1887?

13. (a) Is it a fact that the Firm of Messrs. Dubash hold the contract for both the manufacture and sale of spirits in the sub-districts of Nawapetha in Khándesh and in that of Mándvi in Surat? And if so, why is the Firm allowed this double privilege in these tracts though the contract distillery supply and single shop auction system has been long since introduced?

(b) Further, is it a fact that this Firm of Messrs. Dubash is the same with reference to whom the Government of Lord Harris issued Resolution No. 8212 of October 5th, 1894, stating that fresh contracts should not be given them after the expiry of those then current?

(c) How is it that as many as nine contracts out of the seventeen mentioned in paragraph 10 of the Excise Report for 1908-1909 have been given to this Firm in the face of the above quoted Government Resolution of 1894?

14. Will Government be pleased to give the names of the A'bkári Contractors who hold the farms for the Konkan districts and to state how long these and other farms have continued to be held by the present farmers whose names are given in the Excise Report for 1908-09?

15. Will Government be pleased to furnish the Council with an account of the general working of the experimental advance system in the Nira Canal Tract since its introduction?

Answers.

12. Government do not propose to call for an annual return of the nature referred to. It would be extremely difficult to secure uniformity on the part of the Police and Subordinate Magistrates in classifying offences as being due directly or indirectly to drunkenness. The statistics so collected would be misleading and would afford no safe basis for comparison. The trouble involved in compiling them would also not be justified by any result to be obtained. For the above reasons the Commissioner in 1888 withdrew the recommendation made in 1887.

13. (a) The licenses for the retail sale of country liquor in Mándvi including the Dangs and in 18 shops in the Navápur Petha of West Khándesh were held last year by the firm of Messrs. Dubash, who also held the license for contract supply in these areas. The licenses were put up to auction in blocks and were bought by Messrs. Dubash who had permission to bid. The disposal of the shops in this manner to a reliable contractor was absolutely necessary in the Dangs and desirable in Mándvi and Navápur on account of the facilities for illicit distillation, which exist in these areas.

(b) The resolution referred to did not direct that fresh contracts should not be given to Mr. Dubash who then held various farms or to the firm of Messrs. Dubash.

(c) In view of the reply to the preceding question, no reply is called for.

14. The information is given in the See Appendices K and statements laid on the Table.
L.

15. The report will be published shortly on receipt of certain information that has been called for.

Questions.

16. What measures, if any, have been in recent years adopted in the Ahmedabad and other districts with a view to the re-organization of Village Police? And, in this connection, will Government be pleased to lay on the Council Table the Report of a Special Committee appointed in 1873, together with a copy of Government Resolution No. 9, dated the 3rd January 1900?

17. Is it a fact that at present, the minimum selling price for country spirit is fixed at a rate the same as the sanctioned rate of the still-head duty on the spirit, *i. e.*, Rs. 4-4-0 per gallon in the Poona district, no allowance being made for cost of production, license fees and other necessary charges?

THE HONOURABLE MR. GULAM MUHAMMAD WALAD KHAN BAHADUR WALI MUHAMMAD BHURGRI.

1. (a) Will the Government be pleased to state reasons for not publishing the

Answers.

16. In respect of the Ahmedabad district Government have approved proposals under which a more uniform distribution of the establishment of inferior Village Police will be secured by reducing the numbers where they are markedly in excess of a prescribed scale and increasing them where they are in defect. A reasonable standard scale of remuneration has also been fixed and payment of it provided for partly out of savings effected by reduction in villages where the establishment and remuneration is in excess of the scale and partly at the expense of Government. Inquiries were instituted in the other districts and similar schemes of reorganization have been approved for the districts of Surat, Broach, Belgaum, Dhárwar and Bijápúr. In Ratnágiri, Kolába and Kánara it has been decided that no reorganization is required. In the remaining districts the enquiry is still incomplete. To prevent hardship in the case of men in the enjoyment of emoluments which are to be reduced or transferred, it has been decided that the introduction of the schemes should be gradual.

On the report of the Committee of 1873 no action was taken on account of the great expense which the proposals involved. It is largely of merely historic interest now as one of the main ideas, communal responsibility, must be regarded as out of date so far as dealing with ordinary crime is concerned. Government are not therefore disposed to reprint this report and place it on the Table. A copy of Government Resolution

See Appendix M. tion, Judicial Department, No. 9 of 3rd January 1900, is placed on the Table.

17. The answer is in the affirmative except that the actual minimum selling prices are Rs. 4-4-0 for the City, Cantonment and ten miles round and Rs. 4-0-0 for the rest of the district. Attention is invited to the reply given to question No. 22 in the proceedings of the Council meeting held in June last year.

1. (a) It would be inappropriate and might be misleading to publish the

Questions.

Settlement Report for Sind before inviting objections to the Settlement Officer's proposals?

(b) Will the Government be pleased to consider the advisability of publishing such reports before they are sent up to Government for sanction?

2. (a) Are the Government aware that in the Hyderabad district Zamindárs owning more than 500 acres of land are debarred from getting any more land under the order of the Collector?

(b) Has such order received the sanction of the Government?

(c) If so, will the Government be pleased to state the reasons therefor?

(d) If the Government has not sanctioned such order, will the Government be pleased to order its cancellation?

3. (a) Are the Government aware that neither under the Land-Revenue Code nor under Act III of 1899 is the leasing of lands held on restricted tenure prohibited?

(b) Are the Government aware that in the form of Kabúláyat, such leasing is prohibited unless sanctioned by the Collector or Commissioner in Sind?

(c) Will the Government be pleased to abolish the prohibition?

Answers.

Settlement Report before Government have decided to what extent the proposals should be accepted. Full information as to the effect of the Settlement Officer's proposals is afforded in the Notification which, under Standing Orders, is published in every village concerned as soon as the proposals have been drawn up.

(b) Government see no reason to depart from the existing practice.

2. (a) Yes.

(b) Yes.

(c) The occasion of the order is that large irrigation projects are under contemplation which when carried out will change the conditions of agriculture under the canals and greatly increase the produce per acre. The present holdings will not only become more valuable but will require more careful attention from their owners if the best use is to be made of the water. Under these circumstances and in view of the large expenditure that the projects will involve it would be extravagant to add to holdings that are already very large and can be made very remunerative even under existing conditions. The orders do not preclude small grants being made to round off holdings.

(d) No further answer is necessary.

3. (a) Both under the Land-Revenue Code and under Act III of 1899 a condition may be imposed prohibiting the leasing, without the sanction of the Revenue Authorities, of land held on the unalienable tenure.

(b) Under Act III of 1899 as amended by Act I of 1908 Government have prescribed as one of the conditions of the grant of land in permanent occupancy that the occupant shall not lease the land without the previous consent of the Commissioner in Sind.

(c) Government see no reason to remove this condition. Such relaxation is

Questions.

4. Will the Government be pleased to suspend the operation of Fallow Rules on the Salt tract on Jámrao in view of the replies given by the Government to my question No. 2 put on the 12th March 1910?
5. (a) Are Government aware that the rules regulating the distribution of water on the Jámrao Canal which were laid on the Table of the Council on the 12th March last, were superseded by another set of rules under the Commissioner's No. 741, dated the 14th March 1907, and subsequently amended by the Commissioner's No. 1476, dated the 5th May 1908?
- (b) Are Government aware that the Commissioner in Sind is not authorised under section 70 of the Bombay Irrigation Act VII of 1879 to frame any rules; the power of framing rules being vested in the Government of Bombay only which they exercised by framing and publishing rules under Government Notification No. 6, dated the 17th December 1901?
- (c) Are Government aware that for breach of the rules issued by the Commissioner, zamindárs have been fined and will Government be pleased to remit the fines inasmuch as the rules for the breach of which fines were levied, have not the force of law?
- (d) Will Government be pleased to lay on the Table a statement shewing the amount of fines, the date of levy and the rule for the breach of which it was levied?
6. (a) Are Government aware that heavy fines are levied in Sind for unauthorised cultivation and that the Collector of Hyderabad has recently issued a circular directing Jamábandi Officers to levy ten times assessment as fine in such cases, irrespective of any redeeming circumstances?

Answers.

- unnecessary as applications for permission to lease or mortgage land are exceedingly rare and there is no reason to suppose that land-holders are to any appreciable extent hampered in obtaining capital for agricultural purposes owing to the restriction.
4. The general revision of the Sind Fallow Rules is under consideration and in the meantime Government see no sufficient reason to suspend the operation of rule 4. As the Honourable Member is aware the operation of the rule is freely suspended by the Commissioner in Sind when justified by special circumstances.
5. (a) Government have no information.
- (b) Yes.
- (c) Government have no reason to believe that fines are levied otherwise than in accordance with the rules issued by Government. It is within the competence of the Commissioner in Sind to issue explanatory rules.
- (d) In view of the reply given above Government are not disposed to comply with the request contained in this question.
6. (a) Government have received no information that would lead them to believe that the fines levied in Sind on account of unauthorised cultivation are unduly heavy. They have no information as to the issue of the circular referred to.

Questions.

- (b) Has such Circular received the sanction of the Government; if not, will the Government be pleased to order its withdrawal?
7. (a) Will the Government be pleased to state how many Deputy Educational Inspectors are in Sind?
- (b) Will the Government be pleased to say how many Mahomedans are amongst them?
- (c) In view of the fact that Sind is practically a Mahomedan Province and the Mahomedans of that Province are admittedly backward in education, will Government be pleased to state whether they propose to increase the number of the Mahomedans in the above service?

THE HONOURABLE SARDAR PURUSHOT-
TAMDAS VIHARIDAS DESAI.

1. Will Government be pleased to call for a statement of the number of "Rajinamas" and the area of land relinquished thereunder in the villages bordering on the Shedhi River in the Kaira district?
2. (a) Are Government aware of the fact that in the Kaira district the number of crimes is excessive and that an undue proportion of these remains undetected?
- (b) Will Government be pleased to say what they intend to do regarding the scheme of Police re-organization in the Kaira district proposed by Mr. Arthur Wood in May 1909?
- (c) Considering the number and seriousness of crimes in that district and considering also the class or classes of people to which the majority of these are confined, are Government considering the advisability of applying the Criminal Tribes Act?
3. Do Government propose to increase the Police Force at Nadiád?

THE HONOURABLE Mr. MANMOHAN-
DAS RAMJI.

1. Whether the Government are aware that Government officers secure, through the help of the Police, bullock carts

Answers.

- (b) Government do not propose to take any action. It is open to any one dissatisfied with the order of the Collector to appeal to the Commissioner and to apply to Government if dissatisfied with the order of the Commissioner.
7. (a) and (b) There are five permanent Deputy Educational Inspectors in Sind of whom one is a Mahomedan.

- (c) Government will be glad to increase the number of Mahomedan Deputy Educational Inspectors on the occurrence of vacancies if qualified Mahomedan candidates are available.

1. The information will be called for, for the last ten years.
2. (a) The attention of Government has been drawn to the prevalence of violent crime in this district and they are considering the matter.
- (b) The re-organization of the police in Kaira and other districts is still under the consideration of Government.
- (c) There are no proposals on the subject before Government.
3. The strength of the police force at Nadiád will be considered in connection with the general re-organization of the district Force.

1. The Police are not employed to obtain carts required by public
See Appendix N.

Questions.

- even against the wishes of their owners ?
2. Whether owners of bullock carts, when they are employed for Government servants, are paid less than what they ordinarily receive by other work ?
 3. Will the Government be pleased to state when the present scale of rates for the hire of bullock carts by Government servants was fixed, and will they be pleased, in case the scale is not revised lately, to increase it now in view of the generally increased cost of upkeep of bullocks and enhanced prices of the necessities of life ?

THE HONOURABLE SARDAR NAHAR-SINGHJI ISHWARSINGHJI, THAKOR OF AMOD.

1. Will Government be pleased to state to which of the estates under the Táluk-dári Settlement Officer's management remissions of interest for Government debts have been granted during the previous years on account of bad crops or failure of crops ?
2. Will Government be graciously pleased to make inquiries through the Táluk-dári Settlement Officer whether all or any of these deserve similar concessions to have the Government debts wiped off ?
3. Will Government be pleased to consider the advisability, in the case of heavily indebted estates, of allowing the sale of portions of such estates, where the liquidation of debt cannot be effected within a reasonable time and the sale of a portion would appear to be for the benefit of the estate ?
4. Do Government give a certain number of appointments as Inspectors and Deputy Superintendents of Police to eligible members of aristocratic and land-holding families ?

Answers.

- officers. A copy of the regulations on the subject of the impressment of carts is placed upon the Table.
2. The rates of cart hire are fixed by the Commissioners and are varied from time to time as circumstances require. Government have no reason to believe that they are less than those paid by private persons.
 3. Attention is invited to the answer to the preceding question.

1. Liberal concessions, including the one referred to by the Honourable Member, have been granted to certain tálukdárs in the Tálukdári villages specified in the margin* with a view to liquidating their debts to Government within a reasonable period.
2. Government have recently had under review the condition of the most heavily indebted of the Tálukdári estates and do not consider it necessary or feasible to grant further concessions.
3. Government have issued orders, permitting the sale of "wanta" or táluk-dári lands in cases where the adoption of this course is absolutely necessary for the liquidation of the debt and directing that in each case the details of the proposed transaction should be reported to Government for sanction.
4. Men of the classes indicated are appointed when vacancies are available and when their qualifications are such as to give them claims, but no fixed number of posts is reserved for them.

* <i>Ahmedabad district.</i>	<i>Kaira district.</i>
Khokharnesh.	Napa.
Bela.	Gajna.
Juanjarka.	Bhatsahi.
Rudhal.	Salol.
Jathpara.	Ankjav.
Dabhan.	
Ehoda.	
Makhlav.	
Bagad.	

Questions.

THE HONOURABLE SARDAR NARAYAN-
RAO GOVIND *alias* BABA SAHEB
GHORPADE, JAGHIRDAR OF ICHAL-
KARANJI.

1. (a) Will Government be pleased to state how many Dumaldárs applied for powers under section 88 of the Land-Revenue Code during the year 1909 and on how many of them were they conferred ?

(b) What is the proportion of Dumaldárs possessing powers under section 88 of the Land-Revenue Code to the total number of Dumalá villages in the Central and Southern Divisions of the Bombay Presidency ?

2. (a) Will Government be pleased to state in how many cases fines were imposed on defaulter tenants in Dumalá villages in the Poona and Sátára districts under section 148 of the Land-Revenue Code in the year 1909 and what is the total amount of such fines ?

(b) Have Government given their consideration to my representation dated 5th May 1910 on this subject ?

Supplementary Question.—Is it not possible to get this information by addressing a circular letter to the village-officers ? Practically it would take no time to collect this information.

3. (a) Will Government be pleased to state whether it is a fact that the first class black-ink Sardars and their retinue attending their person are exempted from the payment of toll at the toll-bárs as a mark of honour ?

(b) Is it also a fact that the toll-farmers are not informed of this fact and that they demand the payment of the toll from the exempted persons ?

4. Will Government be pleased to state whether it is a fact that, in determining whether a Shetsanadi holding in a Dumalá village is Kadim or Jadid vatan, no inquiry is made as to when the vatan was created but the number of Kadim and Jadid servants is determined according to the exigencies of service in the village ?

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Answers.

1. (a) During the calendar year 1909 fifteen applications were made by Inámdárs or by District Officers on their behalf for the grant of commissions under section 88 of the Land-Revenue Code and in twelve cases the applications were granted.

(b) The proportion is in the Central Division 1 to 7 and in the Southern Division 1 to 26.

2. (a) The information is not on the records of Government and it does not appear that the considerable trouble required to collect it would be justified by any object likely to be gained.

(b) Yes ; and inquiry is being made from the local authorities into the points raised in the Honourable Member's communication relating to the operation of section 148.

Government are quite willing to ask the Collectors whether any fines have been levied or not. Government do not think getting a return from each village would be worth the trouble.

3. (a) Sardars, who are Native Chiefs, and their retinue are exempted from payment of tolls.

(b) Toll-farmers must be aware of the authorised exemptions as they are printed in Scheule B attached to the Form of Lease of Tolls. Government are not aware that tolls are demanded from persons who are exempted from paying them.

4. Government are not aware of any case in which an Inámdár has claimed that the Shetsanadi holdings in his village or any of them are 'jadid' grants. If any such claim is submitted to the local authorities, it will be investigated by them.

Questions.

5. (a) Will Government be pleased to state whether it is a fact that all the three toll-bárs within a distance of 25 miles on the Kolhápúr-Belgaum road are still maintained though in other parts of the Southern Division several other toll-bárs have been removed?
- (b) Will Government be pleased to mention the probable time that would be required for the abolition or diminution of their number of these toll-bárs?
6. (a) Will Government be pleased to state whether there is a decrease in the number of assistance suits for the recovery of Inámdárs' dues since the passing of the orders communicated to me by Government in their letter No. 8912 (Revenue Department), dated the 14th September 1909?
- (b) If so, what is the proportion of this decrease?
- (c) What is the number of assistance suits filed during the years 1901 and 1909 in the Sátára district?
7. (a) Will Government be pleased to state when they would be able to bring forward an amendment to the Land-Revenue Code to enable the Dumáldárs to apply to the Collector that the land-revenue due to them should be collected as a revenue demand?
- (b) Will Government also be pleased to state when they would be able to bring forward an amendment to the Land-Revenue Code to enable the Collector to exercise, in the case of the unauthorized occupation of unoccupied alienated land, powers conferred by section 61 of the Land-Revenue Code?
8. (a) Will Government be pleased to state what is the total amount sent from the Inám villages in the Belgaum district to the táluká treasuries in accordance with Government Resolution No. 4168, dated the 3rd June 1897, for payment to the Kadim Hakdárs in the year 1909 and how much of this was actually paid to the holders of the Haks in the same year?
- (b) Are Government aware that this practice is causing dissatisfaction to the Hakdárs as well as to the Inámdárs?
9. Will Government be pleased to place on the Council Table a statement of the arrears due from the village-officers in Dumála and Khálsa villages of the Wái táluká of the Sátára district?

Answers.

5. (a) The answer is in the affirmative but the distance from the first to the third bár is 30 miles, not 25.
- (b) Government cannot fix any period. Only two of the toll-bárs are in British territory.
6. (a) The information is not on the records of Government. Government consider it premature to call for a special report on the effect of the orders referred to.
- (b) Attention is invited to the answer given to the preceding question.
- (c) The information will be called for.
7. The question of amending the Land-Revenue Code in the directions indicated is under the consideration of Government. Legislation regarding (a) is likely to be introduced before long.
8. (a) The information will be called for.
- (b) Government have no reason to believe that the Hakdárs are dissatisfied with the arrangement under which their dues are paid by Government.
9. The information will be called for.

Questions.

THE HONOURABLE Mr. CHIMANLAL
HARILAL SETALVAD.

1. Will Government be pleased to say whether they intend to provide a playground, and if so where, for the Elphinstone College, when its present playground will be utilized for the construction of the Central Science Institute?
2. Whether Government will be pleased to lay on the Table the correspondence between the Agent to the Governor in Káthiáwár and the Managers of the Saurashtra High School, regarding the withdrawal of the permission granted by Colonel Kennedy?
3. Whether it is true that permission has been given by the Bombay Excise Department to foreign liquor sellers in the Mofussil to sell foreign spirits of the strength of 25° U. P.?
4. Whether Government have considered the question that this reduction in the strength of foreign liquor to 25° U. P. from 15° U. P. will by reducing its price bring foreign liquor into competition with country liquor which is of the strength of 25° U. P. and lead to greater consumption of the former?

THE HONOURABLE KHAN BAHADUR
SYED ALAHANDU YUSUF SHAH.

1. Will the Government be pleased to lay on the Table a report by Mr. R. Giles when Commissioner in Sind on the subject of appointing a Special Officer for settlement work in Sind?
2. (a) Are the Government aware that at the recent election held at Hyderabad not a single Mahomedan was returned and that out of total 24 members, only 4 Mahomedans were nominated?
- (b) Are the Government aware that although 16 Hindus were elected an additional seat was given to an unofficial Hindu gentleman by nomination?

Answers.

1. The question of providing another playground for the College on the Oval is under consideration.
2. Copy of the correspondence will be called for and, if there be no objection, laid on the Table.
3. In accordance with the recommendations of the Indian Excise Committee Government have decided that the minimum strengths at which foreign spirit can be sold in the Mofussil shall be fixed at 35° U. P. for gin and 25° U. P. for other spirits except methylated spirits but that liqueurs, whiskies and brandies selling at not less than Rs. 24 per gallon should be permitted to be sold at strengths lower than 25° U. P.
4. Government have considered the question and do not apprehend that there is any danger of competition with country liquor. The number of places at which foreign liquor can be obtained are few and 'on' licenses have been abolished in the Mofussil. If there is an increase in consumption it can be met by measures, such as raising the tariff rate, that are more consonant with the policy of Government than raising the minimum strength.

1. Government are not disposed to lay the report on the Table.

2. (a) Yes.

(b) Yes.

Questions.

- (c) In view of the fact that Mahomedan representation on all the Municipalities in Sind is meagre, and in view of the fact that class representation has been acceded to by Government in regard to Legislative Councils, will the Government be pleased to consider the advisability of allowing Mahomedans within Municipal limits to elect a suitable number of Mahomedan representation as is done in the Punjáb ?
3. (a) Will the Government be pleased to lay on the Table the representation of the Central Mahomedan Association of Sind from the year 1880 by memorials as well as addresses to His Excellency the Governor and the Commissioner in Sind on the subject of enhancing the period of settlement in Sind ?
- (b) In view of the precarious inundation in Sind, will the Government be pleased to consider the advisability of enhancing such period to 30 years instead of 10 years ?
4. Will the Government be pleased to lay on the Table a correspondence between Mr. Mountford, the then Manager, Incumbered Estates in Sind, and the Commissioner in Sind on the subject of unauthorized cultivation in the province ?
5. (a) Will Government be pleased to state how many teachers are in the Sind Training College ?
- (b) Will Government be pleased to state whether they propose to increase the number of Mahomedan teachers in the above college as Sind is practically a Mahomedan province ?

THE HONOURABLE MOULVIE
RAFIUDDIN AHMAD.

1. Are Government aware that the Mahomedan community feels very strongly upon the subject of the continued absence of a Mahomedan Presidency Magistrate in Bombay ?

Supplementary Question.—Am I to understand that the comments on this subject which have appeared in the Mahomedan papers have not been brought to the notice of Government ?

Answers.

- (c) The question of a re-adjustment of wards with a view to ensure a larger measure of representation for Mahomedans has been considered ; but it has not been found possible at present to make such arrangements. In Hyderabad Mahomedan voters number only 172 against 1,174 Hindus. Government do not propose to introduce the communal principle in such cases as this.
3. (a) No memorials on the subject specified have been received by Government. As the addresses to His Excellency the Governor and the replies thereto were published in the public press, Government do not consider it necessary to lay them on the Table.
- (b) For the reasons given in the answer to question No. 2 put by the Honourable Mir Allah Bakshkhan at the Council meeting of 22nd March 1902 Government are not prepared to enhance the period of settlement to thirty years.
4. The only correspondence of which Government have any trace is nearly nine years old. No useful purpose would be served by publishing this correspondence now.
5. (a) The number of teachers on the staff of the Hyderabad Training College for Men is thirteen of whom two are Mahomedans.
- (b) Government will be glad to increase the number of Mahomedan teachers if suitable men are forthcoming.

1. No. The Mahomedan community, like others, recognise with gratification the selection of one of themselves to fill an important post, but give Government credit, as a rule, for doing their best in the public interests.

Government is aware of the general feeling in the matter but nothing has been specially brought to their notice.

: Questions.

2. Are the Government aware that there is only one Mahomedan Subordinate Judge in the Presidency proper out of a total of 113 such officers ?
3. Will Government be pleased to state whether Mr. Ziauddin Moulvi, a Mahomedan pleader, who has stood first in the list of successful candidates for the High Court Pleadership Examination this year, has applied for a Subordinate Judgeship and, if so, whether the Government have favourably considered his application ?

Supplementary Question.—It is not quite plain from the reply whether Government have received an application from the gentleman.

4. Are Government aware that in the town of Erandol, East Khândesh, no Mahomedan has been, as usual, elected a member of the Municipality in the recent Municipal elections, although Mahomedans formed one-third of the total population of the place ?
5. Will Government be pleased to state whether they have received a petition from the Mahomedans of Erandol complaining that in former years two Mahomedan members used to be nominated by Government to represent the Mahomedan community in that Municipality but that only one Mahomedan has been nominated this year and that the present nominee is not considered by the Mahomedans as their representative ?
6. Will Government be pleased to state whether any instructions have been given to the Collectors of the districts impressing upon them the necessity of consulting the wishes of the Mahomedan community in their respective districts before nominating Mahomedan members to Municipalities and District Boards, in accordance with the desire of His Excellency the Governor mentioned in His Excellency's reply to the deputation of the Bombay Presidency Moslem League that waited upon him in September 1908 ?
7. Will Government be pleased to state whether they have received the annual report of the Special Deputy Educational Inspector for Urdu Schools in the

Answers.

2. There is only one Mahomedan Subordinate Judge in the Presidency Proper.
3. Government would be very pleased to see an increase in the number of qualified Mahomedan candidates, but are not prepared to discuss in public the merits of individuals.

So far as information is available Government believe the gentleman mentioned in question No. 3 has not applied for a Subordinate Judge's place. He may have applied for something else but not for a Subordinate Judge's place.

4. Yes.
5. No petition of the nature referred to has been received from the Mahomedans of Erandol.
6. The Commissioners and Collectors are well aware of the policy of Government in this matter.
7. The annual reports of the Deputy Educational Inspectors are not submitted to Government, but the substance of them is incorporated in the annual

Questions.

- Southern Division? If so, whether they will order the same to be laid upon the Table?
8. Will Government be pleased to state whether they have come to any decision with regard to the appointment of Deputy Educational Inspectors for Urdu Schools in the Northern and Central Divisions this year?
9. Will Government be pleased to state whether the English class in the Municipal Urdu School at Dhulia has been recently abolished? If so, will Government be pleased to state the reasons for its abolition and lay on the Table all the papers in connection with the subject?

Supplementary Question.—With regard to this question I want to ask whether there is any English class already existing at Násik in connection with the Municipality and whether that is in accordance with Government's regulation?

THE HONOURABLE SARDAR SYED
ALI EL EDROOS.

1. Will Government be pleased to say whether Trained Teachers of Gujaráti and Urdu Schools received the full benefit of the scale of pay laid down by Government in Chapter VIII of the Vernacular Masters' Code?

Answers.

report of the Director of Public Instruction which is published at the beginning of each calendar year.

8. The Honourable Member's attention is invited to the reply to Question No. 6 put by the Honourable Mr. Fazulbhoy Currimbhoy Ebrahim at the Council Meeting held on 12th March 1910.

9. Contrary to the prescriptions of the Grant-in-Aid Code, the Dhulia Municipality engaged a master to teach English to boys attending Standard IV and upwards in the Municipal Urdu Boys School. Subsequently it appeared that instruction in English interfered with the due completion of the vernacular course and on the initiative of the school authorities, the Municipality closed the English Class.

There is no obligation upon a Municipality to provide teaching in English which can be had at the Government High School.

It does not appear that the action of the Municipality in this matter has been questioned at a meeting of the Municipal Board.

It is not proposed to lay the papers on the Table.

This is a separate question which does not arise from the Honourable Member's question on the paper. The Honourable Member can put it as a separate question if he likes.

1. The Honourable Member is referred to the reply to Question No. 7 put by the Honourable Mr. Chimanlal Harilal Setalvad at the Council Meeting held on the 19th June 1909, from which it will be seen that Government have decided to give trained teachers the rate of pay equivalent to the face value of their certificates, and that the increase of pay according to the length of service as laid down in the Vernacular Masters' Code cannot be claimed as a right and depends on funds available and the merits of the individual master.

Questions.

2. Will Government be pleased to say whether there is any objection to a special concession being made in favour of Mahomedan candidates seeking admission in the Training College at Ahmedabad, whereby the number of admissions at present sanctioned might be appreciably increased and a larger number of Trained Munshis thereby secured to cope with the spread of education amongst the Mahomedans?
3. Will Government be pleased to say if they have any objection to the establishment of Training Schools for Mahomedan Teachers in other districts similar to the one opened at Tankaria in the Broach district?
4. Will Government be pleased to say if they have any objection to make the rule as to the admission of poor Mahomedan boys in the Surat High and Middle Class Schools free of charge, applicable throughout the Presidency?
5. Will Government be pleased to say why the courses of instruction for Urdu Girls' Schools, are not the same as those in the case of Boys' Schools?
6. Will Government be pleased to say whether there is any objection to the teaching of the Kuran, as one of the courses, in Urdu Schools in the Mofussil similarly as is done in the Presidency Town?

Answers.

2. The special concessions are given to Mahomedan candidates. Further concessions would fail of their objects since students so admitted would be unable to profit by the course of instruction and would have to be discharged at the end of the first year.
3. The institution referred to is apparently a central class maintained by the District Local Board for the purpose of encouraging Mahomedans to appear for the Vernacular Final Examination and to go on to the Training College. It is open to other Local Boards to establish similar classes.
4. There is no such rule. Apparently the Honourable Member refers to an arrangement under which the Director of Public Instruction directed that boys receiving scholarships from the Surat Mahomedan Union should be exempted from the payment of fees at the Surat High and Middle Schools when it is shown that they are too poor to pay fees, and when the Director of Public Instruction is satisfied that in respect of age and capacity they are likely to obtain benefit from English education. Government would have no objection to the extension of this system to other centres where similar conditions prevail.
5. In the courses of training for boys and for girls in every vernacular in the Presidency there are differences so as to adapt them to the requirements of the two sexes.
6. There is no objection to the teaching of the Koran in Urdu Schools in the Mofussil as a voluntary subject arranged for by the Mahomedans themselves at each place. Such an arrangement is already in operation in many places in the districts.

BUDGET OF THE GOVERNMENT OF BOMBAY FOR THE YEAR 1910-11.

The Honourable Sir JOHN MUIR MACKENZIE said :—Your Excellency,—In presenting the Budget I have but one remark to offer and that is to present my congratulations to the Council on the recent rainfall but for which I think we might have been in considerable anxiety that our revenue estimates would not be realised. Now, at any rate for a time, our anxiety may sleep, but as members of this Council well know we all have to look to the critical months of September and October before which it is impossible to arrive at any positive conclusion about the season. The alterations made in the Budget proposals by the Government of India are of little importance and I think require no comment. Any further remarks I may have to make regarding the Budget may, I think, be deferred until I have heard any criticisms which Honourable Members may have to offer. I would only remind Honourable Members that the Budget presented to this Council as finally approved by the Government of India is not subject to any alteration in this Council.

The Honourable Mr. HARCHANDBAI VISHINDAS said :—I presume the lines on which discussion on the Budget would be allowed are these, that while no amendment of the Budget as it is now presented will be admissible, remarks dealing with the general or special aspects of the Budget as also any recommendations for the future guidance of Government will be permitted. In that view I do not propose to survey the Budget from China to Peru but to confine my observations, which will be brief, to a few points affecting my own province.

As to the general aspects of the Budget, I feel I shall be failing in my duty if I did not offer my warm acknowledgments for the admirable manner in which Government have dealt with my province in the Budget. Our wants have been sympathetically recognized and provided for handsomely more specially in the branch of education. Here the most desirable provision is the increase in the pay of teachers who were much underpaid and increase in the Inspectorial staff. Although much still remains to be desired, Government have to be thanked for what they have done. At the same time I would fervently pray Government to lose no opportunity that offers itself of promoting primary education and multiplying schools in Sind which is really very backward in education.

As to the specific recommendations I have to make the first is with regard to the establishment of a High School at Larkana which was the subject matter of a Resolution unanimously passed at the last meeting. I am sorry no provision could be made in this Budget. But I strongly urge that the scheme of establishing this school be pushed on with as much expedition as possible. Along with this I would urge this Government to work up to the standard of secondary education laid down by the Government of India that each district be provided with a separate High School.

My next suggestion is that a subordinate Civil Court be established in Mirpur Khas. That Court is required for civil judicial work in the district of Thar and Parkar which hitherto was entrusted to the Revenue Officers of the district. With the growing wants of the district and the general progress made litigation has so much increased there that the Revenue authorities do not feel themselves able to cope with that work and have applied for the transfer of cases which have been hanging on for a long time. I am of opinion,

although I am speaking subject to correction, that the receipts arising from increased litigation will greatly recoup the costs and Government need have no anxiety on the score of costs.

Coupled with the question of Mirpur Khás Court there rises to my mind the case of the Lárkána District Court. This Court has been on the *tapis* very long. And at one time it was thought that everything for putting this Court in working order was ready and the Court would be soon opened. We have therefore been surprised to find that it has taken so long in coming. Your Excellency's Government can realize the great convenience this Court will bring to the people of Lárkána which has been made into a separate district from Sukkur and the inconvenience from which the Lárkána people have been now suffering by having to resort to the Sukkur Court at a great distance.

I cannot leave off these remarks without reference to what has become to me a Charles The First's Head to Mr. Dick kind of business,—I mean the location of public buildings in Karáchi. I have had to harp upon this point time after time. It was the subject of a resolution last time—after the site had been made the occasion for an amendment which was afterwards withdrawn. From the information I have recently received I find that the question has been satisfactorily settled and a site has been selected which shall meet with the approval of the people. But there is just a little rift in the lute. I am told that the Judicial Commissioner's Court is going to be isolated from the rest of the public buildings. On careful consideration Government will find that this is a mistake and that whatever difficulties have presented themselves to the officers concerned can be easily overcome.

The answer to a question of mine for to-day's meeting suggests to me a point whereon I think I should address the meeting. While replying to my question about the Fuleli water-supply Government say that they will consider it along with the projected new Rohri canal. This at once reminds me of the Barrage or Weir at Sukkur which is part of the same scheme whereof the Rohri canal is another part. And I want to strike a note of warning to Government not to launch into this Herculean enterprise without great caution. The thing may cost any amount between ten crores and twenty crores nobody knows how much. It may take a decade or more. Expert opinion is hopelessly divided on it. I do not speak to it with the authority of an expert. But I do say that the best expert opinion should be consulted before the project is finally decided upon. Expert Engineers who have had to do with rivers like the Mississippi and rivers in the Punjáb and which opinion is available to the Government of India must be asked before an ultimate conclusion is arrived at.

The Honourable Mr. SIDDHANATH DHONDDEV GARUD said:—Your Excellency,—Permit me to offer a few observations on some of the more important features of the Budget. We owe our thanks to Government for the liberal treatment which the ryot has received in the matter of remissions and suspensions in very trying times. Since 1902-03 Government have had to remit no less than 194 lákhs of rupees including 23·5 lákhs in this year's Budget and there is still an outstanding arrear of 47·5 lákhs, a large part of which may have to be written off. These figures point to the necessity of permanently reducing the State demand on land, at least in districts which have suffered the most, to enable the agriculturist to recover from the effects of a long cycle of unfavourable seasons.

Turning next to forests I have to congratulate Government on reducing the grazing fee and making it uniform. The pound figures for the Central Circle, however, still show a grave disproportion between those for the Southern and Northern Circles. Closed forests are in some places in the Central Circle pressed too near village limits and in some others enclose in closed areas places where the village cattle are accustomed to drink water. These circumstances too have probably affected the figures considerably. It is gratifying to notice in the report that an effort is being made to reduce the number of impounded cattle, but I beg to submit that there will be no material improvement in the figures unless forest tracts which are incapable of growing valuable timber trees and yield very little revenue are disforested and reserved for village use.

In connection with education I beg to thank Government for the grant of a model Government High School to Jalgaon. I submit that the same consideration might be shewn to Ahmednagar as soon as it is convenient. It is also a matter for satisfaction that there is a steady improvement in the number and efficiency of primary schools. The grants to Municipalities and Local Boards for primary education are, however, decreasing, though the expenditure of those bodies on education is steadily increasing. The figures of the provincial grant to Municipalities from 1902-03 are as follows:—1902-03, 1.77; 1903-04, 2.43; 1904-05, 3.32; 1905-06, 3.30; 1906-07, 3.29; 1907-08, 2.71; 1908-09, 2.78; and this year 2.67 have been provided for in the Budget. The figures are in *lacs*. The grant was raised to 3.32 in 1904-05 in consequence of a Government Resolution in August 1903 which raised the limit of aid to Municipalities and Local Boards on account of Primary Education from $\frac{1}{2}$ to $\frac{2}{3}$ of the total expenditure on Education. It is now about $\frac{1}{2}$ of the total expenditure of Municipal Boards on Education. The figures for District Local Boards are:—1902-03, 6.96; 1903-04, 6.90; 1904-05, 8.42; 1905-06, 9.45; 1906-07, 10.93; 1907-08, 10.96; 1908-09, 11.47; and this year 10.44 have been provided for in Budget. Though the Local Board grant does not show the same corresponding decrease yet in view of the needs of Primary Education and the vast area for which they have to provide it might have been a little higher. The contribution to the Local Boards from Provincial Revenues in lieu of the one anna cess on Excise Revenue was fixed on the Excise Revenue of 1873-74 which was 33 lacs. The Excise Revenue for 1908-09 was 149 lacs and there is now I submit an urgent need for revising that contribution. The increase in the number of primary schools, which has been budgetted for in the current year will also entail an increase in the number of trained teachers and in this connection I have to urge upon Government the necessity of joining a third year class to the Dhulia Training School and of raising that school to the status of a College. Government have expended a considerable amount of money on the buildings and equipment of the Training School and there would be a very desirable improvement in the status and efficiency of the school if only one more teacher were added to the present staff. The proportion of students from Khándesh East and West, Nagar and Násik to others in the third year class of the Training College, Poona, the proportion of pupils to the teaching staff in the Poona Training College and the Dhulia Training School, and the proportion of the number of hours that the assistant teachers in the Poona Training College and the Training School or any of the English High Schools have to work are all in favour of my proposal.

Whilst inviting the attention of the District Local Boards to the necessity of reducing their balances, Government might have urged for larger allotments to the Táluká Local

Boards for many desirable schemes of village sanitation and the supply of pure drinking water. Government have also to be congratulated upon the abolition of toll-bars on provincial roads. Their abolition on Local Board roads will also be hastened if Government announce what consideration they propose to show to District Local Boards, like the Board of East Khándesh which have taken the lead in this matter and sacrificed a considerable amount of revenue.

The Honourable SARDAR SYED ALI EL EDROOS said :—Your Excellency,—On a careful perusal of the Budget estimates and Financial Statement for the year 1910-11 I realise the special difficulties which lay in the way of the Honourable Member in making the two ends of the Budget meet. He is surely to be congratulated on the able manner in which he has succeeded in surmounting the difficulty without additional burden of taxation ; and I hope the season will be prosperous and the necessity for further taxation may not arise. As a Mahomedan member I venture to express my feelings of gratitude to Government and the Honourable Member in charge of the Budget for his being able to allot necessary funds for a very charitable purpose in the shape of affording abode to houseless pilgrims.

2. I am glad to find that Government have lately been devoting greater attention and are providing more expenditure for the improvement of agriculture in different parts of the Presidency, by opening agricultural farms and organising shows and taking measures to send up students to England for studying agriculture. This is really a very satisfactory and wholesome course that Government have adopted for the improvement and welfare of the country and its cultivators. Such farms have since long been opened in the districts of Surat, Poona and Dhárwár, &c. ; and it is gratifying to note that reports issued on their working, afford ample proof of good and solid work having been done in this branch also. I cannot, however, help stating on this occasion, that the want of such an industrial institution, has long been felt in the district of Broach, which is the first rate cotton growing district in the Presidency and which raises that product on a very large scale, and if improved, would match the American cotton. Thus it will be a great boon and encouragement to cultivators if an Agricultural Farm is opened in Broach.

I earnestly invite early attention of Government to this very great need of cultivators. Although there are such farms in Surat and Dohad, the Broach people are unable to profit by them in the same way as they would do, if one was in Broach.

It is a well-known fact that Broach grows cotton of the best sort, but the evil which has for some time past crept in, is the adulteration of superior cotton with an inferior stuff at several ginning factories. This will tend to destroy the pure seed and the district will thereby seriously suffer.

This, I submit, will ultimately be injurious to the people as well as to Government revenue. I am therefore constrained to ardently urge the adoption of prompt and stringent measures by Government to stamp out this evil. Arrangements should also be made for the supply of pure seed to such cultivators who are anxious to buy it.

3. Nowadays the necessity for moral education is felt more and more all over. It is an admitted fact that moral education should be introduced in primary schools and without religious training moral education is of little avail. I would consequently

suggest that Koran teaching to Mahomedan children should be introduced and made a subject of teaching in Urdu primary schools, and that it should be taught in school hours like other subjects.

I must mention that Mahomedans invariably consider the teaching of Koran to their children, their first and chief duty. Tuition in Koran which absorbs three years of the first education of Mahomedan children has been introduced into Mahomedan primary schools in the Presidency town. I hope Government will kindly extend it to the Mahomedan primary schools in the mofussil. Religious and secular education would then go hand in hand and much time of the students thus saved be best devoted to other studies. Teaching Koran in school hours, as I have already stated would greatly relieve the children of this heavy task. Thus the principal object of giving moral education will be easily attained by the help of religious teaching.

Your Excellency will kindly allow me to state that a vital question regarding the heavy standards of training for Mahomedans in Urdu primary schools, has elicited considerable discussion amongst the Mahomedans of the Presidency. Mahomedans are much behind in point of education as compared with other communities, and one of the principal causes, to which this is attributable, is the fact of their having to learn Urdu, it being their mother-tongue and a source of obtaining an insight into their religious tenets, along with the vernacular of the district. This, it will be admitted, is a serious hardship which can be avoided, if the Government be pleased to devise a scheme and regulate the course of teaching in such a way as to put Mahomedans and boys of other denominations on an equal footing in their studies. To improve this state of affairs I request Government to appoint a special committee to enquire into and report to Government on the subject.

In this connection, I beg to invite the attention of Government to the observations made by my late revered father the Honourable Syed Zain Saheb El Edrus in the meeting of the Council held on the 21st June 1909.

4. In conclusion, I request Government to be good enough to appoint an advisory committee of educated Mahomedans to advise Government and the Educational Department on such matters as are necessary to promote the advancement and spread of Mahomedan education.

The Honourable **SARDA'R DAVAR K. E. MODI** said :—Your Excellency,—To-day's proceedings reveal to me certain features. One is that the Budget sanctioned by the Government of India is presented to our Council with the condition that there shall be no discussion on things which have been decided finally. I see that there is no discussion, but there are numerous indirect suggestions made to hang upon this Budget for the future conduct of the Government. But I think that instead of the time of the Council being taken up in that way it would be much more profitable if all these suggestions were previously sent on to Government in writing, so that they may be recorded and referred to in future. I do not say that this should be an absolute rule, but I think there should be some sort of limitation to such wide suggestions, which are made to-day and forgotten to-morrow. Action may be taken upon one or two suggestions, or even not at all. Of course, advice should be given to Government ; for, indeed, we are all here Councillors,—and "Counsel" means advice—, and being men the select of millions of people we have a right to advise Government. I do not say that all discussion should be prohibited ; but

I say that observations should be so limited as to save the time of the Council. The Budget has gone through a test which is severe enough. It has been very carefully prepared and I think the Honourable Member in charge of it justly deserves to be congratulated for so successfully working it out. The Budget having been practically passed I have nothing more to say but to congratulate the Honourable Member in charge.

The Honourable MOULVIE RAFIUDDIN AHMAD said :—I must express the gratitude of the Mahomedan community for the provision made in this year's Budget for a special Deputy Educational Inspector for Urdu Schools in the Southern Division. I beg permission to make a few observations on certain questions regarding the progress of the Mahomedan community in this Presidency. The first question is that of the employment or rather the non-employment of Mahomedans in the public service. In this connection I would draw the serious attention of the Government of Bombay to the historical Resolution of the Government of India issued in 1885 and circulated among all Local Governments which is the standing order of the Imperial Government on the subject of the employment of Mahomedans by the State. In that year the Central Mahomedan Association of Calcutta drew the attention of the Imperial Government to the extraordinarily inadequate representation of the Mahomedans in the public service. The Government of India in their Resolution says "The Memorial of the National Mahomedan Association lays a special stress upon the extent to which the Hindus have ousted the Mahomedans from State employ generally and pray that the balance of State patronage may be redressed. The Memorialists are aware of the orders which have from time to time been issued by the Government of India as well as by the Local Government directing the heads of Departments to pay due regard to the claim of candidates belonging to their community. But at the same time they assert that no practical gain has accrued to the Mahomedans from these orders. They attribute this to the neglect of the Government policy by the officers with whom the actual distribution and dispensation of the State patronage rests."

"No special favour can be shown them in open competitive examination of any description. But there are a large number of appointments the gift of which lies in the hands of Local Government, the High Court or local Officers. The Governor General desires that in those Provinces where Mahomedans do not receive their full share of State employment the Local Governments and High Courts will endeavour to redress this inequality as opportunity occurs and will impress upon subordinate officers the importance of attending to this in their selection of candidates for appointments of the class last referred to."

"As regards the admission of duly qualified Mahomedans to the Judicial service the Governor General in Council trusts that in Provinces like Bengal and Bombay where there is at present a deficiency in this respect the High Courts will endeavour to secure a certain proportion of officers of that class."

"The Governor General in Council has little doubt that within the next ten years much greater progress will be made than has hitherto been recorded." Lastly the Governor General in Council desired that all Local Governments should notice the subject of the extent to which Mahomedans were employed in offices under Government in their annual reports. I fear that this order of the Government of India especially with

regard to the particular mention of the subject in the annual report of administration, has been altogether neglected and the Government of India has not been kept informed of the progress that the Mahomedans have made in this connection. A quarter of a century has elapsed since 1885 and as I shall presently point out the condition of the Mahomedans with regard to State employment has been absolutely at a standstill.

In the year 1885 there was only one Munsiff, to-day in the Presidency Proper there is only one. In the year 1885 there was one Deputy Collector, to-day there are only three in the Presidency Proper of which one is the Oriental Translator to Government and another is a Náib Diván at Junágad so that, practically speaking, there is only one Deputy Collector in the Presidency Proper out of 67 such officers. In 1885 there were five Deputy Collectors in Sind out of 16 there are only 8 to-day out of 32 three out of these 8 are only holding acting appointments. In the Presidency Proper there are altogether 231 Mámlatdárs out of whom only five are Mahomedans. Indeed in some of the Departments our condition is much worse off than it was in 1885. For instance, take the Police Department. In 1885 there were 23 Mahomedan Police Inspectors out of 54 in the Presidency or '44. To-day we have only 37 out of 160 or only '22. In the Educational Department again we had in 1885-6 Deputy Educational Inspectors, we have only three to-day. This abnormal state is all the more deplorable when we considered the number of qualified men at the disposal of the Government of India for certain branches of the State service. In 1885 there were only 4 Advocates on the roll of the Local High Court, we have to-day 27 Advocates, 9 Vakils and 4 Solicitors for selection. In the former year there was a very limited number of graduates, but to-day we have more than a 100 B.A.s of the Bombay University alone, not to speak of graduates of the English University and other Universities of India. So then the objection so often raised regarding a want of qualified Mahomedans seems to me to be futile at the present time. I know it is argued in certain quarters that the Mahomedans in this Presidency do not as yet possess as many graduates as their community ought to possess considering their total population. But this cannot be advanced as an argument because even granting that we do not possess 500 as we ought to I do not say why the 100 that we do possess should not be well provided for or should be compelled to wait till the other 400 were forthcoming. There are Departments like the Magisterial Department where Mahomedans are not represented at all. There is no Mahomedan Magistrate in any City in this Presidency, including Bombay and Sind. The Magistrates are generally appointed from among Deputy Collectors and as we have no Deputy Collectors we have no Magistrates either.

There is one point upon which I want to lay special stress. I assure the Government that there is no desire on the part of any Mahomedan to request the Government to appoint any but competent Mahomedans to the posts at their disposal. Our contention is that notwithstanding the existence of qualified men we are unable to have our fair share of State employment in certain Departments of the Public Service. Since, however, the number of qualified Mahomedans has increased a tendency is unfortunately perceptible to reject them on the ground of relatively superior qualifications having to be given precedence. This introduces something like the competitive element in its worse form. I regret to say that in the employment of Mahomedans, the Government of Bombay at the present time is the most backward of all the Local Governments in India. Bengal, the United Provinces and the Punjáb are far ahead of Bombay in this connection. There is no other High Court in India which has no Mahomedan Judge.

It may be true that there is no competent Mahomedan available for a High Court Judgeship in this Presidency, but the Local Government might follow the good example of Madrás and appoint a Mahomedan Judge from some other Province in India. Madrás, where the Mahomedans are 6 per cent. of the total population, and where, moreover, the Mahomedans are not proportionately more advanced in education than the Mahomedans in this Presidency, has two Mahomedan Collectors, one High Court Judge, one Mahomedan Police Superintendent and a Mahomedan Presidency Magistrate. Moreover with a population of 21 per cent. in this Presidency we have only 10 Deputy Collectors while there are 13 in Madrás. I am aware of the good intentions of the Government of Bombay of the professions of sympathy on the part of the high officers of this Presidency with the great Mahomedan community, and we are deeply grateful to Government for their sentiment, of the sincerity of which there can be no possible doubt. What then is the cause of such an abnormal state of affairs. It can only be explained in the words of the Mahomedan Memorialists of 1885, namely, the neglect of the Government policy by the officers with whom the actual distribution and dispensation of the State patronage rests. I shall therefore beg His Excellency in Council to issue instructions to the subordinate officers to carry out the desire of His Excellency the Governor General in Council as conveyed in the Resolution of 1885.

Another question which I may mention is the representation of Mahomedans in the municipalities and District Boards. There are no less than 18 municipalities with the population of 15,000 and over in which there are no elected Mahomedan members at all, and 8 similar municipalities in which Mahomedan members are inadequately represented taking into consideration even the proportion of Musalman electors to the total number of electors of the municipality. It is one of the most remarkable facts that the District Local Boards which has the largest number of Mahomedan inhabitants of all the Local Boards in this Presidency has neither an elected nor a nominated Mahomedan member upon it, I mean the District Board of Dhárwár. The last point is the subject of Mahomedan education and particularly of Urdu schools but as I have a Resolution to move on the subject I shall reserve my remarks upon it till the occasion.

The Honourable Mr. FAZULBHOY CURRIMBHOY EBRAHIM said:—Your Excellency,—The Budget which we have met here to discuss to-day is the first under the revised constitution of the Indian Councils; but unfortunately it is the last of the present Revenue member, who has so successfully piloted the financial bark of the Presidency since 1905-06. Since then both Revenue and Expenditure have shown a steady and continuous rise, and I think it will not be uninteresting to take a general survey of their expansion and growth as revealed in the statistics for the period during which the Honourable Member held the financial portfolio.

In 000 of Rupees.

	Opening Balance.	Revenue.	Expend- iture.	Closing Balance.	
	Rs.	Rs.	Rs.	Rs.	
Budget 1905-06, Actuals	...	76,73	5,24,64	5,25,07	76,30
Budget 1906-07, Actuals	...	80,66	5,70,63	5,53,11	98,18
Budget 1907-08, Actuals	...	1,00,10	5,76,21	5,80,29	96,02
Budget 1908-09, Actuals	...	96,02	5,87,84	6,14,03	69,83
Budget 1909-10, Revised	...	69,83	6,30,84	6,23,83	76,84
Budget 1910-11, Budget	...	76,84	6,23,40	6,39,39	60,87

The heavy draft on the Provincial balance is necessiated by growing demands on the public purse; but we have not outstepped the limits of prudence. I have quoted these figures to show that the Honourable Sir JOHN MUIR MACKENZIE has shewn unstinted liberality in meeting various demands; and his policy towards the suspension and remission of land-revenue can only be characterised as generous. We have flourished temporarily owing to a larger land-revenue consequent on the good collection of arrears, but owing to the uncertainty of our rainfall the revenues must fluctuate, and we shall either have to arrest this growing scale of expenditure or develop local sources of taxation. Of late years the Government of India have made considerable grants to the various Provinces for special purposes, such as agricultural improvement, the development of education and sanitation. Instead of this policy of "doles" the Government of India should revise the Provincial settlements so as to allot larger resources to the Provincial Governments when the Government of India possess a surplus beyond their needs. To my mind, there should be a larger degree of separation between Imperial and Provincial finance, and, as Sir STEYNING EDGEBLEY in his minute to the report of the Decentralization Commission pointed out Provincial Government should be given independent sources of revenue and some separate powers of taxation. Even the late Mr. DURR said that when the elected representatives of the people obtained a potent and determining voice in shaping the decisions of local Councils it would not be undesirable to invest them with the powers of taxation. That time has now come. I hope that the suggestions of the members of the Decentralization Commission, to make provincial resources independent of the Imperial Government and to invest the local Government with the requisite power to impose taxation and to carry out expenditure on important projects, will be given effect to at an early date and it will be a beneficial change and will increase the power and dignity of this Council and secure the stability of Provincial Finance. I can only hope that the Honourable Sir JOHN's successor will be as successful as he has been in directing the finances of this Presidency.

The present enlarged Council is a thoroughly representative assembly of all classes of interests, met for the purpose of advising and co-operating with Government in the practical measures for the advancement of the general welfare of the people. I have no doubt whatsoever that this Council, strong as it is in talent, with larger opportunities for the expression of non-official views, will work for the addition of solid benefits to agriculture, commerce and the growing industries of the country. It will be our duty to exert ourselves with the aid of Government in the promotion of education suited to the strenuous conditions of modern life, and in the adoption of measures of public hygiene and sanitation, suitable and adequate provisions for the better housing of the poorer and working classes, the introduction of improved methods of agriculture.

As the Budget meeting gives members of this Council an opportunity of making various suggestions on a wide range of subjects, I propose to offer a few remarks on the most engrossing topics of the day. In the first place, I recognise the efforts of Government to frame an educational policy aiming at freeing the intellectual activities of students from the paralysing clutches of examinations. I recognise their efforts for the dissemination of science and commercial education, but I hope that the claims of elementary and secondary education will not be overlooked. At present the course of instruction in the elementary and secondary schools is not only defective but largely unsuited to the conditions and needs of different classes. It stands in immediate need

of remodelling. It is of the first importance that steps should forthwith be taken to make elementary education something more than a name. It should be more systematic in order to equip the recipient to improve his position in life. I am ready to concede that in view of the present state of our finances and the attitude of the masses towards it, and the want of trained teachers and the absence of adequate provision for accommodation, it is not practicable to make elementary education at once either universal and compulsory. But I emphatically assert that we should encourage a policy which may lead up to that ambition. I am, however, of opinion that reforms in elementary instruction have long been overdue. At present there are about 17,000 villages in this Presidency without any kind of school, and Government have decided to open 500 new schools every year. But I venture to submit that side by side with the addition of schools, Government should provide for the development of the system of instruction, so as to enable the recipients to secure the fruits of their toil in their respective industries and trades, and make them proficient in the skill and craft of their forefathers; otherwise it will involve a waste of energy and resources. Government should direct their energies and activities to adding industrial classes to certain schools from which the students do not proceed to secondary education. I am cognisant of the argument in favour of the centralization of schools of a technical character, and that for good technical schools we must have proper equipment and teachers, and that if we diffuse our energies over many centres, we shall not get skilled artisans. But even Lord LAMINGTON, who advanced this argument, admitted that there are other improvements he would like to see made before we come to free or compulsory education. These improvements, to my mind, consist in turning out not only literate but skilled and efficient labour, by training the eyes and hands of the pupils from their infancy and teaching them different arts, and trades. I am also aware of the view expressed by Dr. SELBY, that he did not understand what sort of a technical class they could establish in a school which would produce results worth considering during the short period little children are at school. It is possible that an eminent educationist of Dr. SELBY's calibre, who had moved all his life in a classical groove would find it difficult to adjust himself to the views of industrial men, but I think it is not difficult to impart some kind of manual training to little children. It is impossible to get skilled labour, which has a large and important bearing on the industrial life in this country, unless the pupils' eyes and hands are trained when their minds are yet plastic. In this connection I should like to quote the following passage from the report of the Poor Law Commission:—"The education in our public elementary schools should be made less literary and more practical and better calculated than at present to adapt the child to its future occupation. To this end the curriculum should be altered. It is not in the interest of the country to produce by our system of education a dislike of manual work and a taste for clerical and intermittent work, when the majority of those so educated must maintain themselves by the work of their hands."

As to secondary schools, there again the time has come when a strong modern side should be introduced for the benefit of those who do not proceed to the Arts course. The course of study should be shaped not with a sole eye to preparation for the Matriculation; but to preparation for life. I hope that Your Excellency's efforts to secure a wider diffusion of the knowledge of science will bear fruit in this Presidency and that the College of Science will be accomplished during your lustrum. I hope too, that as

the finances permit, Government will grant further scholarships on an extended scale, for scientific and commercial education, to deserving students. As for the commercial education, I hope that the interest and enthusiasm excited by the visit of Professor Lee-Smith to this country on the initiative of your Excellency, will not be allowed to evaporate. May I throw out the suggestion that a commercial chair should be established in connection with our University?

The Honourable Mr. JENKINS had, on the last occasion, remarked:—"It is to be regretted that the Bombay Corporation have not been able to utilise the grant of Rs. 1,40,000 for the provision of additional school-houses. The accommodation provided by the Corporation is sufficient only for a small fraction of the children in Bombay who are of school-going age. It seems to me that it will be necessary for the Corporation of Bombay to regard their responsibilities in the matter of primary education very much more seriously than they have hitherto done." I must inform the Council that the Corporation are not indifferent to their responsibilities in this matter. The grant has not been utilised because the acquisition of sites is taking a long time. But the sites have already been selected and there will be no unnecessary delay in proceeding with the work of building. It has been calculated that out of a total population of 111,136 children of school-going age, about 32,955 attend schools in Bombay. Of these 23,379 are boys and 9,576 girls. The percentage of boys receiving education is 37.6 while that of the girls is 19.5. The total percentage of boys and girls under instruction is 29.6. Roughly speaking, nearly 2 boys out of 3 and 4 girls out of 5 are without education, and the suburban areas of the town are most in need of educational facilities. The Committee of the Corporation which is considering the question of the extension of primary education in Bombay has before it a proposal; and if that is adopted the cost of primary education will rise from three lakhs of rupees to four and a half lakhs of rupees within five years, and 100 Municipal schools and 50 aided schools will be added during the period.

The expenditure on technical education is, to my mind, inadequate and I strongly urge the Government to make larger grants to this important branch of education, in view of the fact that the mill-owners of Bombay contribute handsomely every year to the Imperial as well as Provincial Exchequer in the shape of the excise duty and income-tax.

As for the promotion of agriculture and agricultural education it is gratifying to find that Government are wisely spending larger sums of money every year on these objects. In this Presidency the Honourable Sir JOHN MUIR MACKENZIE has evinced the keenest interest in the welfare of the agricultural classes; but the real foundation for the improvement of the condition of the agricultural classes must be found in designing and imparting the right sort of education to the sons of cultivators. I think a constructive policy for the regeneration of agriculture is necessary. By the establishment of special agricultural schools, where the principles and advantages of co-operation should be taught, and the appointment of travelling lecturers, the adult cultivators would be induced to attain a higher standard of cultivation by means of suitable manure and improved mode of cultivation. The repression of native usury, so essential to the welfare of the agricultural classes, and the diminution of peasant indebtedness, are impossible, until people are given education and provided with access to capital by means of credit banks and co-operation for the

better organization of agricultural economy. I do not lay any claim to suggesting anything new, but these views have to be brought before the Council over and over again before they can be translated into acts. But before I conclude my remarks I beg to thank the Honourable Sir JOHN MUIR MACKENZIE for the great impetus he has given to the cultivation of high stapled cotton in different parts of the Province. As it is, he has fathered the Agricultural Department and done his best to ameliorate the lot of the cultivating classes, and I hope that his successor will inherit his interest in the agriculture of the Province.

Your Excellency, may I draw your attention to the lamentable delays which have occurred in introducing the Bill for the amendment of the Improvement Trust Act? That section of the Act which relates to the housing of the poorer classes has a vital importance for the mill-operatives, and apart from its social and economic side, it has a great deal to do with the better sanitation of the City. I hope that the Bill will be taken in hand at an early date and that Your Excellency will urge upon the Imperial Government the necessity for granting liberal and adequate loans to enable the Trust to carry out a comprehensive scheme of housing the operatives in co-operation with the large employers of labour.

I congratulate the Government on the policy of abolishing vexatious toll-bars; but before I resume my seat, I should like to invite Your Excellency's attention to the words of your predecessor who, in his farewell address to the Council said :—"One thing I have been endeavouring to see through ever since I came here, and that is the abolition of the Káthiáwár inland customs line. I wish this undesirable restriction on trade and inconvenience to travellers could have been got rid of in my time. I am able to say, however, that no inconsiderable progress in that direction has been made." As the representative of a body which has large stakes in the trade of this Presidency, may I request Your Excellency to put an end to unnecessary hindrances to trade and to remove the strong feeling aroused in the minds of the public by the customs line, which does not bring a yearly revenue of more than forty thousand rupees.

The Honourable Mr. VISHNU RAGHUNATH NATU said:—Your Excellency,—I wish to address a few words on the general aspect of the Budget. I come from the Southern Division. I do not wish to put forward any special claims on behalf of that Division, for I think it has received as much liberal consideration at the hands of the Government as any other Division of the Presidency. It is not my desire to say anything about special claims of any particular community. I do not know if any particular community has any special claim to say that a particular department of Government should be their special preserve. I submit that the only question which we have to consider is the general question of policy regarding the whole Presidency as one community, and from that point of view I wish to discuss the Budget. And from that point of view I say that the present Budget is more or less a prosperity Budget and is framed upon a consideration that the season would be an ordinary good season. Of course, whether it will be or will not be a good season is not in the power of Government. But here we see that the receipts are calculated upon the general demands, which are to be made by several departments, after careful consideration.

With regard to these demands and expected receipts I have few remarks to make. As regards the expenditure it has been rightly remarked by the Honourable

Financial Member that Government has exercised a free hand in that respect, and we find that the expenditure side shows an increase which is unprecedented during the last few years. The increase consists moreover of certain items which are recurring, and these recurring items come to something over 20 lakhs. The Honourable Member in charge of finance has already stated that the annual increase of revenue in the normal conditions comes to 12 lakhs. If we take this fact with the proposed increase in the recurring expenditure, we must say, as business men, that the prosperity budget may prove in the end a deficit budget. This will be so next year, if not this year, and we find that this deficit is already to a certain extent anticipated by the Honourable Sir JOHN MUIR MACKENZIE, who has pointed out that it would be hereafter necessary to provide for certain new taxation which would go to increase the finances of the Province. So that we might expect that the Provincial expenditure will increase in a short time, and if that be so, surely this prosperity budget will be the last of its kind.

One feature that is remarkable in this Budget is that the special items of expenditure or the majority of them are devoted for the equipment of the staff of the different offices. Of course, a man in the street—an ordinary man—who does not understand the intricacies and peculiarities of each department, would say that this is simply done at the desire of the heads of different departments, who wanted their own offices to be properly equipped and who wanted to see their staff and their remuneration increased; whereas so far as the interests of the people are concerned very little goes to their pockets, that is to say, very little is done that goes directly towards the improvement of their condition. Of course, indirectly the improvement of the staff which is necessary for the efficiency of each of those departments ultimately goes to the improvement of the condition of the people, but there is a sort of suspicion in the mind of the general public that the claims of these departments are considered more liberally than the claims of the people. Personally, I have no doubt that every care is taken to see that no excessive demands of any department are allowed by Government. In this connection I have to point out certain departments. First, the Revenue Department. Here we find that a special grant is made for the remuneration of the Kulkarnis, who have to make copies of records which are supplied gratis to the people. This grant is necessary. I think these Kulkarnis are very hard-worked people, and they are much used and at the same time much abused—sometimes they deserve the abuse. Their work is increasing and some help was necessary. With regard to the increase of pay of Mámlat-dárs I have very little to say. The case of the schoolmasters has been properly considered. Their claim for an increase of pay had been long due. With regard to the police, which is a most important department, it has been altogether overhauled and re-organisation is still going on. If we read the report of that department we find that so far as the protection of the people is concerned, the progress was not satisfactory last year. But as the department is being reformed we can await the result for a few years. It is a large spending department and we hope after the increase that has been made in its expenditure it will show better results later on. As to the Agricultural Department, I must admit that the greatest concern has been shown by Government towards the agriculturists. The mass of the people are agriculturists and they deserve such a consideration at the hands of Government, and I think Government is to be thanked for what it has done for them. One thing in regard to this Budget is this that the Honourable Member in charge of it has remarked that our land-revenue has reached

a point which we may call a stationary point. The same thing is said regarding the Excise Revenue. I submit these two departments—Excise and Land-Revenue—are the mainstay of our provincial finance. Our financial stability depends on the prosperity or otherwise of these two sources of revenue. Now, if there is no possibility of increasing our land-revenue, I think that having regard to our increasing demands, to our rate of progress and to the large number of claims which remain unsatisfied, we must find out a new source of revenue; but certainly it should not be new taxation. The Honourable the Finance Member has suggested that it would add to the dignity of the Council if we possess the power to impose a new tax. I do not know whether that view will be accepted by the people generally. But if it is found that there is no alternative but to increase the taxation, then the question will be what form it will take. It is not possible to conjecture what that form will be but I think there are grounds to fear that some additional taxation is likely to be imposed on the ryots by introducing a sort of voluntary cess by the Local Boards themselves. Practically this tax will not add to the finances of the Province, but it may reduce the burden of the provincial expenditure to a certain extent inasmuch as some items of expenditure might then be shifted on to the Local Boards. I do not wish to discuss the question whether it will be a measure conducive to the good of the people or that it will be accepted by them. There seems to be a second suggestion that when the proposed Pancháyat system takes the form of law, the bodies formed under it might be empowered to raise a local tax. The question before the Council for serious consideration is and should be how to meet the next year's demands and not to be satisfied with the prosperity of the present year's budget. It is apparently a prosperity budget, but the future is not very hopeful and there is a dark line on the horizon. I think it will be necessary to consider whether any retrenchment will be possible. So far as the present Budget is concerned it has passed through several processes before it has evolved out in its present shape, and there is hardly any suggestion that I can make on any particular item. But hereafter it will be a question for Government to consider whether any retrenchment is possible in any of the several departments. I think a Committee should be appointed to consider the question of retrenchment and of new taxation if such taxation becomes inevitable.

With regard to land-revenue there is one matter which I wish to bring to the notice of this Council. In the recent Land-Revenue Administration Report I find that the new restricted tenure is becoming very popular in Sind, in parts of Gujarát, and in parts of the Central Division, especially in West Khándesh and Násik. Nearly five lákhs of acres of land have been given on this tenure in Sind, and 5 lákhs of acres in two districts in Gujarát, and two districts in the Central Division. This is a question which requires careful consideration. It is worthwhile knowing whether the lands given on the new restricted tenure are the lands forfeited by the old tenants by reason of their inability to pay Government assessment, or because of their want of thrift, or want of careful husbandry, or want of attachment to the land. If the lands given on the new restricted tenure were really fallow or unoccupied lands, then there is no objection to that. But if these were lands once held on long terms with the power of alienation, it is a question why the old tenure is becoming unpopular. So far as the Government land-revenue demands are concerned, Government is very liberal. I admit that. It is generous in its rules of suspension and remission; and from some of the recent Settlement Reports it is clear that Government is very moderate in its demands. Then again, Government has

made every attempt to improve the lot of the agriculturists by establishing co-operative credit societies, by attempts to spread agricultural knowledge by means of lectures, holding of shows, and by distributing agricultural pamphlets. But notwithstanding all these facilities and the liberal attitude of Government to make the agriculturist more attached to his lands, why is the old tenure becoming unpopular? I submit that this question about the popularity of this new tenure ought to receive careful consideration at the hands of Government, as it is so directly concerned with the future land-revenue policy of Government and is so much connected with the principal source of revenue.

The Honourable Mr. CHIMANLAL HARILAL SETALVAD said:—Your Excellency—I came into this room with the determination of keeping silence; because so far as the Budget was concerned it had been threshed out in the Finance Committee in January last and they had it again threshed out in March last, when resolutions were moved on various items and I thought that no useful purpose would be served in further discussing the Budget, and as I just said, I came here with the determination to keep silence. But since I came into this room certain observations have been made by some members and I think I should say a few words about them. I desire to refer particularly to the observations of the Honourable Moulvie RAFIUDDIN, and the Honourable Mr. FAZULBHOY. I hope that in the observations I am about to make, I will not be misunderstood by my Mahomedan friends or by the Government. I am not wanting in sympathy with the legitimate aspirations of Mahomedans in regard to appointments. I shall be glad if they got not only their fair share to which they may be entitled by their qualifications in the administration of the country, but even a little more. But I would beg of my Mahomedan friends to remember that there is always the danger of a cry and agitation of this character being overdone and being carried beyond the limits which are consistent with the public interests. The Honourable Moulvie RAFIUDDIN spoke of the Mahomedan representation as he called it in the Public Service. I regret that he used that word. So far as the Public Service is concerned, and especially with regard to higher appointments in the Judicial Service, the High Courts, Presidency Magistrates, Small Cause Court Judges, etc., and institutions of that character, the word representation is entirely misused. It is absurd to speak of a community being represented on the High Court or the Bench of Magistrates.

An institution like the High Court is not a representative institution. The High Court is an institution for doing justice between man and man. I submit that the only qualification for filling up the appointments must be efficiency and nothing else. This is the first thing to be looked to in regard to the High Court and Judicial appointments in institutions of that character mentioned by the Honourable Moulvie RAFIUDDIN. It does not matter a bit whether a European or a Parsi, a Hindu or a Mahomedan, is appointed a judge or a magistrate provided he is the best efficient and qualified person available. The Honourable Moulvie RAFIUDDIN accused the Bombay Government of being backward. I think that what he meant was that specially in regard to the High Court appointments and the judges of other Courts in the Presidency, Mahomedans were not appointed as largely as he wished. In making that charge against the Bombay Government, the Honourable Moulvie RAFIUDDIN forgot the history of the appointment of Mahomedan Judges in the High Courts. Not long ago we had a highly qualified Mahomedan Judge on the Bench of the Bombay High Court. I mean the late Mr. Badrudin Tyabji. He was appointed and justly appointed, not because he was a

✓ Mahomedan but because he was the best available lawyer under the circumstances then existing. As a judge he enjoyed the confidence of all classes of the people; and parties were very willing and anxious to have their cases heard by him because he was an efficient lawyer and was possessed of sterling independence and not because he was a Mahomedan. I hope and trust that in regard to these high appointments, the view the Government will keep in mind will be efficiency. I feel strongly that it will be an evil day if ever the idea is allowed to prevail that in filling these offices it was not efficiency but communal interests that were to be kept in view. When the Honourable Moulvie RAFIUDDIN accuses the Government of backwardness and says that other Governments have been forward in making Mahomedan appointments he forgets that there are people who call the other Government precipitate. It is known that wide complaints have been made in regard to certain appointments made by other Governments—and there is considerable truth in it, that people were there appointed to high judicial appointments not because they were the best men available, not because they were eminent lawyers, but because they were Mahomedans. And if by backwardness is to be meant a refusal to sacrifice efficiency in the Public Service to communal interests, then I do hope that this Government will always remain backward. I hope I will not be misunderstood.

I reiterate I have perfect sympathy with the legitimate aspirations of Mahomedans. But I ask my Mahomedan friends to consider what it means if they got certain appointments not because they were efficient but simply because they were Mahomedans. Would the recipients themselves feel happy and have any confidence in themselves and will the public have any confidence in them? It will indeed be a humiliating position for them. I hope, as I have said before, my Mahomedan friends will not push their demands beyond limits which are not consistent with public interest.

Then as to what fell from the Honourable Mr. FAZULBHOY in regard to primary education in the city of Bombay, he seems to think that the Bombay Corporation had not done what they ought to have done in the matter. I am really surprised at these remarks. The Honourable Mr. FAZULBHOY is the Chairman of the Standing Committee and a prominent member of the Corporation and he ought to have done better than to come to this Council to complain against the doings of the Corporation. I strongly repel the charge that the Corporation had not done enough in the matter and I claim to speak with authority on the point as the Chairman of the Schools' Committee with which I have been connected for a long number of years. The Corporation is very anxious and very willing to do all it can to encourage primary education in Bombay, but the Honourable Mr. FAZULBHOY must remember that there are limits even in these things. More schools and extended facilities for primary education mean employment of additional teachers and the supply of teachers is after all limited. We cannot have competent teachers all at once and we must wait and bide our time. Then we must open schools in a careful manner. It is always very difficult to get proper accommodation. Government have liberally contributed to our scheme for constructing additional school buildings and we are spending about ten lakhs of rupees in this manner and these things cannot be hurried on. They can only be done carefully. If the Honourable Mr. FAZULBHOY had only looked into the records of the Corporation he would have been convinced that the Corporation had really done all it possibly could

under the circumstances to put primary education on a satisfactory and efficient footing. The Corporation is anxious to do anything it can in co-operation with Government to push forward primary education.

The Honourable MOULVIE RAFIUDDIN AHMAD said :—I have made it clear that there ought not to be any favour. I have put it on the ground of right.

The Honourable Ráo Bahádúr SHRINIWÁS KONHEB RODDA said :—Your Excellency,—I find from the agenda paper that the subject before us is the presentation of the Budget. But speeches have been delivered here at great length on subjects that are not quite relevant. We have only to consider the ways and means—the revenue and expenditure arrangements—but instead of discussing these matters, some members have urged that some communities ought to be given more Government appointments and spoken about things which are rather irrelevant to the present subject.

Coming directly to the Budget I have to make a very slight suggestion. It is on a subject connected with training schools. I am aware that many of the schoolmasters, trained though they are in these schools, are quite ignorant of several aspects of subjects which they are called upon to teach. I have seen students in the third year class of the training schools, who had never known what a river was, and although they were taught why the earth was round and what were spring and neap tides, they had never seen a river or a sea. As these students do the work of teachers, I think it is necessary that they should receive a practical knowledge of such things. My suggestion, therefore, is that students of the third year class should be taken on an excursion to a sea-side town—those of the Dhárwár School to Marmagoa or Bombay, those of the Poona School to Bombay, and those of the Ahmedabad School to Bombay or some other sea-side place. I think a special sum should be set apart in the Budget for this purpose, as is done in connection with the Agricultural College. I am myself so much impressed with the necessity of such excursions that I have taken boys to gold mines to show how they were worked and to high hills to give them an idea of geographical positions. These students, poor as they are, ought to be helped by Government. It will be sufficient to provide Rs. 500 for each training school. I hope this year the Director of Public Instruction will see his way to appropriate a small sum for the purpose out of the furniture grant of Rs. 8,533 which he gets.

The Honourable Mr. LALUBHAI SAMALDAS said :—Your Excellency,—At the last year's Budget meeting—the last under the old Councils Act,—my honourable friend, Sir Pheroze Shah M. Mehta, whose absence from this meeting is to be regretted, gave this Council a retrospect of the amount of work done at the Council Board by the non-official members. This is the first Budget debate under the reformed Councils Act and much can be said by members blessed with a prophetic eye or with sufficient imagination to visualize the future about the possibilities of useful work likely to be done owing to the greater number of opportunities of co-operation between the officials and non-officials which the new Act provides for. As I am not blessed with these faculties, I must content myself with confining my remarks to the present; and in the beginning I must congratulate the Honourable Finance Member on the lucidity of his financial statement. I do so not merely as a matter of form but because I have derived very great assistance from it and from the appendices to the draft financial statement in understanding

the details of the Budget. It would have been very difficult to find out the details of the increase in this year's expenditure, if a key had not been supplied in the form of one of the appendices, while in the absence of another appendix, it would not have been possible to form a correct idea of the growth of expenditure under the various heads during the past six years. As one studies these figures, one appreciates the real sportsmanlike spirit of the Honourable Member in supplying the Members with weapons from his armoury and practically challenging them to attack him if they can. I am tempted to break a lance with my honourable friend, but I do hope that at the time of hitting back, he will show the consideration due to one who has entered the lists for the first time.

In the general remarks of the revised financial statement, the Honourable Member says, "the Council may be congratulated on being able to undertake once more an expenditure exceeding all previous records." This record expenditure involving a recurring charge of about twenty-one lakhs, which will ultimately rise to more than twenty-five lakhs as against an estimated average increase of twelve lakhs, and leading to a heavy depletion in the closing balance, appears to be a matter for anxious consideration rather than for congratulation. It is but a common place to say that there are two and only two ways of meeting such difficulties, *viz.*, increasing the income or reducing the expenditure. In the present case the income can be increased by (a) a larger grant from the Government of India or (b) by raising a larger provincial revenue. It is useless to expect any assistance from the Government of India as the Honourable Sir GUY FLEETWOOD WILSON said at the last Viceregal Council Budget debate that no provincial representative can go back to their Local Governments and encourage them into hope of larger Imperial grants. He wants us to be content to wear a homely garment such as a jacket instead of a frock-coat. A larger provincial revenue can be raised by bringing more land under cultivation or by levying new taxes, I shall refer to the first point later on. The power of levying taxes is not yet in sight and even if it were, it will have, for the reasons given by Sir GUY FLEETWOOD WILSON, to be very cautiously exercised. The only course open to us is to keep down provincial expenditure and to practise that economy without which, aptly says SIR GUY, there is no efficiency.

I now propose taking up the details of the Budget under some of the heads. Under head (2) "Assignments and Compensations" some further explanation is necessary regarding the additional compensation for the lease of the *shikari* revenues of certain Chiefs and *talukdars* in the Rewa *Kantha* Agency. If the lease gives the Government the right of collecting *shikari* revenues in these *talukas* some counterbalancing income must be expected and it would have been better if that amount had been shown in the remarks column. If the lease, however, is a nominal one, taken up to protect the *shikari* revenue of the adjacent British territories, mention of this in the remarks column was desirable. Under the same head at page 28, the figures for Customs compensation are the same as those of the Budget estimate of 1909-10 while the figures for the revised Budget are much higher. Similarly the figures for *Inamdars* and other grantees are lower than the Budget figures of 1909-10 by Rs. 7,000 though the revised Budget figures for the same year are Rs. 83,000 higher than the Budget figures. Such sudden fluctuations under a head in which the expenditure is almost of a permanent nature require further explanation.

Under Land-Revenue, page 32, there is an item of Rs. 2,000 for the grant of settlement allowance to Assistant and Deputy Collectors for settlement work. These officers, I believe, draw their usual travelling allowance while doing settlement work. If so, why should a special allowance be paid them for doing work which is allied to their ordinary duties? The item this year is a small one but it is likely to grow; I therefore desire to draw the attention of the Finance Member to it.

At page 34, Rs. 15,000 have been put down for Tagávi establishments. The corresponding figures for 1908-09 and 1909-10 are *nil*. And yet in the remarks column of Appendix B it is said that the total provision for Tagávi establishment is Rs. 56,800 and that the additional expenditure is Rs. 9,000. This discrepancy needs some explanation.

There is a provision of Rs. 7,267 for the establishment employed in connection with the Nira Canal Tagávi Scheme. With regard to this, it will not be out of place for me to say that the experimental scheme for financing sugarcane cultivation on the Nira Canal system is one of the most important and useful works undertaken by Government; and the success of the scheme is due to the personal interest taken in this matter by my honourable friend, whom I wish every success in his attempt to put the scheme on a permanent working basis. This work has to be widely known to be properly appreciated but Government is as usual hiding its good work in big blue books.

At page 36, Rs. 69,186 have been put down for the survey of tálukdári villages while the contribution from tálukdárs under all the heads comes to Rs. 23,324. This means that the extra expense is borne by the public treasury. Is it fair that the general tax-payers should pay for work done for any particular class of persons? On the same principle I object to the item of Rs. 30,000 for copying fees of record-of-rights on page 42. I appreciate the Finance Member's motive in granting facilities for free copies from record-of-rights to all applicants whose names appear on record; but I cannot approve of the general tax-payer being made to pay for work done for the benefit of individuals, whether they be small land-holders or big tálukdárs.

Under Excise, the appointment of a distillery expert (page 51) and of additional clerical establishment for the office of the Assistant Collector and District Treasury Officer can well be postponed till our finances are in a prosperous condition. A lump sum of Rs. 8,000 has been put down as provision for special establishment to control toddy tapping and transport. This shows that no definite proposals have been sanctioned as in the case of Panch Maháls where the appointment of two Sub-Inspectors and four peons for similar work has been sanctioned from the 1st August 1910. Under the circumstances this item may be omitted from this year's Budget.

At page 61, Rs. 15,258 have been put down for revision of establishment, while the same figure appears in the appendix to the Draft Budget as provision for "Proposed establishments for income-tax work in certain cities in the Mofussil." On inquiry I find that it is proposed to try the experiment of getting the work of income-tax collection done by a separate agency in one selected city. The idea underlying this proposal seems to be that the present revenue establishment is not able to give due

attention to this department and that the income-tax revenue suffers loss by this arrangement; while if the work were done by a special establishment, there would be an increase in the income due to better collection of income-tax. I don't object to the experiment being tried, but I fear that the officer appointed for the purpose may be tempted to draw a higher revenue from the income-tax payers merely to justify his appointment. This experiment can also be postponed till our finances are in a thriving condition.

Under Forest, pages 63, 64, the figures of this year's Budget for salaries are Rs. 4,33,680 as against the revised Budget figure of Rs. 3,72,400 in 1909-10 and Rs. 3,45,816 actuals of 1908-09. There will be a saving of Rs. 35,000, if this year's figures were brought down to the last year's Budget estimate, which is about Rs. 26,000 higher than the revised estimate. This increase under Salaries is over and above the lump provision of two lakhs for the reorganisation of the subordinate forest establishment. It seems from the remarks in the appendix to the Budget estimate that the reorganization scheme has been submitted to the Government of India, but not sanctioned. If this is a correct interpretation, I submit that this item may be dropped from this year's Budget. I should like to take this opportunity of thanking Government for the liberal rules they have framed for the utilisation by ryots of forest areas for grazing their cattle.

I don't want to tire out the Council by reference to other heads. A study of details of these heads shows that a reduction in the Budget figures of this year is possible in those also. I urge this economy, for Government will have to spend more and more every year on works of public utility as there will be a constant demand for extra expenditure on education and sanitation. I daresay this Council sympathises with the Finance Member whose experience must be the same as that of Sir EDWARD BAKER who a few years ago said "I have been connected with the Finance Department of the Government of India for five years continuously, and during that period I don't believe that a single day has passed, on which I have not been called upon officially to assent to an increase of pay of some appointment or group of appointments, to the reorganization of some department or to an augmentation of their numbers Nor are the members of the various services at all backward in urging their own claims." At the present juncture it is necessary for Government not only to withhold sanctioning any new expenditure but, to reduce the existing expenditure wherever possible. And in this work the Government will have, I daresay, the support not only of the members of this Council but of enlightened opinion, both English and Indian, outside this Council. Efficiency after all is a relative term and if we cannot afford to pay for ideal efficiency, we may be content with the best that we can afford to pay for.

I shall now briefly refer to one or two items of revenue. Under Jails there is an increase of 30,000, "due mainly to the manufacture of Police clothing, the Jail Department having been given the contract for 1910-11." At page 101 of the Budget the figures for the purchase of raw materials are this year higher than the Budget estimates of 1909-10, by Rs. 33,000 in the Central Jails and Rs. 15,800 in the District Jails. It is not clear from these figures whether the whole increase is due to the Police clothing contract, but it is to be hoped that the increase in expenditure due to the contract is not higher than the revenue to be derived from it. In the beginning of my remarks I referred to the probability of a larger income due to more lands being

brought under cultivation. From the appendix to the Season and Crop Report of 1908-09, it appears that 952,000 acres of assessed and 249,000 acres of unassessed land available for cultivation are uncultivated. The total acreage of such land brought under cultivation in the year 1908-09 is 40,000, that is, about 3 per cent. of the total area available for cultivation. Determined and persistent efforts and probably the granting of a few concessions in the initial stages may be necessary to bring a larger percentage of this land under cultivation and if even half of this is cultivated in the next few years it will tend to lighten the financial difficulties to some extent.

There is only one more remark I have to make. The public perhaps does not know the good work of the Agricultural Department for the most important industry in the country. And it is no secret that had it not been for the keen personal interest that the Honourable Sir JOHN MUIR MACKENZIE has taken in the matter, the cause of agriculture in the Presidency proper as well as in Sind would not have advanced so considerably. The same remarks apply to the splendid institution in charge of Dr. Mann. The work that he and his colleagues are doing at the Agricultural College is likely in the long run to improve the condition of agriculture all over the Presidency, and for this good work we must all feel highly grateful to my honourable friend, whose silent work in this direction needs only to be known to be properly valued.

After the lunch interval, the Honourable Mr. FAZULBHOY CURRIMBHOY said :—Your Excellency,—With your permission I desire to say one word in explanation to what fell from the Honourable Mr. SETALVAD. He seems to have misunderstood my remarks. I did not attack the Corporation but defended it against the criticisms of the Honourable Mr. JENKINS made at the last meeting of the Council. I have studied the records of the Corporation as well as my Honourable friend, and I only pointed out that the Corporation was doing all it possibly could in regard to primary education.

The Honourable Mr. SETALVAD said :—It is now clear that the Honourable Mr. FAZULBHOY did not attack the Corporation. When a member hurriedly reads his speech to be within the fifteen minutes rule it is difficult to hear him from a distance but I am glad to see that the Honourable Mr. FAZULBHOY spoke in favour of the measures adopted by the Corporation in regard to primary education.

The Honourable Mr. GOKULDAS KAHANDAS PARAKH said :—Your Excellency,—The innovations that have been made in the procedure of this Council by the new regulations and rules make it unnecessary for members to offer lengthy observations at this stage of the budget debate. Now, a public question can be brought at any meeting for discussion in the form of a resolution, and therefore the members are not confined as before to one day in a year for the purpose of making observations on questions of general administration. Again, so far as the budget is concerned, they get an opportunity of a preliminary discussion when questions relating to the budget can be fully and carefully considered.

As to the present budget, I have only two points to offer for the consideration of the Council. The first is in connection with the question of primary education. Several members of the Council were desirous that in the matter of opening new schools a larger

sum should be provided in the budget, in order that a larger number of primary schools might be opened. But when this suggestion was put forward, my honourable friend Mr. SHARP said that it was impossible to open more than 300 schools during the financial year, and any further discussion on the question was then dropped. I submit, however, that so far as the wishes of the people are concerned, we have passed that stage, at all events in Gujarát, when the educational authorities had to go to villages and ask the people to consent to the opening of new schools there. Now, I am informed, and I believe, that people make applications to the school authorities for opening schools in their villages, and in most cases they try to undertake to provide school-houses such as they are able to provide if new schools are opened there. As to the difficulty of accommodation it does not exist in most cases. Then, with reference to the masters of the schools, I understand there would certainly be a difficulty if the rules of the department were that none but trained masters should be employed. But the Educational Department does employ untrained masters, and it is not necessary that in village schools only trained teachers should be employed. I should suggest that untrained teachers who have acquired a few years' experience should be drafted to take charge of schools to be newly opened, and new untrained teachers may be employed in their place. I think the work of the village schools can be carried on by untrained masters. At present the number of deputy inspectors and sub-deputy inspectors under the Director of Public Instruction is 130, and if 500 new schools were to be opened a deputy inspector or sub-deputy inspector would have to arrange about opening of five schools only on an average. I think there would be no great difficulty in opening more schools than the Director of Public Instruction said he would be able to open in the course of the year.

The other matter about which I should like to say a few words has reference to the collection of land-revenue in one of the *tálukás* of Gujarát. I refer to the Dohad *táluká* in the Panch Maháls. It is a very unfortunate and poor *táluká*. The agriculturists there mostly belong to the aboriginal class, and there is also a considerably large area of land which can be taken up and which is lying waste. This *táluká* suffered from famine only as late as 1908, and the year 1909 followed a year of famine there. If a *táluká* like this is in arrears not for one or two years, but for several years, and if the rules permit of arrears of many years to be collected, I should think that the rules require some sort of modification. In any case I consider that in a *táluká* like this, where there has been a recent famine, the arrears for the past years should not be collected in the year following it.

The Honourable the JAGHIRDAR OF ICHALKARANJI said :—Your Excellency,—I have said in this Council on former occasions what I think of the state of primary education in this Presidency, and I do not think its progress should be stopped until trained masters are obtainable. On a previous occasion I spoke on the subject at considerable length and pointed out what was done at Sánгли and what I myself was able to do in my own State for primary education. I think for the rudimentary teaching of the three R's we can find competent teachers if we pay them adequately.

Another subject on which I wish to draw Your Excellency's attention and about which I have often spoken in this Council, is the necessity of making provision for the education of the sons of Sardars. I have been doing this for the last ten years;

but the Government have not done anything in the matter. I may inform the Council in this connection that a private school has been started in Kolhápúr by Mr. Candy. It is a very respectable school and Your Excellency's Government will do a great service if they can find their way in asking District Judges and Political Agents to send those of their wards there who could not be sent to Rájkot. If such a thing is done the school can be very well maintained.

I do not know whether I would be considered out of order by some of the members if I speak on a general subject. Reference has been made in this Council about the appointment of a certain class of people in the public service. I think discussion of this kind ought to be avoided as far as possible and our best efforts should be directed to merging all the nationalities into one. In my opinion no responsible Government can ignore the danger of allowing monopoly to any class of people in the public service. It is in the interest of good administration that a due proportion of several classes of community should be maintained in the service. For instance, if in a department like that of the police all the officers were either Hindus or Mahomedans, it would be easy to imagine how difficult it would be for Government to keep a proper control on these functionaries on an occasion like the Tabut festival. In the same way in all other departments all the different elements should be welded together in one common nationality, as we see in the constitution of this Council. If this Council were manned by only one class of people it would not conduce to the general welfare of the community. The question of efficiency goes without saying. But then efficiency alone does not constitute all the requisites. We have an object lesson in this connection before us in the formation of the Executive Council. We are all very glad that the Honourable Mr. CHAUBAL an Indian member is added to it. The question of efficiency alone did not determine the desirability of adding an Indian member to the Council.

Now, I have to make one small suggestion. Since Your Excellency's arrival here you have been kind enough to cause reports of the various departments and several other communications to be sent us in order to enlighten us about the administration of the Presidency. I wonder how many of us make use of them. When we want information about certain points, it is difficult for the mofussil people to get that information. The difficulty is felt particularly when one wants to refer to past blue books or Government publications, unless one buys them. But sometimes though one is willing to buy them, one is at a loss to know what books to buy for getting particular information. I suggest that this Council should have a library of its own—a political library, if I may say so—where all Government publications should be open to the public. If it was thought that it should not be open to the public, at least the Members of the Council should have access to it. Such a library would afford them opportunity to study their questions thoroughly. As it is, the Council is formed of men who are a sort of holiday politicians. We meet here at a week-end once a year and then forget what we have said or done. Surely, the Council should not be run on that basis. Every one should study his subject thoroughly before he speaks on it in the Council. But the present system of supplying reports for the year does not supply all our needs. Whatever official literature I may now have, would not be available to my successor. I know when I first became a Member of this Council, I could not get the literature for the previous years. It is, therefore, desirable to have some permanent

institution which possesses all the past and present records and to which we could go for study. I am told there is an institution of this kind in Calcutta to which members of the Viceregal Council are allowed access.

In conclusion, I beg to express my thanks to the Honourable Sir JOHN MUIR MACKENZIE for the kindly interest he has shown during his tenure of office for the class of people that I represent, and I am glad to find from the answers I have received that some measures are likely to be brought before the Council with respect to them.

The Honourable Mr. MANMOHANDAS RAMJI said:—With Your Excellency's permission I shall pass a few observations. Before I deal with the Budget proper, I beg to express on behalf of the Indian Commercial Community their deep and sincere thanks to the Government of Bombay for their recognition of their rights and privileges. It is significant of the spirit of sympathy which runs through the administration of this Presidency that the Government accorded these rights and privileges to this great and growing body, playing no little part in the progress of the country at large, as soon as its demands were made known to them in a proper way. Indian merchants have indeed deeply appreciated the recognition of their claims in the matter of election of their representatives.

I shall now say some thing with regard to commercial and technical education and one or two other matters. It is a truism that commercial and technical education is one of the greatest needs of the country in the present times. A purely literary system of education, such as is in vogue at present, though it has conferred not a few benefits, has yet this disadvantage that it tends to unfit men, receiving it, for commercial and industrial lines. I would not say "Abolish this system altogether"—the system introduced by Macaulay and having to its credit some of our greatest alumni. But let this purely literary education be reasonably combined with a high commercial and technical education. I deeply regret to observe that the percentage of expenses for such an education is not as adequate as it ought to be. A leading paper like the *Statist* has computed that educational expenses of the Government in England and Wales are 22½ times higher than in India though the population of the latter country is far greater than that of the former. This proportion will appear still more glaring if expenses towards technical instruction in countries like the United States of America, Germany and Japan are contrasted with similar expenses in this country. The item of Rs. 1,90,000 mentioned for industrial education in the Budget laid before us is too small, considering the size, population and commercial and industrial importance of the Bombay Presidency. We are depending too much on such chance charities as it may please some philanthropists to give. Ahmedabad, next to Bombay in commercial importance, was only recently provided with a technical institute through the munificence of one of its citizens. Practically therefore the Government barely maintains one good technical institute in the whole of the Bombay Presidency. Clearly, therefore, a larger sum ought to be devoted to technical instruction if it is to keep pace with the spirit and needs of the times. I think that a separate department ought to be created for technical and commercial education, the head of which may be placed under the Director of Public Instruction and the duty of which would be to further such an education in the Presidency. Not only should technical institutes be opened at important commercial centres but arrangements should

also be made for imparting technical instruction to those who like, at schools. This brings me to speak of the equally urgent necessity for spread of commercial education. The public views it with pleasure that the Government appreciate advantages of such an instruction which was shown by their calling Professor Lees-Smith to deliver a lecture series on commerce and industry here. But it is naturally expected that the Government ought now to move a step forward and make provision for a chair of commerce at the Elphinstone College—that being the Government College in the leading commercial town of the Presidency. If that is done the Bombay University will have no objection, I think, to institute a degree in commerce just as many universities have done in Great Britain. The following Universities confer degrees for commercial education there :— London, Birmingham, Sheffield, Leeds, Manchester and Cambridge. Several others have got provision for commercial education.

That the Government is devoting its attention more and more to irrigation is a matter of great satisfaction to the general public. That is the greatest safeguard against famines and I shall go even so far as to say that it would be to the greatest benefit of the country if irrigation were more attended to than Railways. In this connection I beg to point to the advisability of well irrigation in districts where river irrigation is not possible. This can be done by the Government advancing loans to agriculturists more freely and extending periods of repayment to a longer period. The failure of the monsoon would not then be the invariable precursor of terrible famines as it is now.

Before I conclude, I would request the Government to give figures of actuals in Budgets for five years and not one year only, as is done at present, as that would be convenient in references and comparisons. Non-official members will greatly appreciate the change if it is effected.

The Honourable Sardar Ráo Bahádúr MOTILAL CHUNILAL said :—Your Excellency,— As I was under the impression that no speeches on different subjects were to be delivered at the time of the presentation of the Budget after it was passed, I have not come prepared with any speech, but since many Honourable Members have expressed their views in regard to various matters, I would take a few minutes in stating my opinion on three matters, the first of which relates to primary schools. I beg sincerely to congratulate the Government in having increased the salaries of the trained teachers by giving them their rank pay and by abolishing the grades of Rs. 7 and 8, and though much satisfaction is now felt at what has already been done, I must venture to point out that until the minimum pay of a teacher is raised to Rs. 12 or 13, it is quite hopeless to obtain good men. The salaries of the trained teachers are fixed by the Vernacular Masters' Code and since they are now given to this class of men, I have no appeal to make on their behalf, but the case of the untrained teachers requires further consideration. This class of teachers are called "untrained" because they have not received training in the method of teaching by studying in the training college, but in educational attainments they are in no way inferior to the first year men. According to the Vernacular Masters' Code no teacher can be employed in a primary school unless he holds a certificate of having passed the Public Service Examination, and as the standard for this examination, looking to the subjects, is somewhat

higher than what the first year scholars learn in the training colleges, their educational attainments are in no way inferior to the first year trained teachers except in regard to the "method of teaching"; yet, according to the Vernacular Masters' Code, they can draw only Rs. 9 for the first five years of service and Rs. 10 after that, while the *same class* of men receive a starting pay of Rs. 15 in the Revenue Department. The result, therefore, is that the best and influential men join other Departments and those who have passed lower or have no influence join as teachers until they are able to secure a better service. It is hopeless to expect good work or to get straightforward and loyal men in these days of costly living, and the schools and education, therefore, suffer. With a view to spread primary education, a large portion of the grant which your Excellency's Government was graciously pleased to give to the District Local Boards was spent in opening schools in doubtful villages and it has now been found from experience that many of them have not flourished and will have to be closed. My request under these circumstances is that the funds that may be available by closing such schools may be utilized in further improving the pay of the untrained teachers. I beg also to thank Your Excellency's Government for raising slightly the pay of the Subordinate Establishments of the Revenue and Judicial Departments, but I venture to submit that in such hard times in which prices of articles of food and clothes and house-rent have considerably increased, Rs. 15 is quite inadequate pay even to start with. A Karkun can make his two ends meet only if he is given at least Rs. 20 a month, and I trust that Government will be pleased to abolish altogether the grade of Rs. 15 from every Department and transfer the number of posts of that grade to Rs. 20, Rs. 25 and higher grades when the next Budget is framed. The third and last point on which I have to offer a remark is the house-rents sanctioned for Presidency Establishments in the current year's Budget which, however, I am told, are not yet paid to them. I hope Government will be pleased to order their immediate disbursements.

The Honourable Ráo Bahádúr GANESH VYANKATESH JOSHI said :—Your Excellency,—This is the third stage of Budget discussion. We have already had two discussions before; and I will not take up the time of the Council with any further examination of the various details of the Budget, but will content myself with a few observations on its general aspects. In his concluding remarks in the financial statement presented to the Council in March last, the Honourable Sir John Muir Mackenzie summed up the position in words of grave import. Our expenditure has been largely growing during recent years, and still so insistent are our needs that further expansions of charge are inevitable. We urgently require funds for Education, for Police Reform, for Medical Relief, for Public Works, etc. Our present resources, however, are altogether inadequate, and though they are estimated to give us an annual increase of 12 lákhs can hardly suffice for our growing wants. Nor can any large or adequate measure of special help from Imperial Revenues under present conditions be looked for. "In these circumstances", says the Honourable the Finance Minister, "it is evident that we shall have to make up our minds to one of two courses—either the arrest of our rate of progress, or the increase of our resources by Provincial or Local taxation. It is my earnest hope that before I hand over charge to my successor of the financial portfolio of this Government, the Council may be invested with the requisite power to impose the taxation required to meet our requirements, and that our dependence for resources upon the Imperial Government may before very long be a thing of the past." Such taxation would no doubt

place us in a position of financial independence and enable us to pursue our schemes of administrative progress—free from embarrassing fluctuations incidental to the present arrangements.

And, indeed, there was at one time—during the time of the Mayo Settlements—among eminent Indian Financiers, the idea of building up a broad, solid system of Provincial Finance on an independent basis—analogue to Municipal by means of Provincial taxation for Provincial services parallel to, and side by side with, Imperial. It was a most fascinating idea, but in view of the hard realities of the economic situation in India as well as of the injustice and hardship involved in such a doubling of the people's burdens, the scheme had to be definitively given up—particularly after the inquiries of the Fawcett Committee; and, as far as I am aware, has never since been revived. The Honourable Sir JOHN MUIR MACKENZIE, however, is still, apparently, a warm advocate of such an independent system of Provincial Finance.

As for the taxing power, to which the Honourable the Finance Minister refers, I think, we have such a Local Legislature, and there is nothing to prevent us under the general provisions of the Councils' Acts from making use of such power, subject, of course, to the sanction of the Government of India, should occasion arise. The question however is whether our present financial position is such as to justify a resort to such an expedient. The Honourable Sir JOHN MUIR MACKENZIE holds that a definite stage has now been reached in our onward march of administrative expansion and improvement at which we must either be prepared for an inconvenient halt or decide to strengthen our resources by Provincial or Local taxation: and he advises us to prefer the latter alternative. I confess, I am not convinced of the soundness either of such a view of our finances or of the advice based on it.

In the first place, I venture to doubt if we are faced with so serious a dilemma. It is true, the present condition of our finances is somewhat abnormal and not altogether free from elements of anxiety. Our expenditure has grown from 492 to 639 lacs, *i. e.* by 147 lákhs in six years or at the rate of 24.5 lákhs per annum: while the normal increase of our assigned revenues has only been 12.2 lákhs or so a year. We have hitherto had liberal grants from Imperial Revenues, and it is uncertain how far we may rely on their continuance in future years. And falling them, it would be difficult if not altogether impossible—to keep up our present rate of advance. In such a contingency, we should of course have to slacken the pace a little and enforce economies. But this is far from being such a dilemma as is indicated in the financial statement. Difficulties such as these exist in every Province, and ours is no exception. The Punjab, for instance, is just having embarrassments of a like nature but nowhere is there such a proposal to meet the situation by Provincial or Local taxation.

Supposing, however, we had such a choice before us as the Honourable the Finance Minister suggests, I don't think there would be any room for doubt as to which alternative we should choose. Surely we had rather slow down the pace than go in for taxation, for instance, to supply funds for increased expenditure on civil works or for increase of pay of the Revenue and Judicial establishments.

And indeed, the present economic condition of the Presidency does not seem to warrant or encourage any such proposal. Our Presidency has suffered in recent years from famine and plague as no other Province has suffered, and I submit this is a fact

which ought to be reflected in our financial arrangements. The supreme need of the hour as I take it, would seem to be *alleviation*—not *augmentation*—of the people's burdens.

Besides, any such resort to Provincial taxation in aid of Provincial expenditure would, I humbly think, be opposed to the recognised principles of the existing scheme of financial decentralization. In strict constitutional theory, all taxation except Local is Imperial; and so, too, is all expenditure. Provincial finance in its present frame and structure is but an administrative arrangement, under which certain services are singled out and placed under the control of the Local Governments, and assignments from Imperial Revenues are made to them for the support of such Provincialised services. And as a matter of fact, there is no Provincial taxation proper in any Province of British India strictly for Provincial charges. What are known as Provincial rates in Bengal, the United Provinces, and the Punjáb are exclusively for local use and not for Provincial.

When, however, any financial embarrassments arise in any Province, such as seem to confront us, and the balance between Provincial income and Provincial expenditure is disturbed, what the Provincial Government concerned usually does is to apply to the Imperial Government for increase of its assignment as a measure of special aid. No such contingency generally arises—famines and such other natural calamities of course apart—so strict, indeed, is the budgetary control exercised by the Imperial Finance Department. But when any such does arise the Provincial Government gets the requisite help from Imperial Revenues. Only recently the Government of East Bengal and Assam has obtained as an addition to its regular assignment 38·28 lákhs. The Punjáb Government has also urged its claims on the Imperial Treasury for similar treatment; and so, too, has the Government of the United Provinces promised, in response to a suggestion from the local Council, to address an appeal to the Government of India for special aid.

A similar course is, I submit, available to us too in our present difficulties. And we can go to the Supreme Government, if not this year, some time hence for an adequate increase of our resources; and I have no doubt we can do so with even more reason and justice than any of these Provinces. Our present assignment is fixed so low—it is about the lowest in all India. Out of the 14·85 crores the total taxation we pay we are allowed to retain for our Provincial purposes just 6·10 crores (including assessment of alienated lands less quit rents amounting to 92 lákhs and more) *i. e.* about 41 per cent. as against 62 per cent. granted to the Central Provinces and Berar, 58 per cent. to Burma and East Bengal and Assam, 48 per cent. to the Punjáb and 46 to the Government of the United Provinces of Agra and Oudh. Even the cotton excise (37·5 lákhs) is not ours for our local use.

It is thus clear that our present financial difficulties arise not because we do not bear our proper share of general taxation—on the contrary, we even pay more than several other Provinces relatively to our resources—but because under the present Provincial settlement, we are not permitted to enjoy a proportionately fair share of assigned revenues as compared with other Provinces. And I feel confident that in any such appeal for increase of Provincial assignment, Government will have the unanimous support of the Council. At all events, we may most reasonably ask to be allowed to retain for local use our cotton excise which is strictly speaking a local impost on a local industry.

Failing such an appeal to the Government of India—and I am aware the Honourable the Finance Minister gives no encouragement to any hope in that respect, I submit—even so, Provincial taxation is not the only fiscal alternative that presents itself. The situation might be met in other ways. In the first place, as the work of administrative reorganization is nearing its completion, a scale of expenditure will establish itself in the reorganised Departments, which might be depended upon to be more or less constant for a number of years. Forests and Excise which have had their establishments recently revised would require no further revision at least for some time to come. Such cessation of expansion of administrative charge would of itself afford considerable relief to our finances.

1. Further, there is room for economies in expenditure. Under civil works for instance, the grant was about 34 lakhs in 1894-95. In 1902-03 it rose to 44 and is now 73 9 lakhs. Part of such increase will have to be surrendered in times of pressure.

2. Secondly, some relief from the pressure might also be obtained by readjustments of expenditure. As administrative expansions cease, the amounts so released might be transferred on a reduced scale to heads of charge under which there are urgent demands.

3. In special cases—such as village Police reform,—I think we must go in for special grants from Imperial Revenues, and such grants are seldom refused.

4. There is a grant of about 13·5 lakhs allowed to us under Famine Relief for the building up of a famine reserve. In three or four years the reserve will have reached its normal amount, and the grant so liberated would be available to us for expenditure under other heads.

With some such ways open to us, I think our position is fairly clear. It no doubt requires careful watching lest we should be committed to a scale of expenditure beyond our means; it is also possible we might have to slacken the pace in this or that branch of the Public Service. But of one thing I feel sure, and it is that no such difficulty confronts us in the immediate future as the Honourable the Finance Minister anticipates, and that there is no such necessity for recourse to Provincial or Local taxation as suggested. And I submit, we may look forward to the future without any serious misgivings if not with hope and confidence.

The Honourable Mr. IBRAHIM RAHIMTOOLA said :—Your Excellency,—With your permission I will say a few words in regard to the question of employment of Mahomedans in the public service which has been brought before this Council for discussion. I am inclined to think that between the views to which the Honourable MOULVIE RAFIUDDIN has given expression and those expressed by my Honourable friend Mr. SETALVAD, there is not so much divergence in principle as would appear from the impression created by the speeches of those two honourable gentlemen. The position that can be taken up in regard to this question is whether the recruitment for public service should be dependent upon considerations of race, caste and creed, or whether the elements of race, caste or creed should have no bearing in the matter. If the contention is put forward that there should be absolutely no distinction of this kind in the matter of Government employment except that best men, whether they be Europeans, Parsis, Hindus or Mahomedans or belonging to any other community inhabiting the country should alone be chosen, then I, for one would unhesitatingly recognise that such a position was perfectly logical and sound. But I am afraid that the country has not yet reached

that stage of evolution when we can seriously ask for ignoring this element in selecting men for public service. My Honourable friend Mr. SETALVAD does not take up that position. He says that he recognises the justice of the demand made by the Mahomedans for a fair share in public service and he was, moreover, kind enough to add that he would even agree to the Mahomedans getting something more than their fair share. He had further stated that he felt sympathy with the Mahomedan aspirations and would do all that lay in his power to promote such legitimate aspirations. The question therefore arises whether there is any divergence of opinion between the views expressed by him and those held by some of us. I submit that there is no difference of opinion because I do not think that the Mahomedan Community has ever contended that they should receive any favouritism. I may incidentally remark here that when my Honourable friend Sir JOHN MUIR MACKENZIE presided at the prize distribution of the Anjuman-e-Islam Schools in Bombay, I pointed out emphatically while proposing a vote of thanks to him that all that the Mahomedan Community required was justice and fair treatment. I am absolutely at one with the criticism made by the Honourable Mr. SETALVAD that fully qualified men should alone be appointed. I clearly realize that unless such appointments were given to fully qualified men who were able to efficiently discharge the responsible duties of their posts, it would be harmful and prejudicial to the interests of the Mahomedans themselves. (Hear, hear.) I repeat we do not want any Mahomedans to be employed who are not fully qualified. All that we desire is that the principle laid down by the Government of India and by the Secretary of State, and approved by Local Governments should be put in force and qualified Mahomedans, when they are available should be given public employments. That leads me to the question whether qualified Mahomedans are available or not, whether their qualifications are in any way inferior to what is required. There is considerable misapprehension as to what is meant by inferior qualifications. Are qualifications of a Mahomedan candidate inferior to those required for an appointment or are they inferior to those of a rival candidate? I will give you one illustration. Suppose Government want to employ a person and lay down that his educational qualifications shall be the passing of the matriculation examination. Now assume for arguments sake that two applications are received for the post, one from a Mahomedan B.A. and another from a non-Mahomedan M.A. In view of the educational test laid down for the appointment, the Mahomedan candidate cannot be in any way regarded as possessing inferior qualifications for the post. On the contrary his educational attainments must be held to be far superior to those required for the appointment. It can easily be contended that as he is only a B.A., his qualifications are inferior to those of the rival candidate who happens to be an M.A. This fact cannot be disputed but the essential point remains that the Mahomedan candidate's qualifications are more than sufficient for the appointment in question and should therefore prevail; otherwise the element of competition becomes introduced and even fully qualified Mahomedans possessing higher educational attainments than the standard laid down by Government would find themselves nowhere. It is against such a position that the community complains and I am inclined to think that their contention is sound. I will at once concede that if appointments are given to Mahomedans who are not fully qualified, merely because they are Mahomedans, then that course is prejudicial to our own interests and we do not want them. I only contend that all things being equal, preference should be given to Mahomedans so far as their legitimate share in public

service is concerned. I would not even press for what the Honourable Mr. SETALVAD has so kindly conceded that we should get something more than our share. I would be content if we only got our legitimate share. I do not think that the criticism passed on other Provincial Governments by the Honourable Mr. SETALVAD was necessary or justifiable. I question whether he has sufficient data to warrant the statement that other Governments have employed unfit men and that they have been employed purely because they were Mahomedans. To say that other Governments had employed unfit men was to do gratuitous injustice to them. We are concerned with this Presidency only and I for one would be perfectly satisfied if preference to the extent indicated by me was given to Mahomedans when they showed perfectly good qualifications.

The present discussion is really due to one factor, namely, the supposed educational backwardness of the Mahomedan Community. There was a time when we were extremely backward. Our people did not care to take education and were very apathetic. But during the last few years all this has changed. There has been a wide awakening amongst Mahomedans throughout India. Of late, they have been taking favourably to Western Education. We are deeply indebted to Government for the uniform and ready help they have extended to us in this matter. Thanks to such assistance, strenuous efforts are being made to promote the cause of education in the community. A great deal has already been accomplished in this direction. The Honourable Mr. HARCHANDRAI gave expression to his satisfaction in regard to educational facilities provided in Sind. He said that they were gratified at the encouragement given to them and the way in which Government had dealt with them in educational matters. Now, Sir, I have been in constant communication with my friends in Sind and they tell me that they feel that a great deal more remains to be done to promote higher education amongst the Mahomedans of Sind. Your Excellency is aware that a representation has been received praying for the adoption of certain measures. The question of providing additional facilities for the higher education of Mahomedans in Sind is mixed up with the question of finance. Recognising this the Sindhi Mahomedans have in their memorial offered to agree to self-taxation. The question of Mahomedan education is a big one and it will be dealt with adequately in due course. I only mention the subject here to shew that the awakening of Musalmans in educational matters has gone to such an extent that they voluntarily offer to accept the imposition of self-taxation in order to secure special facilities. I am strongly of opinion that if the Mahomedans will maintain for the next few years their pace in the race for higher education and will continue their efforts as earnestly and zealously as in the past the question of preference or otherwise towards Mahomedan candidates, for public service will in the near future be solved automatically.

I should like, Your Excellency, to point out to this Council that it is not entirely the fault of Mahomedans that they have kept backward in education. Knowledge of English can be acquired in our public schools through the medium of Gujaráti or Maráthi only. The Hindu and the Pársi boys start their studies with their own vernacular which is Gujaráti or Maráthi and acquire their knowledge of English through such vernaculars. A Mahomedan boy has first to learn his vernacular which is Urdu. He has then to study either Maráthi or Gujaráti to be able to learn English. But this is not all. Every Mahomedan parent insists upon his children learning Koran reading. Mahomedan boys have therefore to learn the reading of the Koran which is in Arabic, study their vernacular which is Urdu and then learn either Gujaráti or Maráthi before they can study

English. Your Excellency will observe how a Mahomedan boy is handicapped in his efforts to acquire a knowledge of the English language. A boy belonging to the sister communities has all facilities provided for him for primary education in his own vernacular and through the medium of the same to take lessons in the English language. A Mahomedan boy has, as I have already pointed out, to learn Koran reading, Urdu and Maráthi or Gujaráti prior to his study of English. These are the difficulties which the Mahomedan students have to contend with and representations have been made to Government to introduce classes in public High Schools for English education through the medium of Urdu. I appreciate the special grants of Rs. 6,000 and Rs. 9,000 respectively which Government have given to the Anjuman Schools in Bombay and the Sindhi Madrasa in Karachi. But this can hardly be regarded as sufficient.

I trust Government will see their way to provide facilities for the study of English through the medium of Urdu and thus reduce the serious handicap under which the Mahomedan boys are at present labouring. The question of Mahomedan education is one that can be dealt with at great length, but I do not propose to enlarge upon it at the present juncture. I will merely confine myself to indicating two courses, one of which may with advantage be adopted. The first one is that the Mahomedan associations should make representations to Government pointing out the defects and drawbacks of the existing system and ask for their help and co-operation in overcoming them. The second course is that a Committee consisting of the Director of Public Instruction and representative Mahomedans should be appointed to go into the question of difficulties which the Mahomedan children have to face and find remedies by which such difficulties may be overcome and greater facilities provided for their educational needs. If proper remedies were applied, I am sure that the reproach levelled against the community of being backward in education would be shortly removed. Between the two courses suggested I am in favour of the latter. Reforms and improvements through representations and correspondence have a knack of being long delayed. As a result of round-table conferences they are much sooner secured. I have been always in favour of round-table conferences where Government Officers meet representative Indians and bring about solutions of difficult problems by informal discussions. Holding these views I would press upon Government the desirability of giving effect to the latter alternative.

The Honourable Mr. HARCHANDRAI VISHINDAS in explanation said :—The Honourable Mr. IBRAHIM has sounded a note of dissent from my remarks in appreciation of Government efforts for the diffusion of education in the Province which I have the honour to represent. What I meant to say was that the efforts of the Government on the whole were laudable and beneficial. If the Mahomedans felt any kind of grievance—at least I don't see any—and so far as self-taxation is concerned, I think that question concerns the Mahomedans alone and does not affect my remarks on the Province of Sind as a whole.

The Honourable Mr. IBRAHIM RAHIMTOOLA said :—Your Excellency,—Permit me to say one word of personal explanation. I never said that Government had not acted generously by the Province of Sind. What I said was that it was impossible under existing circumstances that Government can do more for any Division of the Presidency than what was considered fair and reasonable for its requirements, having regard to the funds at their disposal and the wants of the other parts of the Province. What I said was that the Mahomedans of Sind wanted more than the existing facilities to meet their

special wants and were willing may had voluntarily offered to provide additional funds for the purpose by means of self-taxation. I do not see what exception anyone can take to my remarks.

The Honourable Dr. TEMULJI BHIKAJI NARIMAN said :—Your Excellency,—As there are so many members capable of speaking on the different subjects included in the financial statement I will not take up the time of the Council by referring to any other subject than the one in which, as a medical man, I must take some interest. In item No. 20 reference is made to the provision of Rs. 25,000 repeated from the current year's budget for strengthening the superior staff of the Grant Medical College and the J. J. Hospital in connection with the M.B. B.S. course, and in pursuance of the recommendations made some time back by the Grant Medical College Reorganisation Committee. I wrote to the Secretary, Legal Department, some time ago asking for some information about the Reorganisation Committee and the scheme they recommended. The only information I received was that I was referred to Appendices C and D of the Proceedings of the Legislative Council, 1909, where some mention is made of four new lectureships to be created in connection with the Medical College. These appointments, if anything, relate to minor chairs and not to the strengthening of the superior staff of the Grant Medical College. As I am ignorant of the changes recommended and as the subject of revision of the staff of the Grant Medical College is still under consideration, I trust Your Excellency's Government will do the utmost in its power to place the Grant Medical College on a footing of equality with the up-to-date medical schools in the United Kingdom.

The chief complaint for years past is the frequent transfers of professors from one post to another to suit the exigencies of the Indian Medical Service without any regard to the possible or probable wrong done to the medical institution. In the last report of the College Inspection Committee appointed by the Syndicate, attention is again drawn to the subject of frequent transfers and to some of the defects and shortcomings of the Grant Medical College.

I now beg to draw Your Excellency's attention to the criticisms of the College Inspection Committee with a fervent hope that Your Excellency's Government will do all it can to remedy the defects and shortcomings of the only Medical College in our Presidency and take some measures to secure the permanency and continuity of the teaching staff when the subject of revision under consideration is taken in hand.

Though the transfers of professors are not so frequent as they were before, excepting perhaps, the chair of materia medica, still there is great room for improvement. I remember my own professor of anatomy, who retired with the reputation of a very brilliant surgeon, filling up the different posts of professor of physiology, botany, chemistry, medical jurisprudence and hygiene, and finally that of surgery. I leave it to Your Excellency to judge how even a talented man can be a specialist in so many branches. When I entered this hall in the morning I thought of speaking at some length, but after hearing the remarks expressed by some of the members, I do not wish to weary the Council by any further remarks, but leave the subject to the kind consideration of Your Excellency's Government.

The Honourable Mr. W. L. GRAHAM said :—Your Excellency,—In this budget there is one point to which I should like to draw attention, *viz.*, the increase in the sale-

proceeds of jail manufactures. One realizes fully the value of utilising jail labour for a useful purpose, but I would respectfully deprecate any competition with commercial enterprise. In the Madrás Presidency no doubt, in order to inflate returns, steam-driven machinery has been introduced into jails for the manufacture of cloth, much to the detriment of local trade. I trust that any success in enhancing jail returns in this Presidency will not lead to a step of this kind.

The Honourable Lieutenant-Colonel JACKSON said :—Your Excellency,—There has been a small rise of about Rs. 5,000 in the sale-proceeds of jail manufactures. One of the most difficult questions is what to do with our prisoners. Whatever form of industry you adopt, you touch somebody's susceptibilities. In England the Trades Union raise objections against mat-making. In America the representatives of a great trade union considered it was *the* industry for a jail. They held, "make as many mats as you like, it does not affect our trade union". The Bombay Presidency has invariably and always stood out against the introduction of machinery in jails. Machinery is used only in one respect in Bombay and that is printing machinery. That was largely introduced because of the hopeless and complete breakdown of the Government Central Press in the epidemic of plague. That is the only machinery that has been introduced into the Bombay jails. I think it is certainly not advocated by the Bombay Government that machinery should be largely introduced. When people talk of jail manufactures interfering with private enterprise they forget that many arts and industries have been preserved by the Indian jails which otherwise would be forgotten now. The best vegetable dyeing in India is done by our jails, and if the manufacture of carpets had not been kept up in the jails it would now probably be a lost art in India.

The Honourable Mr. W. H. SHARP :—Your Excellency,—I do not know who has ever said that we were waiting to open new schools for a free supply of trained teachers. In our existing schools a very large proportion of the teachers is untrained, and there is no reason why in opening new schools we should not go on employing untrained men when we cannot get trained ones. A year ago I said we hoped to be able to open between 500 and 600 schools in the year, but that I did not think we could find more teachers than that in the year. But I certainly did not say trained teachers. As a matter of fact, we have opened 573 schools, and in staffing these schools we have followed exactly the methods suggested by the Honourable Mr. ПАВЕКН, that is untrained assistants have been drafted from existing schools to take charge of the new ones. New hands have been taken on in their places. But even so we have found it very difficult to fill up the full number of places, and men with only two or three years' service have had to be appointed as head masters. I think it is quite evident that the rate of increase could not have been greater in the circumstances. The Honourable Mr. ПАВЕКН has said that in Gujarát at least the people are anxious for more schools, are offering buildings to us, etc. He has been to some extent answered by another Honourable Member from Gujarát, who said that in some parts, at any rate, of that division, it is not possible to open any more schools than are provided at present. I do not know whether any of these new schools are threatened with extinction already; but it is a common experience that schools have to be closed from time to time and transferred to other places, and that will probably be the fate of some of the new schools.

I do not understand one of the observations which fell from the Honourable Ráo Bahádur MOTILAL. He said that while teachers were trained in the method of teaching,

they were not trained in the subjects. As a matter of fact a man has to take a complete vernacular course, and pass a final examination, which, I believe, corresponds to the old Public Service examination, and a great deal of his time in college is taken up in learning the subjects as well as the method of teaching them. The Honourable Mr. GABUD pointed out the need for an increase in the number of trained teachers and suggested that the Dhulia School should be enlarged. Of course, we should be very glad to increase the number of trained teachers as much as possible, but the chief difficulty is the matter of paying them. A year ago I pointed out that for some time the teachers had not been able to get the face value of their certificates, and though Government last year and this year met this difficulty there still remains a much greater difficulty, that is providing funds for giving them the promotion to which they may legitimately look forward. Last year a calculation was made that if all the trained teachers received the full amount of promotion possible to them, a sum of at least five lakhs would be required. It is not to be expected that they would all get the maximum of promotion, but if you take only half, that means that a sum of two and a half lakhs would be required to give them what they certainly have every reasonable right to expect. It is therefore impossible to go on turning out trained teachers indefinitely, and it is absolutely necessary to keep the supply within such limits as we can hope to pay for—to some extent at any rate. On the subject of Mahomedan education one Honourable Member has given notice of a Resolution referring to the grievances which the community suffer at present, and I shall not therefore say more on that subject. But the Honourable Mr. EBRAHIM pointed out with regard to secondary education that there were no Anglo-Urdu High Schools. That is what his complaint practically came to. A proposal has been made that the Camp Government English School in Poona shall be made a High School, and in that case Urdu would very likely be recognised as one of the two languages throughout the course. The question has been raised again about Koran teaching. A year ago I promised to look into the matter, and I found then that Mahomedans in the mofussil who wished to have the Koran taught could easily get permission just as has been the case in Bombay. Instructions were issued that wherever Mahomedans liked to provide Koran teaching in the vernacular schools they might do so. The Grant-in-aid Code requires that at least four hours' secular education should be given daily. The schools are usually open more than four hours, generally five or six hours, so that over and above the secular instruction there is ample time for teaching the Koran within the school hours. Two Honourable Members have pleaded on behalf of technical education. This is a subject which I admit is in a very unsatisfactory position at present. The technical schools I have seen remind me of someone's description of them as half furnished carpenters' shops. Though we have maintained technical schools for some years we are still feeling our way towards the satisfactory treatment of them, and I am afraid nobody has yet hit upon a very practical form of technical school anywhere in the Presidency. The Honourable Mr. MANMOHANDAS RAMJI also spoke of commercial education and asked for a professorship in Elphinstone College and a faculty of commerce in the University. It would hardly be any use introducing a professorship until the University showed some sign of adopting a course, and I should therefore recommend him to address the University and try to galvanise that somewhat lethargic body into a higher rate of speed. That body is at present, however, very largely occupied with the curriculum in arts and science, and it perhaps would be rash for it to take up the subject

of commerce until these other points have been cleared out of the way. The Honourable Ráo Bahádúr RODDA spoke of the value of excursions for Training College students. I quite agree as to the educative value of such excursions. He told me that one of my predecessors promised to provide for this in the budget. In the last eighteen months I have been somewhat alarmed to find the number of promises of my predecessors which have not been redeemed, and I shrink therefore from making any more on my own account. The Honourable Member suggested that a small sum might be taken from current revenue for the purpose, but he did not reckon with the financial department. Whenever I propose a re-appropriation it comes back with a stern request to know why it was not anticipated and provided for in the budget. The suggestion, however, has my sympathy and I will venture to promise for the next budget that at any rate I will endeavour to secure some small allotment for the purpose. The only other point to which I have to refer is with regard to the High School at Lárkána. Government has promised to provide one there as soon as possible, and plans and estimates have been called for and, no doubt, the matter will be entered in the budget in the first year in which funds become available. When that school is complete Government will have four High Schools in Sind, and the Municipality of Sukkur has recently raised its school to the level of a High School. So in that case Sind will be provided with five High Schools, and I think this is probably as much as the Province will require for some little time to come.

The Honourable Sardar Ráo Bahádúr MOTILAL CHUNILAL in reply said :—Your Excellency,—I am afraid my friend the Honourable Mr. SHARP has misunderstood me in regard to my remarks that the untrained teachers are not inferior in point of educational attainments to trained teachers of the first year. Under the Vernacular Masters' Code no one can be employed as an assistant teacher who has not passed the Public Service Examination but as these people have not received any training in the system of education in a recognized Training College, they are called "untrained"; but if a comparison be made of the subjects taught to a first year scholar in the training school and those which a candidate for the Public Service Examination has to study it will appear that the educational standard of the latter is higher than that of the former, but he lacks the knowledge in the "system of teaching" taught in the Training College. As to this my humble suggestion is that as all the Public Service Examination certificate-holders have, after entering the Government service in other departments, to pass a Departmental Examination within, I think, a year and half, these people might be also required to pass an examination in the "system of teaching" and such departmental subjects within a like period; and on passing may be confirmed and given a recognized pensionable status.

The Honourable Sardar PURUSHOTTAMDAS VIHARIDAS DESAI said :—Your Excellency,—With regard to what has fallen from the Honourable Mr. SHARP about trained teachers I may say it is true that whenever Municipalities or Local Boards ask for trained teachers, they receive the reply that there are none available. In view of this I suggest that a scheme should be prepared by which the number of trained teachers may be increased to meet the growing demands of District Local Boards and Municipalities which have to remain satisfied with quite untrained hands, who, to say the least, are incapable to impart healthy and proper instruction to the young minds. Now, with reference to the suggestion made by my honourable friend Sardar MOTILAL to increase the pay of Karkuns in the Revenue Department, I beg to support it. Your Excellency knows that the work

of the department has increased considerably, and I would add, with the increase of pay, there should also be an increase in the number of Karkuns and Mámlatdárs to cope with the heavy work of the Kutcheri. To my mind a system of joint Mámlatdárs and Aval Karkuns would greatly conduce to the better administration of the Revenue Department which is perhaps the only overworked department in the State.

The Honourable Mr. GARUD :—I have an explanation to make with regard to what has fallen from the Honourable Mr. SHARP. My only suggestion was to add a third year class—an agricultural class—to the Training School at Dhulia. This will be secured by the addition of one teacher to the staff of the present training school.

The Honourable Mr. M. C. GIBB said :—Your Excellency,—Like the Honourable Mr. SETALVAD I came to this meeting of the Council intending to keep silence but I feel emboldened to make one or two remarks in consequence of the suggestions or remarks of the Honourable Mr. GARUD and the Honourable Sardar PURUSHOTTAMDAS. In common with other members the Honourable Mr. GARUD expressed gratitude for the very liberal land-revenue policy of Government in giving remissions. But he goes on to say that in his opinion the granting of such liberal remissions proves the necessity for the reduction of the assessment. That appears to me to show a confusion of thought. The assessment is fixed in reference to ordinary, normal years. Remissions are granted in consequence of the failure of crops in exceptional years of scarcity. Moreover, the remission is not given because it is impossible for the land to pay. Everyone knows that if the capitalist owns the land he can pay very easily. The remission is granted in consequence of the personal characteristics of the majority of the land owners of this Presidency, and one of the chief objects in giving it is to prevent the land from getting from the hands of the cultivator into the hand of the capitalist. To argue that because you grant remissions therefore you should reduce the assessment appears very much to me like saying: that supposing you were walking along a road and met a beggar and gave him 8 annas and the beggar goes away thankful and happy, this proves that you ought to give him a rupee. My second point is the Honourable Sardar's suggestion that the Mámlatdárs' Kutcheris' staff should be increased. The special work recently given to them has increased work in certain directions—I allude to the work of the record-of-rights and other matters—but speaking generally as an officer of 28 years' experience I think most revenue officers will agree with me when I say that, in my opinion, the staff of Mámlatdárs is not undermanned in respect of their ordinary duties though additions may be wanted in respect of the new work above alluded to.

The Honourable Sardar COOPCSWAMY VIZIARUNGUM MOODLIAR said :—Your Excellency,—I was not prepared to make a speech nor did I intend to make one; but the speeches made by some of my honourable friends prompt me to say a few words. I need not say that I am an advocate of primary education, and my long connection with the Municipalities entitles me to consider myself as such. I am always of opinion that progress should be made gradually, and not in a hurry. If I had my own will, I would not start new schools before completely equipping and reorganising those which are already in existence. The chief requirements of a school are a school-house, well-paid masters, a gymnasium, a playground, and introduction of moral education. Of course, we ought to go on increasing new schools, but should proceed rather slowly. But I consider that the improvement of existing schools is urgently necessary. I am sure the Honourable Mr. SHARP will bear me out when I say that not even one-fiftieth

of the existing schools possess all necessary requirements. So I think that instead of increasing the number of schools on a large scale, a portion of the grant should be used for improving the existing schools. With regard to agriculture, I wish to point out that improved agricultural implements are appreciated by agriculturists. In my farms there are improved agricultural implements and there is such a demand for them by local agriculturists that I am not able to oblige them all. My suggestion, therefore, is that each big *táluká* should be provided with a number of these implements, which should be issued as loans to the poor but deserving agriculturists free of charge and to the well-to-do for a small charge.

The Honourable Sardar DAVAR K. E. MODI :—Your Excellency,—With regard to the remarks about clerks of the *Mámlatdárs'* Kutcheries I have one word to say. These Kutcheries have their slack seasons as they have their active seasons. During the active season they indent upon *Talátis* or village clerks, who have to work there in addition to their village work. In this way, the village work suffers. Now, a *Taláti's* pay is not so high as to enable him to resist the temptation of bribery. Improvement in this direction, although it may appear to be a small improvement, is really necessary. It pinches ryots much more than people outside know of it, and when there are so many demands made upon the finances of the Presidency, I do not see why I also should not put in a word for the poor *Taláti*.

The Honourable Sir JOHN MUIR MACKENZIE :—Your Excellency,—In undertaking to reply *extempore* on the financial statement, I must ask the Council's indulgence if my speech lacks coherence and if any important point is omitted. I think I should begin by expressing my acknowledgements to various members of the Council for the kind terms in which they have alluded to the present budget and the financial arrangements of the year. As regards the lucidity of the budget statement I should be exceedingly wrong if I took the credit to myself. I have to thank the laborious efforts of my office staff and also the assistance of other officials, subordinates and colleagues, from the Chief Secretary downwards. As regards the plenteousness of funds, I think we must thank very largely the Government of India and also the last two very fair seasons. I observe in the general remarks made in the Council the same tendency I have remarked before, namely, a great preference for suggesting objects of expenditure and a very great reluctance to provide funds for them. I observe that reluctance expounded ably and at great length by the Honourable Ráo Bahádur JOSHI, and I observe that the last thing he intends to think of is the provision of the funds to attain the objects he desires. I am not at all surprised at that attitude. I have always noted it ever since I have had anything to do with this Council. The fear of taxation is exceedingly great and is only exceeded by the great zeal to get benefits from it. I can only say I must repeat the hope that the responsibility for providing money for itself will be enforced upon this Presidency and that it will not be able by begging from the Government of India to provide the money it requires. That is the one way in which financial and administrative responsibility will be brought home to this Council and to the people of India; that is the only way that they will come to understand that what they want they must pay for. We have seen it most excellently exemplified in the Bombay Municipality and I only hope it will develop in the Provincial Councils.

Before going further I have a correction to make in the remarks contained in the fifth paragraph of my speech in introducing the financial statement. The figures

which I gave are, I regret to say, incorrect, and the conclusions to be drawn from them require revision. The correct figures are given in a statement which has been prepared but which I will not trouble the Council by reading now.

This table shows that over the six years 1905-06 to 1910-11 the average revenue taken amounted to about 202½ lákhs—on the average 10½ lákhs in excess of the standard of Land-Revenue fixed at the Provincial Settlement. This gives an average of nearly 1¾ lákhs increase per annum against half a lách which I stated. As regards progressive increase of Land-Revenue therefore we stand considerably better than I believed. When however we examine the figures we find that the progressive increase is almost wholly attributable to Sind where our average realisations have been nearly 49½ lákhs against a settlement estimate of not quite 40. In the Presidency Proper our average realisations have been 1,52,88 against the settlement estimate of 1,52,28 or an excess of an average of only Rs. 60,000 a year. My statement therefore that the Land-Revenue was almost stationary was correct if limited to the Presidency Proper, but I made a serious mistake in not seeing that it did not apply to Sind, where, owing to the steady expansion of the irrigated areas and the possibility of taking at revisions of settlement enhancements which are thoroughly justified by the increasing prosperity of the Province, the revenue steadily increases.

But although my estimate at the time of introducing the financial statement was unduly pessimistic, I feel it incumbent upon me to repeat my caution to the Council that the growth of revenue will not suffice to provide for the heavy increases of expenditure which are contemplated. We find that the Honourable Mr. SHARF would like two and a half lákhs to put the pay of his primary school teachers on even a decent basis. There is scarcely one of the members who have spoken on education, who has not advocated a great increase in the number of primary schools, which means a large increase of expenditure. The Honourable Ráo Bahádur JOSHI and the Honourable Mr. LALLUBHAI SAMALDAS suggested that the re-organisation of certain departments should be deferred. But this re-organisation is an urgent matter and cannot be postponed for long. There is no doubt that owing to the increased cost of living the pay of the subordinate officials is insufficient, and it is almost impossible to get qualified men. In the Forest Department it may be said that things have reached a stage almost amounting to mutiny. This expenditure cannot be avoided and it will interest me very much to see whether the difficulties of providing the money will so embarrass the Council that they will look on and see these poor subordinates grossly underpaid and see these establishments considerably undermanned. I was very much interested and very much pleased to hear the Honourable Mr. NARU's recognition of the liberality of the Government's revenue policy—not merely the liberality in the matter of suspensions and remissions but the entire moderation of the assessment. I have had a great deal of experience in examining settlement proposals, and I am myself thoroughly of opinion that the assessment is entirely moderate. At the same time I am at one with the Honourable Ráo Bahádur JOSHI in fully admitting the great seriousness of the calamities through which the Presidency has passed and I do feel that at present it requires a sense of very great responsibility to make anything like an enhanced assessment over the greater part of the Deccan. I have long been keenly alive to the fact to which the Honourable Ráo Bahádur JOSHI has drawn attention on several occasions, namely the great loss to which the Presidency has been subjected by the famines, and which has been

reflected very notably in the matter of cattle. In the Presidency Proper the total number of cattle amounted in 1895-96 to nearly 85 lakhs. In 1900-01 as the result of two severe famines they had fallen to under 57 lakhs. The two amounted to no less than six per cent. By 1909-10 notwithstanding several very bad seasons they had recovered to well over 75 lakhs—at a rate exceeding 1·8 lakhs a year. Proceeding at the same rate it will take between four and five years now for the recovery to be complete, and another one or two years to attain the largest numbers ever recorded, namely 86·85 lakhs, the total of the year 1892-93. This is a remarkable rate of recovery considering the indifferent seasons through which the Presidency has passed. I think we may anticipate that in four or five years, if the rate can be kept up, cattle will have reached the normal number, but until those losses have been recovered I feel at one with those who think that Government should be most lenient in the matter of assessment of revenue. I think also that all the measures we have taken in regard to leniency in collection ought to be most carefully maintained and preserved. One Honourable Member has alluded to Forest Administration, and I was glad to hear from others an appreciation of the liberality of the measures which Government has taken in respect to forests. One member alluded to the heavy impoundings in the Central Division. He must have taken his information from our published resolution which must have shown him that these impoundings have received the attention of Government for several years past. The subject has recently had the attention of an exceedingly able committee, and I hope there will soon be issued orders of Government which will diminish that undoubted blot upon the administration. I do not think there is any other matter on which I need make any remarks to the Council referring, more especially, to the financial and revenue aspects of Government but there is one subject which I cannot pass over altogether, that is the employment of Mahomedans. Since he made his speech, the utterances of the Honourable MOULVIE RAFIUDDIN AHMAD have been a good deal watered down, but as he originally uttered them I cannot conceive a more unjust accusation being brought against Government. We have always recognized that the Mahomedans have been a somewhat backward community and we have done everything in our power to encourage education amongst them. We are alive to the necessity of having a due admixture of every class in the Government service, and the Mahomedans have not been forgotten. But a certain standard of efficiency must be insisted upon for Government service. It does not follow that because a man is a B.A. he is efficient for the service of Government. Government have always been only too anxious to get Mahomedans into their service in positions like Mámlatdárs; but in many cases they have been unable to secure men with the necessary qualifications. I know that the Honourable MOULVIE RAFIUDDIN would not wish that Government should employ incompetent men in high posts merely because they are Mahomedans. At the same time when great insistence is placed on the necessity of a certain community having a share in appointments it does suggest that there is to be at any rate partial disregard of efficiency. I am perfectly aware that there is no one in this Council who does not know that Government are anxious to employ as many Mahomedans as they can in the Public Service with due regard to the qualifications and the efficiency of the work necessary. There is one point in my own experience to which I should like to allude. There is no part of the Presidency where Government is more anxious to employ Mahomedans than Sind, and there is no place where it is

more difficult to get them. Every year we experienced that difficulty in making appointments so much so that we had to bring candidates in from the Presidency Proper. In some of the lower appointments, such as Mámálatdárs' clerks, we found that as soon as a man got into the Kutoheri he expected to do no work; because he was a Mahomedan he expected everything to fall into his lap. Government will never employ men of that class. That is a policy which I can confidently say will not be followed not only in the interests of Government (and those are interests which cannot be neglected), but in the interests of the Mahomedan community itself, which would only be discredited if Mahomedans, who were not efficient, were employed. In conclusion, I would ask permission as this is the last time I shall speak on the budget in this Council to thank all Honourable Members for the great consideration with which they have invariably treated me. Whether they have assumed a critical attitude or not, the discussions in which I have joined in this Council will always be to me a memory of the greatest interest, and I shall always deeply regret that I can no longer take part in them.

Statement referred to in the first paragraph of the speech.

				Total.	Sind.	Presidency Proper.
Settlement Estimate	...	...	..	1,92,22	89,94	1,52,28
1905-06	...			1,77,13	43,84	1,33,29
1906-07	...	} Actuals	... ..	2,09,57	51,89	1,57,68
1907-08	...			1,93,04	52,38	1,40,66
1908-09	...			1,98,28	44,16	1,48,52
1909-10	...	} Revised	...	2,24,50	53,95	1,70,55
1910-11	...	} Budget	...	2,18,00	51,40	1,66,60
Total for six years ending 1910-11				12,15,52	2,98,22	9,17,30
Annual average				2,02,53	49,70	1,52,88

The Council then adjourned until 11-30 a.m. on Monday, June 27th.

By order of His Excellency the Honourable the Governor,

G. D. FRENCH,
Secretary to the Legislative Council.

Poona, 25th June 1910.

Journal of Proceedings of the Legislative Council of the Governor of Bombay,
assembled under the provisions of the Indian Councils Acts, 1861 to
1909.

The Council met at Poona on Monday, the 27th June 1910, at 11-30 a. m.

P R E S E N T :

- His Excellency the Honourable Sir GEORGE SYDENHAM CLARKE, G.C.M.G., G.C.I.E.,
Governor of Bombay, *presiding*.
- The Honourable Sir JOHN W. P. MUIR MACKENZIE, K.C.S.I., M.R.A.C., I. C. S., J.P.
- The Honourable Mr. MAHADEV BHASKAR CHAUBAL, LL.B.
- The Honourable Mr. WILLIAM THOMSON MORISON, C.S.I., I. C. S.
- The Honourable MOULVIE RAFIUDDIN AHMAD, Bar.-at-Law.
- The Honourable Sardar LAKHANGAUDA BASAVPRABHU, Sar Desai of Vantmuri.
- The Honourable Mr. W. L. S. L. CAMERON, C.S.I., A.M.I.C.E.
- The Honourable Mr. GEORGE CARMICHAEL, I. C. S.
- The Honourable Mr. GEORGE SEYMOUR CURTIS, I. C. S.
- The Honourable Sardar Ráo Bahádúr MOTILAL CHUNILAL.
- The Honourable Sardar PURSHOTTAMDAS VIHARIDAS DESAI.
- The Honourable Mr. FAZULBHOY CURRIMBHOY EBRAHIM.
- The Honourable Sardar SYED ALI EL EDROOS.
- The Honourable Mr. SIDDHANATH DHONDDEV GARUD.
- The Honourable Sardar NARAYANRAO GOVIND *alias* BABA SAHEB GHOORPADE,
Jagirdár of Ichalkaranji.
- The Honourable Mr. M. C. GIBB, I. C. S.
- The Honourable Mr. W. L. GRAHAM.
- The Honourable Sardar NAHARSINGHJI ISHWARSINGHJI, Thakor of Amod.
- The Honourable Lieutenant-Colonel J. JACKSON, M.B., I. M. S.
- The Honourable Sardar SHAMBHUSING AMARSING JADHAVRAV, Raja of Malegaon.
- The Honourable Ráo Bahádúr GANESH VYANKATESH JOSHI.
- The Honourable Mr. LALUBHAI SAMALDAS MBETA.
- The Honourable Sardar Ráo Bahádúr YASHAVANTRAV TRIMBAK MIRIKAR.
- The Honourable Sardar DAVAR KAIKHOSRO EDALJI MODI.
- The Honourable Sardar COOPOOSWAMY VIZIARUNGUM MOODLIAR.
- The Honourable Mr. HUGH MURRAY.
- The Honourable Dr. TEMULJI BEIKAJI NARIMAN, L.M., F.R.M.S. (London).
- The Honourable Mr. VISENU BAGHUNATH NATU, LL.B.

The Honourable Mr. GOKUL DAS KAHANDAS PAREKH, LL.B.
 The Honourable Mr. ABDUL HUSSEIN ADAMJI PEERBHAY.
 The Honourable Mr. F. G. PRATT, I. C. S.
 The Honourable Mr. H. E. E. PROCTER.
 The Honourable Mr. IBRAHIM RAHIMTOOLA, C.I.E.
 The Honourable Mr. MANMOHANDAS RAMJI.
 The Honourable Ráo Bahádúr SHRENIWAS KONHEE RODDA,
 The Honourable Mr. W. H. SHARP.
 The Honourable Surgeon-General H. W. STEVENSON, I. M. S.
 The Honourable Khán Bahádúr NOWROJEE PESTONJEE VAKIL, C.I.E.
 The Honourable Mr. HARCHANDRAI VISHINDAS, LL.B.

DISCUSSION ON THE BUDGET OF THE GOVERNMENT OF BOMBAY
 FOR THE YEAR 1910-11.

In opening the proceedings His Excellency addressed the Council as follows:—
 Gentlemen,—The speech of my honourable colleague, Sir JOHN MUIR MACKENZIE,
 dealing with our discussion leaves me little to add. There are, however, a few points
 on which I desire to offer a few remarks. As time goes on I have little doubt that
 the annual debate on the Budget will change its form and will reappear in that
 of substantive resolutions on which the opinion of the Council can be taken. Mean-
 while I do not think that our meeting on Saturday was unprofitable or infertile. It
 gave opportunities to Honourable Members to express and to record their individual
 views upon a large variety of subjects, and this is an advantage to Government.

I was glad to note in a speech made by the Honourable Ráo Bahádúr JOSHI at
 the Sátára District Conference that he fully realizes how accessible the Government of
 Bombay is to all reasonable representations, and how ready we are to move when we are
 convinced that such representations are for the good of the people of this Presidency.
 Nothing interested me more than the speech delivered by the Honourable Mr. NATU
 and it is to be regretted that the time-limit prevented his concluding it. I learn with
 great satisfaction that he is now convinced that the land assessment generally is fair and
 just. That is the opinion at which I have arrived upon a point which has been much
 disputed by those who have not mastered the question as my honourable friend has
 done. The assessments are now undoubtedly moderate, and though small readjustments
 in special localities may from time to time be necessary I trust that there will be no
 general enhancement and that with the continuance of our liberal policy of suspensions
 and remissions in bad years, with the growth of co-operation and with improved methods
 of cultivation, the prosperity of our deserving cultivators will greatly advance.

They may rest assured that so far as the present Government is concerned, an increase
 of production, due to better agriculture, will not be made the ground for enhanced
 assessments. I was also deeply impressed by the remarks of the Honourable Mr. NATU
 on the growing popularity of what has been unwisely called the system of "restricted"
 tenure. It has been said that if you give a dog a bad name tragical results follow, and
 if the much more correct term "inalienable" tenure had been adopted in the first
 instance some misunderstanding might have been avoided. However, the fact is, as the

Honourable Member stated, that the system is growing popular and that the time may come when its extension on a large scale will be demanded.

I need not remind you of the somewhat bitter controversy which once raged over this subject, but I may be permitted to point out the moral of the Honourable Mr. NATU's remarks. The Government, which can have no object except that of ameliorating the conditions of all classes, is not always wrong when it finds itself in opposition to opinions strongly expressed in Council.

When the system of inalienable tenure was introduced we were told that it would be intensely disliked, because it interfered with the right of transfer, which it was alleged was regarded by the ryot as an invaluable asset. The inexorable logic of events is now proving that large numbers of our ryots find that the restriction is a valuable safeguard against the passing of their hereditary lands into the hands of money-lenders. Another misconception which unfortunately found currency at the time was that Government cherished the sinister desire to employ the system as a means of converting the survey occupant into a tenant-at-will. This wild illusion has also been dissipated and it has been conclusively demonstrated that occupants under restricted tenure are quite as secure from eviction as any other class of holder, that they are effectively protected from losing their land to the money-lender, and that they are placed in respect of their holding in the same position as watandárs.

Education was touched upon by many speakers, and I was glad to note that in some cases the quality of the teaching and its suitability to the needs of Indian life were not ignored. The mere creation of matriculates or of B.A.'s, as such, irrespective of the practical requirements of life, is not a desirable object. Education in this Presidency leaves very much to be desired, quite apart from the financial aspects of the matter, and I hope that the efforts of Government to improve it will meet with support from the thinkers of the community. No better or more beneficial educational work is being done at the present time than that carried out by the Agricultural Department, and it is a pleasure to me to note that this fact is becoming widely recognised.

The Honourable Mr. HARCHANDBAI VISHINDAS alluded to the great projects for irrigation in Sind, which are under consideration at the present time, and appeared to be somewhat doubtful in regard to them. I hasten to assure him that the most careful consideration to these projects in all their aspects is being given, that there is no conflict of opinion among experts as to the direction that they must take, that unless a barrage is constructed within a reasonable time difficulties in maintaining the existing systems of irrigation may arise, and that if these projects are carried out they will add enormously to the wealth of Sind.

Of the great projects for the Deccan, to which I have alluded on the other occasions, that for the Nira Right Bank Canal is now nearly ready to be laid before the Government of India for sanction. It is most promising economically, and if we are permitted to carry it out, some of the most arid portions of the Deccan will be provided with an abundant supply of water and will be placed permanently beyond the reach of famine. It is in the direction of irrigation that we may look for the increased revenue which the growing needs of the Presidency demand.

The Honourable Mr. FAZULBHOY referred briefly to the question of decentralisation, and with what he said, and with all that fell from my honourable colleague I

entirely agree. The Government, with the assistance of this enlarged Council, is quite capable of dealing with all matters of local concern, and in the interests of economy and of good administration it is most desirable that a large measure of autonomy should be granted to our Presidency. The strong views of the Government on this important question will be found in their letter to the Government of India, which is published with the voluminous report of the Decentralization Commission.

The Honourable Mr. FAZULBHOY also referred to the Káthiáwár Customs line, the position as regards which I explained to the Princes and Chiefs assembled in Darbár at Rájkot. I should be only too glad if this serious impediment to trade and great inconvenience to travellers could be removed, but the offer made by the Government of India was certainly not illiberal and I am not wholly without hope that the Maritime States in Káthiáwár may be able to see their way to modify their objections to an arrangement which would increase their revenues and prove a boon to all the inland States.

I regret that it should have been stated that the Government of Bombay has not done full justice to the Mahomedan community in the matter of appointments in the public service, and that invidious comparisons with other Governments should have been raised, which, in the absence of full knowledge of the circumstances and conditions, can be of no possible value. If those who believe that the Mahomedans do not get their proper share in Government patronage were aware of the facts, they would know that the tendency has been, and is, in exactly the opposite direction and that other communities have complained of this tendency. The Government will continue to give favourable consideration to qualified Mahomedan candidates, whenever they are available, but in the interests of the public service they cannot undertake to give preference to those who are clearly unqualified. The whole question of securing what may be regarded as an adequate proportion of posts under Government is purely one of education, which will settle itself automatically in no long time if, as I believe, the community is now earnestly desirous of remedying its deficiencies in this regard. The position attained by such a small body as the Pársis must surely point the way to what the Mahomedans can accomplish if they set about the work of education in a spirit of true progress. Meanwhile, all real friends of the Mahomedan community, among whom I count myself, must fear that if inordinate demands are preferred in its behalf there may be an alienation of sympathy which we should all deplore.

In conclusion I wish to say that I am sure I speak for all honourable members of this Council in expressing great regret that my honourable friend and colleague has presented his last Budget. His long labours, not only in his capacity as our Finance Minister, in which he has been conspicuously successful, but in many spheres of public activity, will not be forgotten. The time has come to him, as it must come to all, to lay aside the active duties of official life, but he will take with him into his well-earned repose the gratitude of the people of the Presidency. And this new Council, which has begun its work in such an admirable spirit of co-operation for the public good, and for the future of which he and I entertain bright expectations, cordially offers him its best wishes for many years of happiness, founded on the sense of good work accomplished and of strenuous endeavours unsparingly applied to the administration of this great and progressive province.

The Honourable the SAE DESAI of VANTMURI :—Your Excellency,—I have one very urgent request to make on behalf of the ryots of Chikodi in the district of Belgaum.

His Excellency the PRESIDENT :—You cannot speak now on a general question.

The Honourable the SAE DESAI of VANTMURI :—I wish to draw the attention of Your Excellency's Government to the fact that these ryots are now prohibited from digging earth from their Rayatwari land to use it on the Panmalla crop.

His Excellency the PRESIDENT :—You must put that in the form of a question and send it up to the Council.

The Honourable Mr. NATU :—If I may be permitted to speak, I may say that the question has already been settled by the Collector of Belgaum and there is no longer any dispute about the matter.

**BILL No. II OF 1909 [A BILL FURTHER TO AMEND BOMBAY ACT
No. V OF 1862 (AN ACT FOR THE PRESERVATION OF THE
BHA'GDA'RI AND NARWADA'RI TENURES)].**

His Excellency the PRESIDENT :—As regards the procedure to be followed in the three Bills which have to come before you, I found some little difficulty with regard to the amendments in discriminating between questions of principle and matters of detail. Therefore I propose to deal with the amendments as matters of principle and consider them in connection with the second reading. The procedure will be that the amendments will be moved first and discussed and voted upon. Then, when that has been done, all Honourable Members will be able to speak on the second reading of the Bill and then we shall proceed to the consideration of the Bills clause by clause and I hope they will be passed today.

The Honourable Sir JOHN MUIR MACKENZIE moved the seconding reading of a

<p>The Honourable Sir John Muir Mackenzie moves the second reading of a Bill further to amend Bombay Act No. V of 1862 (an Act for the preservation of the Bhágdári and Narwádári Tenures).</p>	<p>Bill* further to amend Bombay Act No. V of 1862 (an Act for the preservation of the Bhágdári and Narwádári Tenures).</p>
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The Honourable Mr. PAREKH moved an amendment that in clause 3, section 6, subsection (1), the following words be added after the word "Council" :—

"on the application of Bhágdárs representing 75 cents out of a rupee or larger interest in the said land."

He said :—Your Excellency,—Clause 6 of the Bill authorises the Governor in Council to reconstitute bhágs which have been broken up. It is an improvement in the existing law that Government should have a power of reconstitution of bhágs, when all are persons representing considerable interest in them desire it. But the Bill as now worded empowers the Governor in Council to reconstitute bhágs even though the persons representing the larger interest in them, or when all the bhágdárs are opposed to such

* The Report of the Select Committee and the Bill as amended were published in the *Bombay Government Gazette* in Part VII on the 23rd May 1910.

reconstitution. It should not be assumed that the bhágdárs are always desirous to have broken up bhágs reconstituted. It often happens that one bhágdár does not pay his proportionate share of the Government dues and other joint liabilities, and the other bhágdárs are forced either to bear the liabilities of the defaulter or get the bhág broken up. It would be a great hardship if Government should reconstitute bhágs against the wishes of all or majority of the bhágdárs. When this question was before the Select Committee, no ground was shown for reconstituting bhágs, when all or majority of the bhágdárs were opposed to it; but it was said that the matter should be left to the discretion of Government and Government were not likely to direct any reconstitution against the wishes of the majority of the bhágdárs; but if my contention be right that where the bhágdárs representing more than a moiety of the interest in the bhág are opposed to any reconstitution, no power to that effect should be exercised, it is necessary to say so expressly in the Bill. By the omission of the words which are embodied in my amendment, false hopes may be raised in the minds of some bhágdárs; and a large amount of unnecessary trouble would be caused both to Government and the local authorities, when the interests of the bhágdárs who desire reconstitution are too small to justify Government complying with their request. The new powers should be subject to the wishes of the majority of the bhágdárs, and I therefore think that the amendment will commend itself to the Council.

The Honourable Mr. G. CARMICHAEL:—Your Excellency,—If the amendment that has just been moved were adopted as it stands I firmly believe the provisions of the Bill would become a dead letter. It puts insuperable objections in the way of those who wish to have their bhágs reconstituted, Government cannot move in the matter. An application has been made from a very high percentage of the bhágdárs and to obtain this percentage, and to obtain the votes of those who wish to have their bhágs reconstituted, they would first of all have to go round and canvass all those who have any interest in the land before they could get the required percentage of votes in favour of the movement. This, I think, many of them would find a very difficult task, because unanimity in cases of this kind is difficult to find among men and I do not think the bhágdárs would form any exception. There would always be some for and some against and some who would sit on the fence, and those who are against and those who are neutral must not if the amendment is carried exceed 25 per cent. The wording of the amendment provides that those who have an interest in the land must give their consent; that is it will include not only the body of original bhágdárs who consider their tenure as giving a position of honour and importance, but a number of people, besides mortgagees, lessees, and other encumbrances, who do not care a penny piece for the tenure, and it is quite possible that the sentiments of the original bhágdárs would be over-ridden by a small minority of people who wish to keep matters as they are at present. I further submit that the amendment is altogether unnecessary, because the rights of those who have come in after the bhág was broken up and before it is to be reconstituted are safeguarded by the provisions of the Bill, and before any proposal to reconstitute the bhág is made ample opportunity would be given to everyone to state any objection that he has. Ample notice will be given and full local inquiry will be made, and every one will have an opportunity of saying what he has to say about the proposal. And he will further have an opportunity of representing his objections to Government if the proposal is actually submitted by the Collector. Under the circumstances I beg to urge that the amendment be repealed.

The Honourable Ráo Bahádúr JOSHI said :—Your Excellency,—I rise to support the amendment moved by my Honourable friend Mr. PAREKH. The Bill before us is one of an exceptional nature, and is intended to have a retrospective effect. It embraces the transactions of half a century, and proposes to invest Government with a power to rectify a certain state of things which has arisen out of those transactions. Such rectification is desired not for any public purpose nor for reasons of State, nor even for the historic purpose of preserving an interesting tenure, but for the benefit of a special class. I think my Honourable friend Mr. PAREKH is entirely justified in asking that such a rectification may not be taken in hand except at the request, or on the application, of those who are interested in such work of rectification. It also strikes me that we do not know exactly the extent of the evil it is sought to correct. We do not know how many bhágs have been broken up, and in whose possession those bhágs are; whether they are in the hands of the old proprietors or whether they have passed into the hands of outsiders. That is one thing. Another thing is that I do not see in the Act itself nor in the amending Bill any safeguards against the recurrence of a state of things which is sought to be rectified. The forfeiture clauses of the Land-Revenue Code stand as they are; and under these clauses, the liability to forfeiture of the bhágs in times of distress and difficulty remains as before; and the question is, what guarantee is there that these bhágs may not be again broken up, and that a similar state of things may not recur during a famine as a result of such pressure. This tenure is not so common on our side; it is confined to a few districts in Gujarát, Ahmedabad, Kaira and Surat. But it is the prevailing tenure in several parts of Upper India—in the Central Provinces, the United Provinces and the Punjab. There the bhágdári tenure is most effectively preserved, first by the enforcement of joint responsibility for the revenue demands, and, secondly, by allowing the right of pre-emption to the rest of the bhágdárs in case of default where such responsibility cannot be enforced. So that, the bhágs are guarded against forfeiture, and the lands prevented from passing into the hands of outsiders. I hope, we may have some such safeguards in the Bill we have before us. With these remarks, I will support the amendment moved by the Honourable Mr. PAREKH.

The Honourable Sardar DAVAR MODI :—I do not think it would be advisable to limit by legislative action the complete discretion of the Collector and Government to restore the bhág.

The Honourable Mr. HARCHANDEAI VISHINDAS said :—Not being conversant with the subject we outsiders cannot form a satisfactory judgment to vote on this question until one or two points are cleared up.

One is a question of principle and that is whether a bhág should be preserved in its integrity or the doctrines of natural selection and survival of the fittest be allowed to take their course, I think under the conditions in India Government efforts towards the preservation of these tenures intact should be supported.

Another is that no specific cause has been pointed out by the Honourable Mr. PAREKH for his arbitrary 75 per cent. of the shareholder applicants. Supposing 51 per cent. are in favour of the restitution of the bhág there is no reason shown why their will should not prevail. In which case I think after what has been said by the Honourable Sardar MODI that if confusion will be the result of fixing such proportion it will be safer to leave the matter to the discretion of the Collector. Under the

circumstances, therefore, until the honourable mover of the amendment has given a convincing explanation of these points the amendment should be disallowed.

The Honourable the THAKOR NAHARSINGHJI of A'MOD said:—I regret my inability to support the amendment proposed by my friend the Honourable Mr. PAREKH. The Bhágdári Act is intended for the preservation of certain holdings from disintegration, and this is a matter in which the State is to a certain extent interested. So far as I am aware these bhágs were broken up in the Broach district after the last famine in the time of Mr. BAGNELL, the then Collector of Broach, and such bhágs occurred mostly in Jambusar taluka, and at that time there existed a great need for the action. We have to thank the Government for taking so much interest in the preservation of such sort of tenure, and I am of opinion that the measure proposed is quite unobjectionable.

The Honourable Sir JOHN MUIR MACKENZIE:—After the excellent speech of the Honourable Mr. CARMICHAEL and also the support given to the Bill as it stands by the Honourable Sardar DAVAR and the THAKOR of A'mod, there is left hardly anything for me to say. I should like to contradict one of the assertions of the Honourable RAO Bahádúr JOSHI, and that is that this legislation has not been undertaken with the object of preserving an ancient and historic tenure. Government most emphatically declare that that is the purpose of this legislation as it was the purpose of the original Act in 1862. I very much welcome the utterances of the THAKOR of A'mod in confirmation of that assertion of mine. The only other remark I have to make is that the carrying of the amendment of the Honourable Mr. PAREKH would have the effect of allowing a bhág to remain broken up, for what I may call merely ephemeral considerations. There would be no consideration of the historic character of the estate, no consideration of the general benefit not merely of the present generation of bhágdárs or of generations to come. Government cannot afford to regard an ancient tenure of this kind in that light, any more than they can afford to regard in that light, such a tenure as that of talukdárs. Therefore I think Government must certainly resist this amendment of my honourable friend.

The Honourable Mr. PAREKH in reply said:—I think some distinction should be made between the first breaking up and subsequent reconstitution. Government may not break up an existing bhág, if a bhágdár representing a very small interest in the bhág desire that it should remain entire. But after it is once broken up, it must not be reconstituted unless the persons who desire the rejoining represent more than a moiety of the interest and in my opinion this interest ought not to be less than $\frac{2}{3}$ of the whole. But even if it be conceded that the bhág may be reconstituted, if persons representing a moiety or larger interest are willing to have the reconstruction, the 75 cents should be reduced to 50 cents, but there is no reason why the Governor in Council should reconstitute broken bhágs, when none of the bhágdárs or persons representing the larger interest in the bhág do not desire it. With reference to mortgagees, if they are mortgagees of less than the whole bhág, their mortgages would be invalid under the Bhágdári Act, and they would have no voice in connection with the reconstitution. But as regards mortgagees of the whole or of a recognized share of a bhág, he stands in the position of a bhágdár, and I fail to see why he should not have a voice in the matter of the reconstitution. As regards lessees for short periods, such as, 1, 2 or 3 years, their leases do not indicate any interest in the bhág, and persons holding under them have no claim

for being consulted on the question of reconstitution. As regards lessees for long periods, they stand in the same position as mortgagees. There is nothing in the argument urged against the amendment that justifies the Governor in Council in reconstituting bhāgs without the consent of persons who represent the larger interest in them. The amendment, therefore, is necessary, and ought to be accepted.


The amendment was put to the vote and lost.

Bill read a second time. The motion to read the Bill a second time was then put to the vote and carried.

Discussion in detail. The Bill was then discussed in detail, the clauses being passed *seriatim* without amendment.

The Honourable Sir JOHN MUIR MACKENZIE then moved that the Bill be read a third time and passed.

Bill read a third time and passed. The motion was carried.

 BILL No. I OF 1910 (A BILL FURTHER TO AMEND THE BOMBAY PORT TRUST ACT, 1879)

At 27th June 1910

The Honourable Mr. CHAUBAL in moving the second reading³ of a Bill* further to amend the Bombay Port Trust Act, 1879, said :—

The Honourable Mr. M. B. Chaubal moves the second reading of a Bill further to amend the Bombay Port Trust Act, 1879.

At the last meeting of the Council the Bill to amend the Port Trust Act of 1879, though of a non-contentious nature, was referred to a Select Committee, mainly in order that the details might receive more consideration than could be given to them in Council. The report of the Select Committee has now been presented, and I think there need be no hesitation about accepting all their recommendations. The first addition which they propose to make to the original Bill provides that the Deputy Chairman shall be a full-time officer of the Board holding no other salaried appointment. The Deputy Chairman will ordinarily, though not necessarily, be a Government servant lent to the Trust, and to avoid any misunderstanding it will be a satisfaction to the Board to have this specific provision included in the Act. It always was the intention that the Deputy Chairman should be a full-time servant of the Board, and a similar provision is found in both the Bombay City Municipal Act and the Improvement Act.

The second addition proposed merely legalises the position of a person appointed to act for the Deputy Chairman during his absence on leave. Section 20 of the Act already legalises the position of a person appointed to act for the Chairman.

The amendment of section 24, which the Select Committee has proposed, is merely consequential on the main amendments and requires no explanation.

The Honourable Mr. PROCTER has in his minute of dissent suggested that on the analogy of section 20 of the Act, which provides for the payment of the Chairman's leave allowances, a similar provision for the Deputy Chairman's leave allowances should be made in the Bill. But the two cases are quite different. The Chairman, who is one

* The Report of the Select Committee and the Bill as amended were published in the *Bombay Government Gazette* on the 10th May 1910.

of the Trustees, is appointed and granted leave by Government, and it is specially provided in the Act that his salary and leave allowances shall be fixed by Government. The Deputy Chairman, on the other hand, will be a servant of the Board, and as such his leave allowances will be payable in the same way as the allowances of other servants of the Board under sections 22 (2) and 49 (1) of the present Act. By section 24, as we propose to amend it, any regulations passed by the Board for the payment of the Deputy Chairman's leave allowances will be subject to the previous sanction of the Government, so that Government will always be able to enforce such arrangements as the Honourable Mr. PROCTER refers to in his minute. The result of altering the word "3 to 4," in section 24, is to bring our new clause 22-A under the provisions of section 24. It does not affect section 20 at all, as the Honourable Member seems to think. I trust this explanation will satisfy the Honourable Mr. PROCTER that the additional amendment which he proposes is unnecessary. With Your Excellency's permission I propose that the Bill as amended by the Select Committee be read a second time.

The Honourable Mr. PROCTER :—Your Excellency,—There are only two points I should like to refer to. One is with reference to the question of the Deputy Chairman's leave allowances which the Honourable Member has just mentioned and the other is the alteration of the word "shall" for "may" in the third section. When this Bill was referred to the Port Trustees for their views they suggested that the word "shall" should be put for "may" in the beginning of the third section, because the word "may" occurs in that section twice and the second "may" gives the Board the option of determining the duties of the Deputy Chairman. If the same word were used at the beginning of the section it would appear to give the Deputy Chairman the option of carrying out the work which the Trustees wished him to do whereas if the word "shall" were used it would remove any ambiguity on the subject. The question was raised in the Select Committee and we were informed that it was an enabling Act and the word "may" was enough to carry out what was required. If that be the case I do not wish to raise any further objection but it seems to me from a layman's point of view that the word "shall" seems to carry out what we desire better than the word "may." As regards the Deputy Chairman's leave allowance the reason I brought this up was that when Mr. Sprott came to us as Deputy Chairman he had already earned considerable leave in the Public Works Department and it was a matter of discussion between the Board of Trustees and the Government of India as to how this should be allocated and it was settled that the Board should only be liable for the leave earned by Mr. Sprott during his service with the Board and not for the leave earned in the Public Works Department. It was in order that this should apply to all future Deputy Chairmen that I suggested this alteration. We were told in the Select Committee that this was not necessary, because it would be embodied in the Civil Service Regulations. As long as that is so, all we wish can be done without any alteration of the Bill and I would not press for any alteration; but that was the reason I brought the matter forward.

The Honourable Mr. IBRAHIM RAHIMTOOLA said :—Your Excellency,—I wish to say a few words in regard to the question of leave allowances raised by my Honourable friend Mr. PROCTER. The distinction which the Honourable Mr. CHAUBAL pointed out between the Chairman and the Deputy Chairman will make it unnecessary to have any alteration in the Act. The Chairman of the Port Trust is appointed by Government and

in his case due provision has been made in the Act by which no unjust burden can be cast upon the Trust. The Deputy Chairman will be appointed by the Board and in making such appointment they will be in a position to make such terms as regards leave and pension allowances as would adequately protect their interests. The appointment of the Deputy Chairman appears to be analogous to that of the Engineer of the Improvement Trust. The officer need not be a Government servant. If an outsider is appointed no question of the kind raised by the Honourable Mr. PROCTER can arise. His leave and pension allowances will be regulated by the terms of the contract entered into with him. If the Board decide to obtain the loan of a Government officer for the post they can easily arrange to pay his contribution for leave and pension under the Civil Service Regulations and thereby be free from all liability in connection therewith. The Board of the Improvement Trust have of late obtained their Engineer from Government and they pay his contribution for leave and pension and in consequence have no concern with the amount of leave allowances payable to him while on leave. By following this procedure the question of allowances payable for leave earned in the service of the Board or prior to it does not arise. Under the circumstances the Port Trust would do well to make similar arrangements if they decide to obtain a Government Officer for their Deputy Chairmanship.

I was glad to learn from the Honourable Mr. PROCTER that the question of allowances payable by the Board to their Chairman while on leave has been satisfactorily solved and that they are liable for such portion of the leave granted to him as has been earned in their service. I wish I could say the same in regard to the Chairman of the Improvement Trust. We have had some novel experience in the matter. Our first Chairman was Sir WALTER HUGHES. After putting in a few months' service he went on long leave all of which was earned in Government service, while we had to pay the leave allowances for the whole of this period. Mr. REBSCH was then appointed to be our Chairman. He earned some leave in our service but when he went on leave he took the whole period earned by him both in Government as well as the Trust service. The whole of his leave allowances for the entire period was charged to the Improvement Trust. But this was not all. Mr. DUNN who was appointed to act for Mr. REBSCH was obliged to go on privilege leave earned in Government service and the Trust had to pay that also besides the salary of Mr. Kemball who acted for the acting Chairman. Thus, Your Excellency will observe that the Board of the Improvement Trust had to pay at one time for three Chairmen, two of them, their leave allowances earned in Government service and the salary of the third. As Trustees we of course protested against this manifest injustice but it was of no avail. We were shewn the section of the Act dealing with the subject, which was sufficiently vague to enable such charges being made and we had to grin and bear. I must however do Government the justice to say that when the matter was brought to their notice they recognised the injustice of it, and undertook to remedy the same. I hope such a contingency will never be allowed to arise again.


Having such experience I can appreciate the anxiety of the Honourable Mr. PROCTER to make statutory provision against being called upon to pay allowances for leave earned in Government service and I would have strongly supported him in his efforts in the matter. The explanation which the Honourable Mr. CHAUBAL has offered, puts a different complexion upon the point and it is perfectly clear that it is in the hands of the Board themselves to take precautions in the matter by paying contributions for

leave and pension under the Civil Service Regulations and prevent the point from arising. Under the circumstances I accept the Bill as it stands.

Bill read a second time. The motion that the Bill be read a second time was then put to the vote and carried.

Discussion in detail. The Bill was then discussed in detail, the clauses being passed *seriatim* without amendment.

The Honourable Mr. CHAUBAL then moved that the Bill be read a third time and passed.

Bill read a third time and passed. The motion was carried. 

BILL No. II OF 1910 (A BILL FURTHER TO AMEND THE BOMBAY HEREDITARY OFFICES ACT AND THE WATANDARS ACT, 1887).

The Honourable Sir JOHN MUIR MACKENZIE:—This Bill* being very technical in many of its branches I shall again adopt the process of moving the second reading without remarks as I think that all the principal points will be much better brought out in discussing the amendments on the paper.

The Honourable Sir John W. P. Muir Mackenzie moves the second reading of a Bill further to amend the Bombay Hereditary Offices Act and the Watandars Act, 1887.

The Honourable Mr. PAREKH moved the following amendments:—

I. (a) That in clause 2, sub-clause (1), section 36, the following proviso be substituted for "proviso (2)": "(2) When the deceased representative watandár has left agnatic relations in his own branch of the family, the share entered in the register against his name shall pass to the agnate who is the eldest male in the most senior line of his branch, if he is not disqualified, and if he is disqualified, to the next eldest male agnate of the most senior branch who may not be disqualified. (3) If the deceased representative watandár has left no relations in his own branch of the family, the share entered in the register against his name shall pass to the eldest relation in the nearest branch of the family, and when there are more than one branches equally distant to him, to the eldest male of the most senior of the branches, who may not be disqualified, and if such eldest person is disqualified, to the next eldest of the most senior of these branches who may not be disqualified."

(b) That in proviso (3) the word "shall" be substituted for the word "may".

(c) That in proviso (3) the words "subject to the foregoing provisos" be omitted.

II. In sub-clause 3 of the said clause to delete item (a) and the letter "(b)" of item (b).

III. To delete sub-clause (9) of the said clause and to re-number sub-clauses (10) and (11) as sub-clauses (9) and (10) respectively.

The Honourable Member said:—Your Excellency,—I object to the Bill as it seeks to alter the rule of succession to watans without sufficient necessity for adopting such a course. According to the Bill, when a watandár has no heirs in his own branch

* The Report of the Select Committee and the Bill as amended were published in the *Bombay Government Gazette* Part VII, on the 23rd May 1910.

of the family, his share would pass to the representative watan-dár of the other branch whether he be the eldest male in the eldest sub-branch, or not. Thus for the sake of what may be official convenience the right of the person who is entitled to succeed under the rule of primogeniture is passed over for the benefit of the representative watan-dár who may have no right of succeeding according to law. Again when there are several branches of watan-dárs, the deceased representative watan-dár's share does not pass to the nearest line or the most senior line, but the same is divided between the representative watan-dárs of the different branches, even though one branch may be 5 degrees removed, another 10 degrees removed, and a third 15 degrees removed from the propositus. The change that is proposed to be made amounts to the elimination of the share of the deceased for the benefit of the remaining representative watan-dárs. It is alleged that the rule laid down is in accordance with the practice, but from the enquiries that I made among watan-dárs, I find that such practice must have very recent existence. So far as I have been able to ascertain, the watan-dárs of Gujarát like the rule of lineal primogeniture, but they dislike the rule of succession as proposed to be introduced by these provisions. I think that if any change is to be introduced in the rule of devolution, it should be in accordance with the sense of the watan-dárs. Government do not seem to have ascertained the sense of the watan-dárs; Government ought to do this before the measure is finally passed. It is said that the object of the change is to reduce gradually the number of representative watan-dárs. But if Government wish to substitute stipendiary servants in the place of those whose services are remunerated by watans, they must approach the problem boldly and directly. By this device the diminution in the number of representatives would be so slow as to be quite inappreciable. This small gain does not justify such a wide departure in the rule of the devolution of watans. As regards the simplifying of the work of officers who have to dispose of cases of determining the succession to representative watan-dár's office, I do not think simplification of official work will be a proper ground for interfering with the rule of succession that has been in force all along. Another important matter in the Bill to which I object is in connection with the force of decisions. The Civil Courts in disputes between parties have exceptional opportunities of arriving at the truth, and therefore if a Civil Court has arrived at a decision upon a point which arises for consideration before revenue officers, the revenue officer should treat the decision of the Civil Court as conclusive on the question. It should not be within the discretion of the revenue officer to accept the decree of the Civil Court or not. The decisions of Civil Courts were hitherto regarded as conclusive and binding on the Collector. The provision of the Bill in this matter empowers the Collector to enter into the question whether the decision of the Civil Court is in accordance with the rules laid down in it, and makes it discretionary with the Collector to accept the decree or not. I think this alteration in the law ought not to be sanctioned.

My next objection is against the change in the law which makes a person who has made some wilful default in the payment of Government revenue disqualified for holding a watan office. I do not deny the propriety in theory of a Government servant who is engaged in connection with the collection of revenue being disqualified for the office, if he himself has made any wilful default. But I still object to the change as I feel that the introduction of such a clause in the law is likely to lead to much intrigue, and to lead to the increase of work of revenue officers. In a large number of villages, there are factions among the watan-dárs, and the feelings of

hostilities between the factions run very high. Persons who are hostile to a watanár who has been unable to pay his land-revenue will try to show that his non-payment of the demand was due to wilfulness, and not to inability. It would always be difficult for the Collector to decide the question of intention, and I think that a man ought not to be disqualified upon evidence of intention adduced in the course of summary enquiry. In such cases a large amount of false evidence is likely to be brought. The measures provided by law are sufficiently stringent to prevent contumacy, and I do not think it would be proper to introduce a provision which is likely to be much abused.

My next objection is against the amendment proposed in section 60 of the principal Act. That section provides that when a watanár or any deputy or substitute appointed by him is convicted by the Court of Sessions or the High Court of any offence in discharge of his official duties, the Governor in Council may direct the forfeiture of the whole or any part of the watan. The alteration that is proposed to be made authorizes not only the forfeiture of that watan, but also of any other watan in which he may have interest. This involves the forfeiture not only of the interest of the offending party and of the person who caused him to be appointed, but also that of all his co-sharers. This power is sought to be extended by the present Bill. The alteration that is proposed would involve the forfeiture of the interest in every other watan in which he may have interest. The change would result in the forfeiture of interest of members who may in no way be connected with watan in respect of which the offence was committed. I am of opinion that section 60 has gone far enough already; its operation ought not to be extended further. For this reason I consider the principles of the Bill objectionable, and I am opposed to its second reading.

The Honourable the Jágírdár of ICHALKARANJI:—Your Excellency,—May I inquire if it would not be convenient to discuss the amendments in parts. It may happen that a member may agree with the Honourable Mr. PAREKH with respect to some of his amendments, while he may not agree with the others.

His Excellency the PRESIDENT:—The three amendments can be put separately to the Council afterwards. You can speak on any of the three amendments you like. I call upon the Honourable Mr. CARMICHAEL first.

The Honourable Mr. CARMICHAEL:—Your Excellency,—With regard to amendment No. (1) to the first proviso a minor point arises from the fact that it is not always the case that the right of service is held by the senior line or branch of the family which is registered for separate service. Sometimes it is the junior line and if this proviso were adopted at the next succession this right would be taken from those who rightfully hold it and given to persons who have no title at all. Coming to the general question I understand that the Honourable Mr. PAREKH's view is that instead of the rule of lineal primogeniture which is the provision proposed in the Bill, the rule of ordinary primogeniture should be adopted. That is, to take the commonest case, a man who dies leaving a grandson, the son of his eldest son, and the younger son, the second son. By the rule of lineal primogeniture the succession would pass to the grandson if his father had died before him, but under the rule of ordinary primogeniture the property would pass to the second son if he was older than the grandson. As a rule the Hindu Law is not much concerned with the succession of impalpable property such as the right of service in the watan with the result that I believe there is a lack of authority with

regard to whether the proper rule should be lineal primogeniture or ordinary primogeniture. But I would deny that the sentiments of the watanárs generally are against the rule of lineal primogeniture. There have been instances, many instances, in which those who succeed according to the rule of ordinary primogeniture have given up their right in favour of the grandson of the elder line, and I may venture to call the rule of lineal primogeniture, the natural rule and most legislatures have adopted it. This is the rule Government follow in dealing with Saranjam property in the Deccan. The honourable mover of the amendment says that landed property would pass but landed watan property will always be disposed of by any Court and by the watanárs themselves according to the ordinary rule of primogeniture and cannot possibly be dealt with on the same lines as the right of service if there are any sub-sharers. With regard to the second proviso, as far as I can discover, the Honourable Mr. ПАРЕКН departs from the ordinary Hindu Law altogether and sets up a law of his own devising. Under the ordinary Hindu Law the property would pass by links in the chain counting up to the original holder and down to the connected branch, but instead of this it is proposed that first the nearest branch of the family should be discovered to the branch which has become extinct and when there is more than one branch it has to be decided which is the nearest branch of two equally distant ones. The circumstances of the original separation of the branches are hidden in the mists of antiquity and I do not see how any Collector is to determine what was the sequence of domestic events in a patel's house some time away back in the century before last. How can he find out whether Ganpat was the first arrival or whether Ramji was born before Ganpat? That is the question he would have to solve if the Honourable Mr. ПАРЕКН's amendment were adopted and having solved that he might next be confronted with another equally different problem. There might be another branch which was found to be nearest, there might be ten or a dozen gentlemen of uncertain age and the eldest amongst them might have to be discovered. More domestic inquiries would have to be made. They might not all be in the village. They might be in service in Upper India or in Bombay. These have all to be found out and the eldest discovered amongst them. Birth and death registers would be of very little use and horoscopes and oral evidence would be of very little additional help in the matter and the result would be that a very wide field of litigation would be opened. I do not see that any advantage would be provided by this amendment. But the provisions of the Bill are very clear and very simple. The right of succession will pass to persons whose names are entered in the Government register already as representative watanárs and I do not think any reasonable expectation of anyone else will be disappointed, because the connection between an extinct family through the chain of succession down to the next branch will be so uncertain and so difficult to trace that nobody will have any reasonable expectations that it will come to them except the persons themselves. Then there is another advantage which is secured by the proposals in the Bill and that is that the question of the lapse to Government will very seldom arise. As long as any connection at all is considered to exist between the extinct branch and the family, if there are people bearing the same name and in the same watan they will be presumed to be descended from the same original watanár and the share will be divided without question. Then with regard to the amendment proposing the exception of proviso (3). In the Bill it is proposed to give discretion to the Collector to accept or not the

certificate or decree of a Civil Court and to act or not to act upon it. In many cases these decrees are given in respect of ordinary watan property. The Courts follow the ordinary Hindu Law in respect to them and the Collector in all cases where there is any dispute as to the nearest among two heirs is always glad to have the assistance of the Civil Court to help him in determining which is the proper person to enter in the register. But there are two classes of cases that have come up for decision and have occurred in practice. The first is the case where there is only one representative watan and his family becomes extinct and a claim is made by some person who is outside the watan altogether. This person has gone to the Civil Court and got a certificate of heirship but the inquiry of the Civil Court in regard to heirships is often very perfunctory. In many cases nobody has any interest in the watan and it may not have come to the notice of Government that any proceedings are going on. I think it is quite right that powers should be given to resist in the public interest any such unfounded claim being set up to the watan. Another class of case is where the name has been properly entered by the Collector as successor to the watan and years afterwards some one produces a Civil Court decree or heirship certificate saying that he was the heir. It seems quite right that the Collector should have power to refuse to disturb the person who has been in possession. Both of these classes of cases have actually occurred. With regard to the question of contumacious default being held to be a disqualification for service the Honourable Mr. PAREKH admitted that this is a proper disqualification. His objection is that it cannot be properly applied without causing a great deal of faction. I think that is quite a groundless fear. The question whether a man is in default of his revenue or not is ascertainable at once from Government accounts. Contumacy is not at all difficult to prove. With regard to the amendment of section 60 of the Act, section 60 lays it down that where a representative watan or his deputy or substitute has been convicted of any offence in the discharge of his duties or of any serious offence specified in the second schedule and the conviction is upheld the watan may be confiscated or may be forfeited to Government for such period as Government may choose to order. Cases have arisen where a watan and who has offended and has been convicted of offences specified and described in section 60 in respect of one watan has been found to be holding shares in several other watans. A man who has been found to be unfit to hold any interest in one watan is surely unfit to hold an interest in other watans and it is proposed to take power to forfeit his share in any watan in which he has a share. The usual practice is to forfeit only his share but the section certainly gives power to forfeit the whole watan whether it is his share or the whole, but that power has not been used. I don't suppose any cases can be quoted in which the full power has been used—certainly not in recent years—but it is advisable to have the power in reserve in case of any grave disregard of the law where it might be necessary to enforce the common responsibility of the watan and. I, therefore, submit that all the three amendments should be rejected.

The Honourable the JA'GHIRDA' of ICHALKARANJI :—I crave permission of Your Excellency to move an amendment.

His Excellency the PRESIDENT :—You cannot introduce an amendment now.

The Honourable the JA'GHIRDA' of ICHALKARANJI :—After hearing me Your Excellency may allow me to move my amendment,

His Excellency the PRESIDENT :—You can speak on any of the Honourable Mr. PAREKH's amendments. Your own amendment will come on in due course.

The Honourable the JA'GHIRDA'R of ICHALKARANJI :—I am proposing an amendment on a question to which the Honourable Mr. PAREKH has alluded.

His Excellency the PRESIDENT :—You cannot move an amendment. You may say what you like on any of the Honourable Mr. PAREKH's amendments.

The Honourable the JA'GHIRDA'R of ICHALKARANJI :—With respect to clause 2, sub-clause (3), there is an amendment that it should be deleted, but I have not been quite able to follow the argument upon this amendment. If the object of the sub-clause is to safeguard the interest of the representative watandár, I fail to see what necessity there is for the Collector on his own account to go into the evidence again and say whether the decision of the Civil Court is right or not. Your Excellency is aware that great respect is paid to the decisions of Civil Courts in this country, and if the Collector is invested with the power of setting them aside it would create great want of confidence in those decisions, and the prestige of Civil Courts would be lowered. If an appeal on the decisions of the Civil Courts is considered necessary, then it would be much better to entrust the appellate jurisdiction to the High Court rather than to executive officers, who do not know the intricacies of law as judicial officers do. But I do not think there is any necessity of doing this. In my opinion the Act is likely to be interpreted properly by Civil Courts and there need be no anxiety on the point.

I am sorry I cannot agree with the Honourable Mr. PAREKH with regard to "wilful defaulter". We have got a very bad experience of these wilful defaulters in the Inám villages. If the defaulter is a representative watandár, or a man in office exercising influence in the village, you cannot expect him to execute the decree of the Court against his own property. Moreover, if he is himself a defaulter he would not have courage to go and attach the properties of other defaulters.

With regard to sub-clause (3), when I first read the amendment, I thought by putting in the words "any watan in which he has an interest" Government were going to restrict their power, which now it seems they do not propose to do. I do not know of any case in which Government have gone to the length of forfeiting the whole watan, and not a share for the sin of anyone of the co-sharers. But that is not the only question to be considered. The sub-clause is apt to create a doubt in this way that it may be applied not only to the share of the offending watandár, but also it may be interpreted to apply to any watan in which he has a share. For instance, in a case of a Guravaki watan if a patel or desai, who may have the service of a temple, commits an offence, it involves forfeiture of the temple property also. That is rather a serious matter, and I think it will create a great deal of misunderstanding in the minds of the people concerned. I submit the wording of the section should not be retained in its present form. If, on the other hand, Government think that such powers are necessary for administrative purposes, I have nothing to say. I would be prepared to support them. But I may point out that there is nothing said in the Bill or in the Report of the Select Committee or in the observations made by any of the speakers in this Council which shows that anything special has occurred to warrant the giving of such large powers to the executive. So far as I see no case has been made out for stringent powers.

With regard to the clause regarding the harbouring of robbers and dacoits, I would go with Government, because I have known of cases in which village-officers had been privy to highway robberies, and those offences had been committed with impunity.

The Honourable Mr. GARUD said:—Your Excellency,—I rise to support the amendment suggested by the Honourable Mr. PAREKH that the word “shall” should be substituted for the word “may” in clause 2, sub-clause (1), proviso (3) to section 36. I submit that it should not be open to the Collector to refuse to register the name of a person after he has successfully undergone the risk and trouble of a litigation in the Civil Courts. The Honourable Mr. CARMICHAEL cited a few cases in which he thought the Collector concerned might hold that the Civil Courts had not come to the most desirable conclusion in the case. But these cases are very rare and they should not, I submit, be allowed to disturb the general principle that the decrees or orders of a competent Court should be regarded as definitive.

The Honourable Mr. PAREKH's next amendment which I beg to support refers to the omission of clause (ee) of section 45 in clause 2, sub-clause (3). The Land-Revenue Code has already conferred extensive powers on the Collector for the recovery of land-revenue from defaulters. The Collector can imprison a wilful defaulter, take security from him for his payment of land-revenue or might even order the forfeiture of his land. These powers are, I submit, severe, extensive, and deterrent enough and there is no need to add to them. Cases of wilful default in the payment of land-revenue are not happily yet very common and there is, I submit, no need to provide for them in anticipation by special legislation. Then again it would often be hard for the Collector to determine in every case whether the default was wilful or otherwise and even in cases where the Collector would come to the conclusion that the default was not wilful he would often be pestered with anonymous petitions from factions opposed to the officiating watandár in the village. The nature of his duties often makes the officiating watandár unpopular in his village and this provision in the Act would in a great many cases only give room for village intrigue and anonymous complaints.

The Honourable Mr. PAREKH's third amendment deals with the question of the forfeiture of any watan in which he (the offending watandár) has an interest. This provision if adopted would legalise the forfeiture not only of the other watans of the watandár in respect of which no offence has been committed but of the share of other persons interested in any other watan in which the offending watandár has perhaps a small share and would thus punish not only the watandár himself but also his innocent co-sharers in other watans. The Criminal Law of the country recognizes the principle that a principal is not to be made criminally liable for his agent, and it would not be justifiable to punish the innocent co-sharers of the watandár for the misbehaviour of his deputy or substitute in whose appointment they had absolutely no voice.

The Honourable Mr. G. S. CURTIS:—Your Excellency,—As a district officer, who has been in close touch with the Watandári Acts, I desire to bring before the Council the greatly increased burden, which the administration of this Act in its present form entails. I believe as a matter of fact primogeniture will appear to most persons interested in the preservation of the rights of hereditary officers as what the people desire. What the people require is certainty and clearness. As matters stand revenue officers, who are untrained in civil law, are called upon to decide minute questions of

Hindu Law and Hindu custom. What we want principally is to shorten the proceedings under this Act,—proceedings which are often most intolerably long—so that the procedure should be made as simple and as short as possible. That I say not only in the interests of the persons affected, but of all the parties who have to apply the Act. In many districts, in which I have served, especially in Khándesh the principle of primogeniture was almost invariably accepted, and I believe it is in Gujarát. The Honourable Mr. PAREKH speaks mainly of Gujarát; I believe that if he were asked to decide on an elaborate watan from Sátára or some of the Deccan districts he would have more sympathy with the unfortunate district officer. Matters that come before the officers in Gujarát are simple in the extreme. In the Deccan they are not and in consequence their decision imposes a very heavy burden. Probably in Sátára, Poona and Ahmednagar the hearing of questions of hereditary right will take up three or four hours in the district officer's day, and it seems to me too much time is taken up by these simple matters. Therefore I strongly urge upon the Council that the principle of lineal primogeniture should be accepted. I am grateful to the JA'GHIEDA'É OF ICHAL-KARANJI for the remarks he made regarding village-officers with reference to clause (ee), section 45. It seems to me in reading the discussions in this Council that some members rather perform the rôle of Dr. Jekyll and Mr. Hyde. When their own interests are concerned, nothing can be too bad for these officers. Accusations are made that they are slack in the performance of their duties, and do not look after the interests of the Inámdárs. When Government is concerned, every poor patil or kulkarni must be allowed every consideration, and even when he is guilty of the grossest neglect and grossest dishonesty, nothing must be done to him. In the present case we have a subordinate who is responsible for the collection of Government revenue and receives in return a fair and liberal remuneration regularly paid in the shape of a percentage on the amount collected; and yet when the assessment or judi on the land which he himself cultivates is demanded declines to pay it. I put it to the Honourable Mr. GARUD who, I know, has land which he farms through a manager. Let us suppose this manager to lease 100 acres himself and let the remaining 900 acres to tenants. When instalment time comes round, he collects the rent due from the tenants, but refuses to pay anything for his own land. When Mr. GARUD expostulates, he turns round and says "I do not mind what you do. Under my agreement you are bound to retain me in your service for the rest of my term, it may be for five years or ten years or even for life." Would Mr. GARUD tolerate this behaviour? I say he would not, and yet it is what he wishes us to do with our village officers. The Honourable Mr. GARUD says "you can prosecute him, you can put him in prison," but what will be the use of that? The Collector will have to pay the cost of keeping him. Whatever you do the village officer will say, "You cannot remove me from my office." Now the patel has a definite position in the village. He has not only revenue to collect but he has multifarious duties connected with sanitation, education and every department of Government. Does the Honourable Mr. GARUD contend that a person, whose position is of such importance and on whose efficiency the welfare of the community depends, should be retained in the service when he has been guilty of the grossest disrespect to his superiors? It is quite impossible for any administration to be carried on on those lines. I now come to clause 2, sub-section (9) with regard to the forfeiture of shares in other watan. A case came before me two days ago in which the Kulkarni had a 4 as. share in four

watans in four villages. He had been guilty of the grossest dishonesty in one village and I have only too much reason to fear that we only discovered $\frac{1}{3}$ th of his total defalcations. What does the law say as to this? Notwithstanding that that man has been guilty of the grossest dishonesty, we are bound to retain him or his representative, as the representative of Government for three villages. All we can do is to confiscate his share in the village in which the defalcation took place. I appeal to common sense. Can Government go on in this way? If a man has been guilty of a serious criminal offence, is it right or desirable that he should be retained in Government service, because he has some sort of legal claim in other places than that in which the original embezzlement has occurred? It may be said that innocent persons may be punished, but that argument is answered in the case of a man who has a share in a watan in one village only. As the law stands, if Government find a man, who has a four anna share, guilty of embezzlement, Government have the power to cancel the share of the other three holders. Under this amendment of the law, Government have no more power than they had before, all they say is, when a man has been found guilty of a serious offence in one village, he shall not be retained in Government service in the other villages. I submit that common sense requires that the Honourable Mr. PAREKH's amendment should not be passed.

The Honourable Khán Bahádur VAKIL said:—Your Excellency,—Under the existing Act, Government have already the power to forfeit an entire watan whether it belonged wholly to the offending watandár or was shared by him with other watandárs. The proposed amendment appears to have been made merely for an extension of this power, so that Government may be able to apply the penalty of forfeiture to the whole of the watan rights of the offending watandár. I do not think the other co-sharers have anything to fear, however, as it is apprehended that the proposed amendment would legalize the forfeiture of the share of the persons interested in any other watan in which the offending watandár has a share. I would respectfully suggest that in sub-clause (b) of clause 2 of the Bill, the words "His share of" should be added before the words "Any watan in which he has an interest" so that while the penalty of forfeiture could be extended to the whole of the watan rights of the offending watandár only, as desired by Government, those of his co-sharers would not be affected. The clause thus amended would read as follows:—

"When any representative watandár or any deputy or substitute appointed by him is convicted by a Criminal Court not inferior to a Court of Sessions, of any offence in the discharge of his official duties or of any of the offences specified in the second schedule or of the abetment of any such offence, and such conviction is not subsequently reversed or squashed, the Governor in Council may direct the forfeiture of the whole or any part of his share of any watan in which he has an interest, such forfeiture may be either absolute or for such period as the Governor in Council thinks fit."

The Honourable Ráo Bahádur JOSHI said:—Your Excellency,—I beg to say a few words on two of the three amendments before us. The third amendment has reference to the penalty clause of the Act, and I have my own amendment to move on that point. So, reserving my remarks on it to a later stage of the discussion, I will take up the first two.

There are, as we know, Primogeniture Vatan and Rotation, Vatan, and confining ourselves to the Primogeniture Vatan, the object of the Bill is that the rule of lineal Primogeniture as opposed to ordinary should be the recognised rule of succession in respect of these Vatan in the future. I welcome it as the enunciation of a sound principle of succession to the status of a representative Vatan and as being in harmony with the prevailing sentiment and usage in the Deccan, as far as I have been able to ascertain. I agree with the Honourable Mr. CARMICHAEL in the view that the status of a representative Vatan is in no way inferior in dignity, in honour and in responsibility to that of a Saranjam-holder. As far as sentiment in the Deccan is concerned, we think that this status should as far as possible descend to the eldest son in the senior line. I only wish, there was an interpretation clause put in in the Bill, distinguishing lineal from ordinary Primogeniture. The distinction between these two forms of Primogeniture was, as far as I remember, for the first time drawn in a Privy Council judgment some years ago; and it is now recognised in our Courts. But an interpretation clause making it clear would be most desirable for the general public.

Provisoes (1), (2) and (3) of clause 2 (1) hang together and seek to give effect to the main object of the Amending Bill. Proviso (1) lays down an obligatory presumption in reference to the rule of Primogeniture. I understand—and I speak subject to correction—that nothing is further from the intentions of Government in the proposed legislation than to disturb in any way the existing established customs and usages, and that the object is, without prejudice to these, to have for the future as far as possible the rule of lineal Primogeniture as the accepted rule of succession. This being so, the presumption laid down in the Proviso is, I submit, put in too strong a form. I think it would have been better if the presumption had been put in an optional rather than in an obligatory shape. Presumptions are, no doubt, after all presumptions—legal fictions in a way—whether they are obligatory or optional. They can be rebutted in either form; they only shift from one side to the other the burden of proof. Still, there is this difference between an obligatory and an optional presumption. An obligatory presumption is taken to be as near as possible an established truth—and there is little or no anticipation of its being disproved. It is laid down, for instance, in the Evidence Act that the Court shall presume the genuineness of a document appearing in the London Gazette. There is little possibility of such a presumption being challenged or rebutted. It is otherwise with optional presumptions. Here, it is expected that rebutting evidence would be forthcoming in the ordinary course of legal proceedings. An optional presumption in this matter—and we have so many such in the Evidence Act and in the Penal Code—would leave the presiding officer—the inquiring officer—free to approach the question with a more open mind and in a more impartial spirit than under the obligatory presumption as laid down in the Proviso. So, my submission is that the presumption may be put in an optional rather than an obligatory form.

Now, I come to a more debatable point in the Bill, and that is with regard to the discretion left to the Collector in Proviso (3), to accept or reject certificates of heirship decrees and orders of the Civil Courts. The existing law is that a certificate of heirship or a decree or an order of a Civil Court shall be conclusive proof of the facts stated or determined in such certificate, decree or order. It has to be borne in mind with regard to these certificates, decrees or orders that they relate to Vatan disputes and not to suits

regarding representative Vatandarships. These latter suits are exclusively for the Collector to decide. The Civil Courts decide upon general questions relating to Vatan rights and Vatan property, and in doing so, are guided by the general law of inheritance—and require proof of usage—whatever it is—lineal or ordinary—Primogeniture or other—and deal with each case on its merits. It is not open to them under the general law to presume in any way. They cannot presume that a certain rule of succession is the rule of succession in Vatandar families in any locality. They must act upon the general law. Now, when we are told that the decisions of the Civil Courts may or may not be accepted by the Collector and that the Collector is given this discretionary power on the avowed ground that the Courts are “prone to lose sight of the custom of Primogeniture” when it is not permissible to them to act upon any presumption whatever—we are filled with misgivings as to the way in which it is sought to give effect to the main object of the Bill. At any rate, we have this anomaly that while it is made obligatory upon the Collector to make certain presumptions it is not open to the Civil Courts to make or act upon any such under the general law of the land. Are we then to understand that the rule of lineal Primogeniture is not only to be presumed, but is to be assumed as an established rule—a rule about which no further evidence should be required? As the law at present stands, the decisions of the Courts have to be accepted as conclusive evidence of the facts disputed and the issues determined—the final decision of course resting with the Collector in regard to these Representative Vatandarships. I submit, we may leave the law as it is at present. There is no case made out for the proposed change. The decisions of the Courts are arrived at after the fullest enquiry, and there is no reason why these decisions should be put on one side in this respect.

As regards Proviso (2) dealing with Vatan shares when a representative Vatandar dies without issue, I do not see why his share should be divided among the remaining representative Vatandars. If the rule of lineal Primogeniture is to be generally insisted on, and if it is desired that that should be the rule in the future, then it is only just that his *takshim* should pass to the eldest heir in the next senior line. I would rather have, that such heir should succeed to his Vatan share—than that it should be extinguished as a separate *takshim*. I think the provisions suggested in the Honourable Mr. PAREKH's amendment are in accordance with the main object of the Bill; and I will vote for them.

As regards sub-clause (ee) contumacious default is put in as a new ground for disqualification. I think when a Vatandar who has to collect the land-revenue is himself a defaulter—and a contumacious defaulter—it is only right that he ought not to be entrusted with the duty. But I am afraid, it would be difficult to prove such wilful default. In these days there is a large number of Vatandars—Patils—and Kulkarnis who have assessed holdings of their own and who being poorly paid it is quite possible may fail now and again to pay up the State-dues in times of famine and scarcity. Now whether such default on their part is wilful and contumacious—it would be, I think, very hard to decide. In view of such a difficulty, I submit that contumacious default may not be included as is proposed in this Proviso, among the grounds of disqualification. With these remarks I beg to support the amendments which have been so ably moved by my Honourable friend Mr. PAREKH.

The Honourable the JA'GHIRDA'R OF ICHALKARANJI:—This was the amendment which I was going to propose with respect to the division of property among representa-

tive watandárs in a case where a representative watandár dies without leaving an issue. I say we should go a step further and give the property to the nearest heir in the senior line.

The Honourable Mr. CHAUBAL said :—Your Excellency,—I think there is a little misconception as regards the amèndment of section 36. My honourable friend Mr. PAREKH stated that his great fear was that the ordinary Hindu Law was going to be disturbed by the amendment which we propose in proviso (2) of section 36. As regards that, in order to avoid any confusion of thought, let it be clearly understood that ordinarily watan property is divisible under the Hindu Law and Honourable Members must not be under the impression that by the legislation, which is now proposed, any settled rule of enjoyment or succession will be disturbed. There seems to be an impression that, supposing a representative watandár has three sons among whom the watan property is divisible according to Hindu Law, by our adopting the rule of lineal primogeniture the watan will go to the eldest son. It is this fear, which was expressed by the Honourable Mr. PAREKH at the commencement of his speech, which lies at the bottom of his amendment of section 36. There is only one object for which this amendment is sought to be made and it is to enter on the register, which the Collector is bound to keep under the Watan Act, the names of representative watandárs. That is the sole object of section 36. Suppose A, a representative watandár, dies leaving three sons B, C and D. The Collector has now to put somebody in his place. Who is that somebody? It is B, the eldest son of A, and his name is accordingly entered on the register. But that does not mean that C and D lose their shares in the watan property. It is owing to misapprehension of this fact that it is stated that the ordinary Hindu Law of Succession is going to be disturbed by proviso (1) which introduces or prescribes the rule of lineal primogeniture. If that is borne in mind I submit with great deference to my friend the Honourable Mr. PAREKH that the feeling in the country is very clear, so far as the question of a representative watandár is concerned, and it is that the right should go to the eldest representative of the senior line. And so far as my knowledge of the subject goes I do not think that the rule has been otherwise anywhere as regards watan property. With respect to the first amendment I think the Honourable Member may take it that there is no rule of Hindu Law which we are going to disturb, nor are we going to disturb any rights in watan property which members of a watandár family enjoy. The only thing we are going to do is to facilitate the introduction of the successor's claim in the Collector's register, and it is for that purpose that sub-clauses (1) and (2) of clause 2 have been introduced.

With regard to the third sub-clause, I must confess I have some sympathy with the amendment that stands in the name of the Honourable Mr. PAREKH. Here, again, let us see what the object is. As the Honourable Ráo Bahádur JOSHI has stated, a Civil Court has absolutely nothing to do with the question as to who is the representative watandár. I think the Honourable Members will bear this in mind that what a Civil Court does, is that if in any watan family there are four members A, B, C and D, it declares who out of these is the next representative of the senior branch. As to the rest, at the most, it will say that each has a four anna share. But beyond that a Civil Court has never gone. It has been repeatedly decided by the High Court that you cannot go to the Civil Court and ask for an order, saying that you are the representative

watandár. Any such order from a Civil Court is absolutely out of the question. The legitimate object of proviso (3) only confines itself to those cases which come in under provisoes (1) and (2). Supposing, for instance, a person dies and there are two persons each of whom claim to be the next representative of the senior branch, the Collector, after making inquiries, says that A is the next representative of the senior branch and puts his name on the register. But the defeated rival can go to a Civil Court, produce all evidence that he can bring, and after a full inquiry the Court may give a declaration that as between A and B, B belongs to the senior branch. After that he may bring the decree of the Civil Court to the notice of the Collector and say: "Here is the decree of the Civil Court which ought to satisfy you that between A and me I really belong to the senior branch. It was upon deficient inquiry that you entered the name of my opponent on the register." I think it is only fair that the Collector should recognise a decree of that kind. But I will also say that I do not think there can be any case in which for the purpose in view, namely, registering the name of the representative watandár, a certificate of heirship or an order from a Civil Court has any pertinence whatsoever. I had occasion to speak to the Honourable Mr. NATU on the point and he seemed to agree that the words "a certificate of heirship" could safely be taken away from sub-clause (3). So far as I know I do not think that a Civil Court can ever give a certificate that a certain person is entitled to represent a watan. If you take out the words "a certificate of heirship" and "or order" the sub-clause would read thus: [Reads.] Now, the only way in which a person can, under such amended clause, claim to have his name registered, is by producing a decree of a Civil Court declaring him to be a representative of the senior branch and as one who comes within items (a) or (b). So far as my personal opinion goes, I should think the words "a certificate of heirship" and "or order" are both entirely uncalled for. No case is made out for their retention. But the word "decree" ought to be there. You can clearly get a decree—a declaratory decree—that A, B, C or D belongs to the senior branch, and if such a decree is brought before the Collector, I think the Collector ought to correct the register accordingly. Therefore so far as that portion of the amendment of sub-clause (3) goes, I would be for taking out of that clause the words "a certificate of heirship" and "or order" and retain the word "decree," and if there is such a decree, I think it ought to be conclusively binding on the Collector. With respect to the words "may" or "shall," I think it goes without saying, as I have already stated, that if there is a decree, it must be "shall" instead of "may," and the words "subject to the foregoing provisoes" after that must also go out.

In respect to section 60, of which so much is said, I think Honourable Members either will not take to themselves the credit of utilising their own experience or do not give credit to Government for ordinary fairness when they say that the amendment is fraught with serious consequences. If you will look at the law as it now stands you will find that forfeiture of the whole or part of the watan is a penalty which may be incurred under the present law. Therefore forfeiture of the whole watan is not a penalty which we are now introducing for the first time by the proposed amendment. The present law is that the whole of the watan may be forfeited. The only change, which is sought to be introduced, is at the end of the section, where the words are: "forfeiture of the whole or part of any watan in which he has an interest." That is the whole change sought to be introduced. I submit to the Honourable Members that if during the last so many years that the Act has been worked in the Presidency, they have not been able to quote a

single instance in which a representative watandár, or his deputy or his substitute has been convicted of any offence and Government have forfeited the whole watan, I do not see what ground there can be for suggesting that any serious consequence would follow the amendment of the section in future. The section says that if a person who is convicted enjoys title to three watan villages, the penalty need not be confined to the particular village in respect of which he is convicted. You will admit that his interest in or title to one village is as good as his interest in, or title to another village, and there is no reason why his punishment must be confined to one particular village or watan. At the same time there is great reason why Government should have this power of extended forfeiture. It is only optional for Government to exercise this power or not. It is not fair to argue that when a representative watandár will commit an offence, Government will unreasonably deprive others of their property although they may not have participated in the offence. I do not think anything of the sort will ever happen, because nothing of the kind has been done in the past. One can easily conceive a case in which, when a representative watandár's deputy is found guilty, he has been instigated by his principal to commit the offence; and similarly a substitute may be instigated to commit a crime by his representative watandár. It is easy to imagine that, and if Government after full inquiry are satisfied that it is so, I do not think any member would venture to say that Government's arm should not be long enough to reach that person. It is for this reason that the section is there and I do not think we need have any apprehension about its being made the occasion for any unjust punishment. These are my views about the three amendments which the Honourable Mr. PAREKH has moved.

The Honourable Mr. NATU said:—Your Excellency,—I have to address a few words on the three points of the amendment, and for the sake of convenience I will take up the last clause which deals with the amendment of section 60 of the Act. It is suggested, and from what has fallen from the Honourable Mr. CHAUBAL he thinks, that in a case where a watandár has appointed a deputy, and the deputy is encouraged by his principal to commit a serious offence, the principal must suffer, and he must suffer to the fullest possible extent. Of course, we have no disagreement on that point. The real question is that the old law, as it stood, was severe enough and provided for the forfeiture of the part of the watan held by the offending watandár. Now if we are to substitute for the word "watan," the words "any watan in which he has an interest," and then read the whole sentence, it comes to this that so far as that person is concerned the whole or part of the watan in which he has an interest will be forfeited. But the forfeiture will not be confined to the part or whole of that watan. If the punishment is to be meted out to the person himself, whether he owns the whole watan or several parts in different watans, there is no objection to such a provision. But under the law, as it at present stands, the punishment is not confined to the person who commits the offence, but is also extended to those who have not the least knowledge even of his crime, who are not officiators, and who have not appointed the deputy, but who are only the representative watandárs' co-sharers. I think that if the amendment is so worded as to make it clear that the liability will be confined only to the person who commits the offence, that amendment I believe will be welcome also to my honourable friend Mr. PAREKH. But if the punishment is not to be confined to the person who is guilty, and if it is to be inflicted on others who are quite innocent of the offence, I think the present law would be more severe than the necessity of the case requires. Recently

I made inquiries with a view to ascertain in how many instances punishment has been meted out under the existing Act and found that there were only one or two instances of this kind. I think if the occasions for the exercise of these stringent powers are so very few, there is no need for such a provision, and we should not make the law more severe simply in anticipation of its being needed. So much as regards sub-clause (9).

With regard to the amendment of section 45, I have hardly any objection to it and I do not wish to support the Honourable Mr. PAREKH on that part of his amendment.

Now coming to the most important part of the amendment, namely the amendment of section 36, I may remind the Honourable Members that this is not a formal Act which can be passed without serious consideration. I do not agree with the Honourable Mr. CHAUBAL when he said that this law does not introduce a novelty in the law of succession. I think it does, and will show how it does and to what extent. In the first place I entirely agree with the Honourable Mr. CHAUBAL that this amendment of the section is practically an amendment to enable the Collector to register the names of the representative watandárs. That is no doubt the case, and there is unnecessarily some misunderstanding here. We are not concerned with the first part of the clause which has reference to the appointment of representative watandárs. The power of appointing representative watandárs is a power vested in the Collector, and what the Collector has to do is to enter the name of the person who, he considers, is *prima facie* entitled to the right of representation. To make the matter more easy for the Collector the rule of primogeniture is to be introduced, and the Collector has to see who is to be the successor. On that point we do not differ, and my honourable friend Mr. PAREKH has no objection to the first clause of section 36, so far as primogeniture is concerned. The only difficulty is as regards the second clause of the proviso and sub-clauses (a) and (b). We there start with the idea that it is the law of primogeniture that we are enacting, but we find there a great confusion of ideas. We are not concerned with the law of primogeniture as stated in clause 1. The law of primogeniture to that extent is admitted and we have no objection to it. But when there is no person in the lineal branch of the watandár whose succession is to be considered, the question arises who is to be the next successor. The proposal is that the succession should go to the next representative watandár in the same family. Our contention is that this law will interfere with the vested interests of those who are entitled to succeed under Hindu Law. If succession to branch A falls through, and there is a branch B in which there is a representative watandár more remote than a nearer uncle, for instance, the uncle's name will not be entered under the proposed law. But according to Hindu Law that uncle becomes the nearest heir and is entitled to succeed. But by the change proposed, the uncle will not get the right, but the representative watandár will get it. Thus there is an interference in the law of succession to property as laid down by the Hindu Law. I propose as a sort of compromise that so far *prima facie* rights are concerned the Collector may ascertain who the representative watandár is according to these rules, but these rules should be subject to the decree of the Civil Court to the effect that a particular person is the next heir. That decree must be considered to be conclusive. The Honourable Mr. CHAUBAL admits so far that the decree of a Civil Court should prevail, but he is unwilling to omit the words "subject to the foregoing provisos."

The Honourable Mr. CHAUBAL : I did say that these words should be omitted.

The Honourable Mr. NATU : Then I have hardly anything to say. If these words are omitted, then the rightful heir may go to the Civil Court, obtain a decree, and show to the Collector that he is the next heir and therefore he is entitled to succession, so that there will be no interference with his vested rights. I submit, if that compromise is arrived at, there will hardly be any difficulty. Provisoes (1) and (2) are only subject to these decrees, and therefore there need not be much discussion. I do not know whether that suggestion will be accepted by my honourable friend Mr. PAREKH. If it is accepted I think the interests of the persons concerned will be quite safeguarded by the decree of the Court.

His Excellency the PRESIDENT : Government wishes to take a little time to consider their reply to the Honourable Mr. PAREKH's amendment No. (1). We will therefore proceed to Nos. (2) and (3) and discuss them and consider No. (1) tomorrow with the second reading of the Bill.

The Honourable Sir JOHN MUIR MACKENZIE (after consultation) : Government will also defer the consideration of Mr. PAREKH's amendment No. (2). With regard to amendment No. (3) which relates to the forfeiture question, I wish to recall what the Honourable Mr. CHAUBAL said, that as regards the liability of other sharers to forfeiture, the clause is in reality no more severe than the existing law. There are certain very extreme cases in which Government may feel obliged to forfeit the whole of the watan, in which case, no doubt, innocent sharers may be liable to suffer, but these cases are extremely rare. I doubt very much whether a single case has occurred up to the present. But there are cases in which the whole watan holders might be privy to or even have instigated the offence of which the particular watandár or representative watandár has been found guilty. For instance, a whole family of patels might be privy to the harbouring of dacoits in the village. Government ought still to have a free hand in such cases to forfeit the whole watan. The general point to remember for which we contend is this : where Government already have the power to forfeit the whole or any part of the watan, no part of the watan rights of the offending watandárs ought to be excluded from the operation of such power. For instance, let us put it in this way. A man and his sharers have together a watan of the value of a hundred rupees, Rs. 50 in village A and Rs. 50 in village B. An official watandár of this watan commits an offence in respect of the affairs of village A. Government ought to have the power to apply these forfeiture penalties to the whole Rs. 100. If the powers are too severe the question of restricting those powers ought to be dealt with by separate enactment but while those powers remain it is illogical to confine the application to only Rs. 50 and not to the whole Rs. 100. Supposing the Rs. 100 had been in only one village, there would be no question that Government had power to forfeit that. It is a mere accident that the value of Rs. 100 happens to be divided between two villages of Rs. 50 each. If Government had not this power you would have a family of patels or kulkarnis in one village able to continue the harm they have been doing in another. The position is entirely illogical. In actual practice proposals to forfeit watans or parts of watans come up in two classes of cases, one in which the offender is the representative watandár, the other in which the offender is his deputy. A good deal of objection has been expressed against injuring the representative watandár on account of the offence of his deputy.

Our contention, however, is that the contingent liability of the watan family as a whole, including the representative watan-dár for the offence of the deputy, is a necessary and logical incident of the watan system. Under that system the right of performing the duties of the office is conferred by the State on a single family. In return for the enjoyment of this exclusive right the family is made jointly responsible in cases of gross misconduct by the officiating member. It is the business of the whole family to see that a deputy provided is of good character, and to be careful not to give the opportunity of serving in that watan to a man who does not merit entire confidence, and does not possess the entire confidence of the family which he represents. The State surrenders its free choice of a man to do the work of the village on the understanding that the family accepts responsibility for finding a man of decent character. I accept responsibility when the man found is guilty of grossly criminal misconduct. In the absence of such an understanding no Government would give up its free choice of an officiator in favour of a particular family. The above is the theoretical basis on which this power to forfeit watans even in the case of misconduct of a deputy appointed by a representative watan-dár has been conferred on Government by the law. I need hardly say the power is of no recent origin. This power existed in the times of Native Rule and was exercised far more drastically and more frequently than the British Government would ever dream of using it. I imagine that the Peshwás, if any watan-dár did something offensive to Government, would not have hesitated to forfeit the whole watan. There are instances on record of the attachment of watans for years and years for trivial matters, *e. g.*, a dispute among the shareholders as to succession on which the present Government would never dream of taking action. Government hesitates before confiscating even the life-interest of an individual watan-dár in the watan and even when the question of forfeiting the life-interest of a father when the offending deputy is his son has arisen, great scruples have been shown. I do not think there need be any apprehension that the provision in the Bill will be enforced either frequently or with undue severity.

The Honourable Mr. PAREKH said :—I hope the Council will not accept the contention that the co-sharers' shares should be liable to forfeiture because if they chose they could have prevented the commission of the offence. If the co-sharers have abetted the commission of the offence or have connived at its commission, they may be punished for their own acts; but it would be wrong to punish them in the absence of any proof of their combination or connivance; as it is, from what has been said on behalf of Government, the power of forfeiting the shares of innocent co-sharers is unjust, and it is unnecessary as the experience of Government has shown. It is not proper that for the purpose of apparent consistency such power should be extended. If the offence committed has no reference to another watan it is exceedingly hard that the co-sharers of that other watan should suffer. They would have no power of interference in the performance of the duties of the other watan.

The Honourable Mr. PAREKH's third amendment was then put to the vote and lost.

The Honourable the JAGHIRDAR OF ICHALKARANJI then moved his amendment as follows :—That in clause 2, sub-clause (6) the following proviso be added after item (a), namely, " Provided that the Collector may in special cases and for reasons to be recorded by him in writing allow representative watan-dár to appoint or himself appoint a deputy who is an outsider."

The Honourable Member said :—Your Excellency,—My reason for moving this amendment is that it is very well known that in a village good feeling never reigns among the different sharers of a watan. The very word 'bhaubandki' has become synonymous with 'enmity'. What happens is this : Whenever an officiator has to make his choice of a deputy, it is all well and good if he finds a man, whom he could trust, from among his co-sharers. But if he cannot find such a man, he is obliged to appoint one of his 'bhaubandkis,' thus incurring the risk of his property being forfeited in consequence of any act of his deputy, who is after all not a nominee of his own free choice. Had he a choice in the matter he would appoint an outsider. The appointment of an outsider is very desirable owing to the fact that constant intrigues are going on in a village, and with a view to providing against any possible mistake on the part of the Collector in making an appointment I have put in the words : "In special cases and for reasons to be recorded by him in writing." These words are specially put in to safeguard any interests that might be suffered by co-sharers if the appeal goes to the Commissioner and Government and to see if the discretion exercised by the Collector was right or not. Now, it would be contended that by the passing of this amendment the village-officers themselves would feel aggrieved. As far as representative watandárs are concerned, I believe, the chance of appointing outsiders in extreme cases will be welcomed by them, and I think the principle which should guide the Collector in making the appointment should be to select a deputy who has some watans and a substantial interest in the village. And such a man can be found in the families of other watandárs such as Desai Khot, Magdum Kulkarni and Patil (one or the other as the case may be) and these families will be quite grateful for such an arrangement. Now, there is another fact to which I wish to draw the attention of the Council. It is that under section 53, Government have already got the power to allow an officiator to appoint a deputy outside the family. From time immemorial it was the practice prevailing among watandárs to appoint deputies from outside their families and it is known that Maharaja Scindia who held pátilki watan used to appoint a deputy outside his family. But since the passing of legislation on the subject it has been held that he cannot make such an appointment, but must confine himself to a co-sharer. The case of the Desai of Athni, a Second Class Sardar of the Deccan, is on all fours with the case of Maharaja Scindia. In his case the Collector refused to allow him to appoint a deputy, though he complained that all his bhaubandkis were on unfriendly terms with him. I think in a case like this where enmity is proved to exist amongst 'bhaubandkis' the representative watandár should be allowed to appoint a deputy from outside his family as the responsibility rests on him for the acts of the deputy. In the same way a Collector should be empowered to make a similar appointment in cases where he thinks that village politics would undergo a change for the better by the introduction of new blood in the service. I think in the interest of the village community it is often desirable to have an entirely new man to watch over and guide the destinies of the village properly.

The Honourable Mr. CARMICHAEL :—Your Excellency,—With regard to the amendment which has just been moved by the Honourable the JÁGHIRDÁR OF ICHALKARANJI I think it will be found to be entirely opposed to the principles on which watan rights have been dealt with in the past. When the heads of watan families were registered as watandárs it was on the distinct understanding that the rights of junior members would be properly safeguarded and that when representative watandárs would

not or could not serve a member from the family should be appointed, and it is also against the intentions of Government when the law was enacted to provide that outsiders might be appointed. The original idea was that the original watan-dár should himself serve in person and only in the case of a big Sardar or Chief should a deputy be allowed. So far as the amendment would give the Collector a larger choice there is something to be said for it because it would enable him to reject an unsuitable man whether he was a member of the family or an outsider, but the advantage would be lost of keeping the right of service in a family which has in the course of years acquired the prestige, which is required particularly in the office of patel for carrying on the work efficiently. It would also give the Collector power to set aside a perfectly proper nomination by a representative watan-dár and in so far as it does this I do not think any representative watan-dár would agree and approve of this proposal. With regard to the Bill the provisions that have been adopted for the amendment of the Act are entirely in the opposite direction: The existing law has been interpreted that each representative can make a nomination when he wishes but he is limited to his own branch of the family if there is a member ready and fit to serve. It was ascertained and very carefully brought out in Select Committee that the general feeling of watan-dárs is that this field of choice should be extended to the watan-dárs from the original watan-dár family and that the members of the representative watan-dárs' branch should have the first choice and if there was no one among them who could be selected the junior members of every branch should have the opportunity to serve. The amendment that has now been proposed goes in the opposite direction. If the representative watan-dár can make out a special case—I do not know exactly what sort of special case he is meant to make out—the Collector might rule that he might take anyone, an outsider, passing over the right of the junior members of his own branch or of the other branches. I do not think the watan-dárs as a body would approve of this course. In fact I am sure they would be very strongly against it. I therefore submit that the amendment should not be accepted.

The Honourable Mr. NATH said :—Your Excellency,—I have to say something in support of the amendment. I have seen the working of the Watan Act myself for many years. I have seen in some cases that the representative watan-dár has to submit to the appointment of a man who is actually opposed to his own interests, and in view of the amendment that was lost just now, and as joint responsibility of all persons in respect of the action of a deputy remains, I think a wider scope should be given for the selection of deputies. This is an additional clause for 'special' cases. In special cases where it may appear to the Collector that a person is fit to be appointed because he is a member of the family, but his interests are entirely opposed to the interests of the representative watan-dár and, in fact, he may be on bad terms with him, or, in the cases, suggested by the Honourable the JÁGHIRDÁR OF ICHALKARANJI, of Sardars and Desais, who cannot personally serve, the Collector should be enabled to appoint outsiders. If it is insisted upon that a man within the watan should be appointed, otherwise there are chances of some difficulties being created, the enabling clause would do no harm and would not defeat the object of the law. It is for special cases only that this power is asked for.

The Honourable Mr. GAERUD :—I beg to support the amendment. In my professional capacity as a pleader I have come across a case in which a representative watan-

dár was considered unfit to be appointed to the office on the ground of educational disqualification and some other reasons. He had a cousin who asked to be appointed to officiate in his place. This man had actually been convicted in a criminal court for assaulting the representative watanár for whom he was to officiate, and yet he had to be appointed. In such a case, I think, the representative watanár should be given the choice of appointing an outsider as his deputy, otherwise by compelling him to appoint an undesirable person he runs the risk of being deprived of his watan owing to a wrongful act of the deputy.

The Honourable Sir JOHN MUIR MACKENZIE:—Your Excellency,—I am afraid I think that Government ought not to support this amendment. I think it would be contrary to the whole sentiment of the watanárs, as far as we are able to ascertain it, in many ways. As the Honourable Mr. CARMICHAEL observes, it would be exceedingly convenient for the Collectors to have as free a hand as possible, but I am sure that if they got this free hand, there would be constant complaints that non-watanárs had been appointed without sufficient reason. I must confess I have not very great sympathy with the great Sardars. I do not see in the least why a watan should be administered in the interests of a Sardar. I think the interests of Government ought to be considered, the interests of the villages and the subordinate watanárs. Why my charming friend the MAHARAJA SCINDIA, residing at Gwalior, should have an absolutely indefeasible voice in the administration of the patel watan in some little village in the Deccan I fail to see. The arrangements at present in vogue are very fair and I do not see why they should be altered. For these reasons I hope the Council will reject the amendment. I do not know whether my honourable friend wishes to press this.

The Honourable the JÁGHIRDÁR OF ICHALKARANJI :—No.

His Excellency the PRESIDENT :—As the Honourable the JÁGHIRDÁR OF ICHALKARANJI does not wish to press the amendment, I call on the Honourable Ráo Bahádur JOSHI to move his amendment.

The Honourable Mr. CURTIS :—My impression is that his amendment is practically the same as that on which we have already voted in Mr. PAREKH'S name.

His Excellency the PRESIDENT :—It has been admitted, I think.

The Honourable Ráo Bahádur JOSHI said :—Your Excellency,—This amendment which stands in my name has reference to section 60 of the Vatan Act. This section runs thus : “When any representative Vatanar, or any deputy or substitute appointed by him, is convicted by a Criminal Court, not inferior to a Court of Session, of any offence in the discharge of his official duties, or of any of the offences specified in the Second Schedule, or of abetment of any such offence, and such conviction is not subsequently reversed or quashed, the Governor in Council may direct the forfeiture of the whole or of any part of the Vatan. Such forfeiture may be either absolute or for such period as the Governor in Council thinks fit.”

It is a penalty clause, and as such is the most objectionable in the whole range of our penal legislation. Neither the Penal Code nor any of the special enactments provide a penalty so severe—and so opposed to all our ideas of reason and justice. In the amending Bill before us, it is proposed to enlarge the scope of the penalty in two different directions—(1) By extending it to all the Vatan in which the offending Vatanar has

an interest—wherever situate, and (2) by adding a new class of offences to schedule II to which the penalty is attached. The penalty is the penalty of *forfeiture*.

No case is made out for the proposed enlargement of the penalty and I not only object to such enlargement as uncalled for, but I think that the existing penalty under the Act is so unjust and so severe that occasion should be taken in this amending Bill, to reduce it so as to render it more consonant with justice and equity. And this is what I propose in my amendment. I object to the penalty as laid down in section 60 of the Act on various grounds.

In the first place, the penalty is a special penalty over and above the penalties provided in the Penal Code for offences to which it is attached. A class of public servants—perhaps the hardest worked—and the worst paid—is singled out for such treatment. The Penal Code lays down various punishments for offences committed by public servants—but none so severe—as under the Vatan Act in the case of offending Vatandars.

Secondly, the penalty is the penalty of *forfeiture of property*. In the Penal Code, it is attached only to a few heinous offences—treason, rebellion, murder, etc., whoever for instance wages war against Government or abets an insurrection—in addition to the penalties of death or transportation for life—*forfeits all his property*; or again whenever a person is convicted of a capital offence, the Court may adjudge that all his property shall be forfeited to Government.

Under the Vatan Act, this penalty of forfeiture is attached to offences—such as fraud, malversation, or misappropriation of public money—committed by the officiating Vatandar or any deputy or substitute appointed by him, on conviction by a Court of Session. If a Vatandar in the discharge of his official duties, for instance, falsifies an entry in a Village Register—or is guilty of extortion—or if a substitute—a low-paid outsider appointed by him to officiate during his absence—commits any such fraud, the whole Vatan in which he has an interest is liable to forfeiture under section 60 of the Act.

Thirdly, this property thus liable to confiscation is the whole of the hereditary Vatan property in respect of which the offence is committed.

It is not only the officiating Vatandar and all his sharers who lose the property for these offences, but all their heirs born and unborn—male and female—minors, widows—all.

Hereditary property is valued, not so much for its intrinsic worth as for its comparative exemption from consequences of individual misconduct. Individual offenders are liable to suffer the penalties for their misdeeds—but inheritable rights continue untouched.

“Forfeiture under the Penal Code,” writes Mayne in his Criminal Law of India (p. 20), “has not the effect of corrupting the blood and extinguishing its power of transmitting inheritable rights.” With us under the law, the son by birth is a co-sharer with his father and his rights cannot be affected by his father’s acts. Under section 60 of the Vatan Act, it is all otherwise. The entire stream of inheritance is stopped for the offence of one officiating Vatandar.

Fourthly, this section 60 punishes the innocent with the guilty. It is not only the offending Vatandar who suffers the penalty, but the whole body of his non-officiating

co-sharers with him. These Vatandars have no voice in the selection of the officiating Vatandar. The representative Vatandar is usually appointed by the Collector, or where he is unable for any reason to perform the duties of the office himself, he is permitted to appoint a deputy to officiate for him, and so, again, the officiator during his temporary absence or illness may engage a substitute—who may be an outsider—for the temporary performance of the work. The non-officiating Vatandars have nothing to do with these arrangements, nor are they in any way or respect associated with the officiator in the conduct of his duties, nor have they any control or supervision over his work. They are his co-sharers under the law of inheritance—and for this they are all—the present incumbent and all his heirs—born and un-born—made to suffer under the existing provisions of the Law for the misconduct of one of them. This is manifestly unjust—unfair—to punish a whole Vatandar coparcenary for the misdoings of one man.

But it is here asked, where is the injustice in the case? *Vatan* is simply remuneration for service—like the pay of a post—and if a servant is turned out of service, he loses his employment and withal his pay, and the loss of his pay is a loss to his family and dependents. No one complains of this as unfair. And yet, if in a similar way and under similar circumstances an offending Vatandar is dismissed from his office and his Vatan confiscated for his offence, why should it be made a ground for complaint? The reason is this.

Vatan is not simply remuneration for service, it is partly such payment for work to be done, and partly a reward for past services. Sir RAYMOND WEST, one of the most learned Judges who have ever sat on the bench of the Bombay High Court, strongly held this view. A patel or a kulkarni has not acquired his Vatan just as a Mámátdár or Mahálkari gets his appointment. His Vatan is his *property* besides being remuneration for the work to be done. And he has only a *life-interest* in it.

No one objects to the officiating Vatandar being made to forfeit what is his—his *life-interest* in the Vatan, but the injustice comes in when the penalty extends to what belongs to others—the interest of his co-sharers who may be as innocent as any of us here. The Penal Code allows the confiscation of what is the offender's property—in cases where such confiscation is sanctioned, but not the property of his brothers or uncles or nephews.

Fifthly, there is yet one more ground on which I think the existing penalty is open to grave objection. In punishing the officiating Vatandar's co-sharer for his offence, the Act enforces joint responsibility. Now joint responsibility in criminal matters is a principle not of course unknown in Criminal Jurisprudence. In the case of communities habitually lawless—or in local areas where a state of things exists in which crimes cannot be detected, or criminals cannot be found out or where it is difficult to procure evidence of crime—under such circumstances, joint responsibility may justly be enforced, and whole communities in this way are sometimes punished under the Police Act—punitive police imposed on them.

But in case of offences contemplated under the section—such as fraud or extortion or criminal breach of trust—are there any such circumstances justifying the application of this principle of joint responsibility in criminal matters? The offending Vatandar's coparceners may never be in a position to know what he or his deputy or substitute is doing—and it is obviously opposed to all our ideas of justice and equity to apply the principle of criminal joint responsibility and punish them all for his misdeeds

It is no doubt a permissive power under this section that is vested in the hands of Government to direct such forfeiture; and it is hedged about with discretionary limitations. It is also true that the power so vested has been most sparingly exercised—only, so far as known, 2 cases are on record of *Vatan* forfeiture. But the very existence of such a penalty clause is to my mind undesirable—and it is a blot on the Statute-Book; and the sooner it is wiped out, the better.

Such is the penalty of forfeiture under section 60 of the Act and in the Bill before us, it is sought considerably to enlarge its scope and its effect.

Vatan property is sacred and inviolable and the *Vatandar* loves his *Vatan* as he loves his life. And the existing penalty is, I submit, not only unduly severe but unjust and unfair, and I propose that it may be reduced and brought into accord with the demands of reason and equity.

Under Native rule, forfeitures of *Vatans* were almost unknown except in cases of treason or rebellion. Individual holders were punished—and punished with great severity, but in no case were their *Vatans* confiscated. Even the most arbitrary ruler respected the sanctity of such *Vatan* property.

In the early years of British rule, the same course was adopted, and M. Elphinstone's Regulations of 1827 sanctioned no such penalty of forfeiture, severe punishments were prescribed for fraud—malversation on the part of the village officers. A *Kulkarni*, for instance, who falsified entries in the village register, rendered himself liable under Regulation XVI to five years' rigorous imprisonment. But there were no confiscations of *Vatan* property.

A few years later, the rural parts on this side of India were more or less in a disturbed state. There was a recrudescence of organised crime—gang-robberies and dacoits—and it is believed that there could be no such crime without the active help of the village *Vatandar* officials. It was considered that the penal provisions contained in Elphinstone's Code of 1827 were inadequate to ensure the efficient discharge of the duties of these hereditary village officers. Accordingly in 1843 an Act was passed—passed by the Supreme Council at Calcutta—we had then no Legislative Councils—providing for the first time this penalty of *forfeiture* under clause 9 in the case of serious offences committed by these *Vatandars* in the discharge of their duties.

This Act was in force for thirty years—the penalty sanctioned was held to be a deterrent one—for use only on grave occasions, and there were only two forfeitures during all this period.

In 1873 the Act came up for revision before the local Legislative Council. In the amending Bill, the forfeiture clause was reinserted. But it was most strongly opposed by the native members of the Council, and the Honourable Mr. NARAYAN VASUDEO, who led the opposition, succeeded in carrying an amendment in much the same terms as those of my present amendment—restricting the penalty of forfeiture to the life-interest of the offending *Vatandar*; and it had the full assent and approval of the President His Excellency Sir PHILIP WOODHOUSE who held that it was unjust “to render a whole *Vatan* liable to forfeiture because one man who has only a life-interest in it has committed some offence.” Somehow, however, this Bill came to be dropped. And when a new amending Bill was brought up, the forfeiture clause was again put in as before,

and—in spite of opposition by the native members—was passed. Thirteen years later, in 1886, the Act of 1873 again came up before the Legislative Council for amendment. And on this occasion it was proposed not only to repeat the old clause, but to extend its scope, by adding new classes of offences to the old list, carrying with them this penalty of forfeiture. The Honourable Khán Bahádúr KAZI SHAHABUDDIN opposed the proposal in a powerful speech, objecting to it as opposed alike to justice and good policy; and in this opposition, he had the hearty support of the late Mr. Justice BANADE. The new Bill, notwithstanding, became law, and that is the Act of 1886.

From all this, however, it will be clear that this forfeiture clause in the Vatan Act has never had the support or approval of native public opinion in this Presidency. And yet, it is this penalty which it is now, in the Bill under consideration, proposed to considerably enlarge. As I remarked before, it is sought to extend the penalty of forfeiture not only to the Vatan in respect of which the officiating Vatandar is guilty of any offence specified in the schedule but to all the Vatan—wherever situate in which he has an interest. If the offending Vatandar has Vatan shares in, say, a dozen villages, his coparceners in all these must suffer for his misconduct. It is also part of the proposal to add to the scheduled list of offences a new class—for which even the Penal Code does not provide the penalty of forfeiture of property—*viz.* the harbouring of robbers and dacoits.

Such is the proposal before us; and I would earnestly ask the Council to consider whether it would be desirable—in the interests of justice and good administration—to sanction the proposed extension of the penalty. I object to it as opposed to justice, equity, no less than to good policy. The issue before the Council is one of serious import. It concerns the entire village administration of the Presidency, and affects the interests of some 60,000 Vatandar families on whose contentment and loyal devotion so much depends. The Vatan system is one of the most ancient and most dearly cherished institutions of the land. As I said before, the Vatandar loves his Vatan as dearly as he loves his life; and Vatan property has always been regarded as peculiarly sacred and inviolable. I hope and trust that the Council will not give their approval to any such interference, as is proposed, with these Vatan rights and Vatan property. With these remarks I beg to move my amendment—proposing to restrict the penalty of forfeiture to the life-interest of the offending Vatandar.

The Honourable Mr. G. CARMICHAEL :—Your Excellency,—I think the Honourable Mover of this amendment approaches the question entirely from the wrong standpoint. It is quite wrong to regard it as a penalty merely imposed for the prevention of crime. The actual origin of the provision depends on the relations between Government and the watanárs. The watanárs have been given their property as remuneration for carrying out Government work, and if they do not carry it out properly Government may resume the property. Government are entitled to say if you do not do your work properly we are entitled not to employ you. You would say the same to a stipendiary servant. The only difference is that in this case there is a restriction on Government dispensing with the services, because of the hereditary nature of the rights which Government have recognised. All the watanárs have the right of service if the representative watanár does not choose to serve and are allowed to enjoy part of the watan property. It is perfectly reasonable they should bear some share in the responsibility and should bring their influence to bear on the officiator to see that he does not transgress the law

and does not bring them into trouble by dishonest or fraudulent action. I do not think it can be said they are poorly paid. The watan in some cases are extensive, the work is not heavy, it is an honourable position which Government wish to preserve for the watandárs, and it is only with great reluctance that action is taken against them.

The Honourable Sardar PURUSHOTTAMDAS DESAI said:—Your Excellency,—I beg to support this amendment moved by my honourable friend Ráo Bahádur JOSHI. I support it on these grounds, namely:—

1st.—Section 60 of Act III of 1874 is deterrent enough in all conscience. It empowers the Governor in Council to forfeit a watan even for the offence of a deputy who can have no hereditary interest in it and who may have been nominated by the watandár in good faith. The substitution of the words “any watan in which he has an interest” in place of a simple word “watan” adds greatly to the stringency of the rule and is likely—I was going to say certain—to deter watandárs from exercising their rights of nominating a deputy with the permission of the Collector. The right of nominating a deputy becomes a risk when not only the watan to which a deputy is appointed but also any other watan in which the watandár is interested is forfeited for the offence of the deputy. Section 60 as amended in the Bill before the Council will thus nullify at all events, in many cases, the object of sections 47 and 48 and throw the burden of appointing a deputy on the Collector according to section 53 and there is no guarantee that the nominee of the Collector would not commit any offence mentioned in section 60 of the original Act. The Collector is not expected to know all men and is bound to be guided in the selection of a deputy by reports of a subordinate. As likely as not these subordinates will be guided by their subordinates in recommending a deputy and who can say that these subordinates will possess the necessary strength of mind and soundness of judgment to select the best man. The free and fearless exercise of the rights of appointing a deputy by Watandárs need not therefore be discouraged by making section 60 more strict than it is at present. If the offences described in chapter VI are in view, which I submit is necessary, the extreme punishment may be confined to those offences only.

2nd.—Watan property is assigned for providing remuneration for the performance of the duty appertaining to an hereditary office. These remunerations are not large. They are not even commensurate with the services performed by the watandár. It is not the remuneration but the prestige and the social status which they give that make hereditary offices so attractive to the people. But when the social status and prestige are every day in danger of being transformed into social degradation of partners in the watan on account of the failure of a representative watandár to select the best man and to keep him always free from offence, so long as he performs his duty as a deputy, the attractiveness of the hereditary office disappears. A watandár may have his own independent watan and may also have some interest ever so slight in another watan. The forfeiture of the watan in which he has some interest and therefore the undeserved extinction of the rights of other partners simply because the deputy of the watandár appointed on his independent watan commits an offence are, to say the least, calculated to depreciate these quasi-honorary offices and to create uncertainty and consequent indifference.

3rd.—Looking from the standpoint of equity and justice, it is not fair that innocent watandárs, who may have and can have no voice in the selection of a deputy for some other watan by its watandár, should be victimised simply because that watandár is interested in their watan. Such forfeitures must lead eventually to the beginning of the

extinction of the hereditary offices without in any way suppressing the criminal tendency of a deputy who may have very little interest in a watan. Being fully conscious of the usefulness of hereditary offices and personally acquainted with the petty, yet none the less important, services which they perform, I for one am convinced that their preservation and reformation can best be achieved by inspiring confidence and self-respect in them rather than fear and insecurity.

I therefore support the amendment.

The Council then adjourned till 11-30 a.m. on Tuesday.

By order of His Excellency the Honourable the Governor,

G. D. FRENCH,

Poona, 27th June 1910.

Secretary to the Legislative Council.

Journal of the Proceedings of the Legislative Council of the Governor of
Bombay, assembled under the provisions of the Indian Councils Acts, 1861
to 1909.

The Council met at Poona on Tuesday the 23th June 1910, at 11-30 a.m.

P R E S E N T :

- The Honourable Sir JOHN W. P. MUIR MACKENZIE, K.C.S.I., M.R.A.C., I. C. S.,
J.P.,—presiding.
- The Honourable Mr. WILLIAM THOMSON MORISON, C.S.I., I. C. S.
- The Honourable MOULVIE BAFIYUDDIN AHMAD, Bar.-at-Law.
- The Honourable Sardár LAKHAMGAUDA BASAVPRABHU, Sar Desai of Vantmuri.
- The Honourable Mr. W. L. S. L. CAMERON, C.S.I., A.M.I.C.E.
- The Honourable Mr. GEORGE CARMICHAEL, I. C. S.
- The Honourable Mr. GEORGE SEYMOUR CURTIS, I. C. S.
- The Honourable Sardár Ráo Bahádúr MOTILAL CHUNILAL.
- The Honourable Sardár PURSHOTTAMDAS VIHARIDAS DESAI.
- The Honourable Mr. FAZULBHÓY CURRIMBHÓY EBRAHIM.
- The Honourable Sardár SYED ALI EL EDROOS.
- The Honourable Mr. SIDDHANATH DHONDEV GARUD.
- The Honourable Sardár NARAYANRAO GOVIND *alias* BARA SAHEB GHORPADE,
Jághirdár of Ichalkaranji.
- The Honourable Mr. M. C. GIBB, I. C. S.
- The Honourable Sardár NAHARSINGHJI ISEWARSINGHJI, Thákór of Amod.
- The Honourable Lieutenant-Colonel J. JACKSON, M.B., I. M. S.
- The Honourable Sardár SHAMBHUSING AMARSING JADHAVRAY, Ráje of Málegaon.
- The Honourable Ráo Bahádúr GANESH VYANKATESH JOSHI.
- The Honourable Mr. LALUBHAI SAMALDAS MEHTA.
- The Honourable Sardár Ráo Bahádúr YASHAVANTRAY TRIMBAK MITIKAR.
- The Honourable Sardár Dévar KAIKHOSRO EDALJI MODI.
- The Honourable Sardár COOPOOSWAMY VIZIARUNGUM MOODLIAR.
- The Honourable Mr. HUGH MURRAY.
- The Honourable Dr. TEMULJI BHIKAJI NARIMAN, L.M., F.R.M.S. (London).
- The Honourable Mr. VISHNU RAGHUNATH NATU, LL.B.
- The Honourable Mr. GOKULDAS KAHANDAS PAREKH, LL.B.
- The Honourable Mr. ABDUL HUSSEIN ADAMJI PEERBHÓY.
- The Honourable Mr. F. G. PRATT, I. C. S.
- The Honourable Mr. H. E. E. PROCTER.
- The Honourable Mr. IBRAHIM RAHIMTOOLA, C.I.E.

The Honourable Mr. MANMOHANDAS RAMJI.

The Honourable Ráo Bahádúr SHRINIWAS KONHER BODDA.

The Honourable Mr. W. H. SHARP.

The Honourable Surgeon-General H. W. STEVENSON, I. M. S.

The Honourable Khán Bahádúr NOWROJEE PESTONJEE VAKIL, C.I.E.

The Honourable Mr. HARCHANDEAI VISHINDAS, LL.B.

The Honourable Sir JOHN MUIR MACKENZIE :—In His Excellency's absence I am called upon to preside over the meeting. We will resume the discussion of the Honourable Ráo Bahádúr JOSHI's amendment.

The Honourable Ráo Bahádúr RODDA said :—Mr. President, with regard to the Honourable Ráo Bahádúr JOSHI's amendment I have to say a few words. At the outset I may say that when the Honourable Mr. PAREKH's amendment was defeated this question ought to have been dropped altogether. I consider that both that amendment and the amendment of the Honourable Ráo Bahádúr JOSHI are a little out of order; but as His Excellency has allowed the Honourable Ráo Bahádúr JOSHI to move his amendment, I should like to make a few observations. The primary object of Government in amending the sub-clause in question is to punish the offender in such a way as to make the punishment deterrent, and not corrective. In schools we punish boys to correct their ways. But that is not the object here. Just as capital punishment is inflicted with a view to deter others from committing murder, so here the object kept in view is to deter watanárs from committing the offences mentioned. From information which I possess I can safely say that Government has never resorted to the extreme penalty imposed in the Act. It is but proper that the representative watanárs should be kept under control. Now, it appears to me that the words proposed to be added in section 60, after the word "the whole watan", namely, "any watan in which he has an interest" mean that Government may confiscate the watan only to the extent of his actual share in the watan, and not the whole watan. That being so I fail to understand why Government, who already possess the power of forfeiture under the existing Act, should be deprived of it, or that those powers should in any way be curtailed. On the other hand, there is no reason shown why the existing powers in this respect should not be enhanced. The position of a representative watanár is like that of a public servant, who, when dismissed, is declared to be unfit to serve Government in any other capacity. I will therefore vote against the Honourable Ráo Bahádúr JOSHI's amendment.

The Honourable Mr. LALUBHAI SAMALDAS said :—Mr. President, the Honourable Ráo Bahádúr JOSHI in moving his amendment yesterday said that these watans were a sort of private property. But looking to the Act of 1874 I find that its title is Hereditary Offices Act, and the tenure of the watans under the same appears to be service tenure. Now, when a law relates to hereditary offices it must contemplate a service tenure, and where there is service tenure the property cannot be private property. Again, as it is service tenure, I think, the masters have every right to settle the terms on which their servant should continue in office. As the Honourable Ráo Bahádúr JOSHI had himself acknowledged that if it was a purely service tenure he would have no objection, I do not think any objection could be taken against the proposed amendment.

Then something was said by the Honourable Ráo Bahádúr JOSHI with regard to the rule of the Peshwás. Now, I know many Native States, where lands are given upon a much higher tenure than watan,—I mean Inám and Girásia tenures,—and yet they have been confiscated by the States and their actions have been supported by the Government of Bombay and the Government of India. I think no precedent can be quoted in favour of Ráo Bahádúr JOSHI's amendment.

The Honourable Sardár DAVAR MODI said :—Mr. President, the offences which have been made punishable in the case of watandárs may be divided into two branches : one may be said to consist of offences against private persons composing the village, and the other may be said to savour of offences which are political in their nature or which are against the interests of Government. Now, in a case where the Collector has reason to suspect that the representative watandár is not only himself guilty of a disloyal act, but is also winking at similar acts of the other members of the watan, I think it would be quite proper that Government, who originally granted the watan, may resume it. On the other hand, the mercy of Government may be so extended as to allow shares of those co-sharers, who have not taken part in the commission of such offences, to remain intact. There is a feeling that the guilty only should be punished, and that is, I think, a reasonable feeling. But there may be a case where the brotherhood in a watan may put up a man to commit an offence, and there the Collector may rightly insist upon the forfeiture of the whole watan.

The Honourable Mr. G. S. CURTIS :—Ráo Bahádúr JOSHI has given us a long disquisition on the history of watan tenure. I think it is necessary in the first place to be absolutely clear what watan means. There are two entirely different sorts. First of all there is what is known as a service watan, in which the land and cash allowances attached to the office are given as a remuneration for services to be rendered. Secondly there is a non-service watan to which no liability for service is attached. I think Ráo Bahádúr JOSHI, in his reference to watans as private property to which service might or might not be attached, is guilty of confusion and of very serious confusion between these two entirely different classes of watan. As regards the second class it may be permissible to describe them as private property, but the first have always been held on condition of service and unless this condition is satisfied they are liable to forfeiture. Ráo Bahádúr JOSHI further obliged us with a sketch of the treatment of these offices in the times of the Peshwás. He did not quote his authority, and I am not aware of any history of Marátha rule which would justify the theory, that those places were not liable to be forfeited or estreated for misconduct. On the contrary the only authority I have been able to trace is entirely opposite. I quote from Phadnis' Watan Act :

“The grants were hereditary and were usually confirmed by sanads : but although this was so the rulers of that time did not hesitate to confiscate any watan if the watandárs misbehaved or acted disloyally—the will and pleasure of the ruler supplying, in such cases, both the law and authority to dispense it.”

I would also call attention to the speech which Mr. NAYLOR made at the time that Act II of 1886 was under discussion :—

“Misbehaviour on the part of watandárs could be very summarily dealt with under the former (native) rule and I have explained that watans are continuable
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or resurable by our own Government under such rules as they from time to time think proper to make by sections 9 and 12 of Act II of 1843. The legislature further specifically provided that in the event of an hereditary officer or his deputy being convicted by a Sessions Court of fraud or malversation or of any offence in the conduct of the duties of the office, the Governor in Council might direct the confiscation of the watan either wholly or in part. The reproduction of this provision in Act III excited considerable discussion in this Council, but section 60 of the Act was eventually passed by a majority in terms very similar to those of the older enactment. One of the objects with which this Bill was introduced was to vest in Government a large permissive power of forfeiture for the purpose of enforcing the responsibility of the watan-dárs for the good conduct of the officiators in certain cases. The recommendation of the majority of the Select Committee is hereby to add to section 60 the offences specified—namely, treasonable offences and offences connected with the screening and harbouring of offenders. By the common law of the country property held from the State for services may be resumed or continued at the pleasure of Government. The provision of Acts of 1843 and 1874 in regard to forfeiture is therefore a restriction upon the power of Government and not an investment in the Governor in Council with a new power. The effect of the forfeiture of a watan is precisely the same to a watan-dár family except that it is far more reaching because it deprives their heirs as well as the incumbents of remunerative service. But the contract of service with a stipendiary servant is made by Government with him alone. In the other case the right of service vests in the entire family and Government permit the non-officiating members of the family to hold and enjoy portions of the property, originally assigned for the remuneration of the office. It is, therefore, only reasonable and fair that some responsibility should rest upon the non-officiating members of a watan-dár family, and the only remedy which Government seeks to enforce against them is this that when the officiator is tempted to go or is going wrong they should not stand aloof and say it is not business of theirs but that they should advise and remonstrate with him and bring the strength of their influence upon him to keep him in the path of duty, and if their efforts in this direction fail, that they should give timely information to the proper authorities of the course he is pursuing. It may be said that one or more of the non-officiating watan-dárs may not be present at the time, or there may be other circumstances which render their connivance or acquiescence in the delinquencies of the officiator impossible. This is no doubt true but the provision does not say that the Governor General *shall* forfeit the entire watan in the eventualities contemplated. It says the Governor in Council *may* direct the forfeiture of the *whole or any part* of the watan and that 'such forfeiture may be either absolute or for such period as he thinks fit.' Hedged about with these precautions, the provision enables the Governor in Council to adjudge forfeiture to such extent as the particular case merits, and the history of the past 40 years does not warrant us in fearing that any misuse will be made of this highly salutary power." (Proceedings, Oct. 6, 1886.)

That speech is extremely interesting and I would invite Ráo Bahádur JOSHÍ's attention to it, as well as to the whole debate on that occasion. So much for the theory as to past history. I now come to actual facts. We have had this section in force for five and thirty years. It affects a large and extremely influential class of officers. I had no conception until I came to the Deccan some years ago, how very widely spread these watan-dári rights are, and I have no hesitation in saying if you go to any

meeting of Indian gentlemen in Poona, seven out of ten will be interested in watanári rights. The action of Government is therefore liable to instant criticism. If anything goes wrong a question is at once asked in Council, the matter comes to the notice of the Press, and it is impossible for any arbitrary or tyrannical enforcement of section 60 to take place. Ráo Bahádúr JOSHI will be able to say in his reply if any instances of misuse of the power have come to his notice. I know of none. For 35 years, this power has been placed in the hands of Government and it is fairly clear that it has never been abused. It seems absurd at this date to go back and take this power from them, for no reason but sentimentality. Ráo Bahádúr JOSHI further dilated on the affection of watanáris for their watan which he has described as dearer to them than life, and the general necessity of maintaining the sacredness of the privileges of the watanárs. There was nothing in his lengthy speech of the services due to Government in consideration for the emoluments, which Government gives them. May I mention as there are several watanárs here, that the contract is a bi-lateral one? If Government are bound carefully to respect the rights of the watanárs, they are equally entitled to demand that on return the watanárs should look up to Government and give Government real, honest and efficient services in the discharge of the duties entrusted to them. Nothing has struck me more forcibly lately than the number of complaints one hears from inámdárs as to inefficient and faulty services of the officers attached to their villages. It is a fact beyond question that village officers in inámdári villages are exactly the same as in a Government village, but while in an inámdári village no colour can be too black to paint their villainy, rascality and incapacity, in Government villages they are looked on as saints. Probably the truth is somewhere midway between the two. I think it should be remembered that watanár servants are after all human, and must be guilty of a certain number of offences, which require punishment. While Government has been beyond question most scrupulous in their recognition of the sacredness the people attach to these offices, they are bound in the interests of discipline and of the administration to see that the ordinary rules which secure efficiency are observed. So much for the general question. I now come to what may be called the point of procedure. Yesterday the Council, I think almost unanimously, voted against Mr. PAREKH's amendment. This amendment was designed to negative the proposal, which would give Government the power to forfeit the share possessed by an erring watanár in a locality other than that in which his original offence occurred. That proposal was negatived almost unanimously. We are now called upon to discuss the effect of an amendment, which goes as it were much further in a backward direction, and which, if passed, will put the Council in a very awkward position. In effect the Council said yesterday "We will give Government these extended powers; we will allow Government, we will trust Government not only to confiscate the share in the watan in which the embezzlement or other offence began, but we will allow Government to confiscate the share in any other watan in which this man is interested." The effect of Ráo Bahádúr JOSHI's amendment is to go directly back on what this Council said last night; to say that, so far from allowing Government to confiscate shares in other villages this Council will not allow Government to exercise the power, which it has been exercising for the last 35 years and, so far as we know from any evidence to be obtained, has exercised with discretion, moderation and strict impartiality. I venture to hope that this Council will not be guilty of an act of indiscretion which to me, coming fresh to this Council from the atmosphere of a mofussil Municipality, seems to be more befitting that atmosphere than this dignified

assembly. I trust I have made the position quite clear and I hope that this Council will reject Ráo Bahádúr JOSHI's amendment.

The Honourable Sardár Ráo Bahádúr MOTILAL CHUNLAL said :—Sir, I fail to see that some of the arguments advanced by my friend the Honourable Ráo Bahádúr JOSHI are correct. The watans were acquired by the original holders for doing certain services to the State for loyalty and for good conduct and they were to be continued hereditarily subject to the successive holders in the line fulfilling the three conditions, *viz.*, performance of the service, unfailing loyalty to Government and good character. If these are not fulfilled the Government have certainly a right to resume the watans and instances can be found in which the watans of watandárs have been confiscated.

The Honourable Mr. NATU :—Mr. President, I wish to say a few words in regard to this amendment. My first point is that the whole discussion that has taken place is out of order.

The Honourable the PRESIDENT :—I do not think it is any use raising the point of order, as His Excellency has already given his ruling on the point.

The Honourable Mr. NATU :—Coming to the amendment of the Honourable Ráo Bahádúr JOSHI, it is simply this that for the words "any watan in which he has an interest" the words "the life interest of the offending watandár in the watan" may be substituted. If we confine our attention to this amendment we may as well say that the Honourable Ráo Bahádúr JOSHI does not say that the watandárs are not to be punished or that section 60 should be altogether given up. So that any discussion on the question whether a watandár is to be punished or not, is out of order. Section 60 runs as follows : [Reads.] Here the term "representative watandár" includes the deputy who commits the offence. That part of the section remains even with this amendment. Therefore there is no question as to the power of Government to punish an offending watandár. The only question then is whether there should be the words "any watan in which he had an interest", or, as the Honourable Ráo Bahádúr JOSHI suggests, the words should be "the life interest of the offending watandár in the watan." I see no difference between them at all. The word "offending" in the words "offending watandár" is, I think, quite unnecessary, because the section, as it now stands, conveys that sense clearly. As regards "life interest," that is a new point; but I do not exactly understand whether the words "any watan in which he has an interest" would be interpreted to mean his "life interest in the watan", so that the rights of his successors also would not be affected. My own impression is that this is the idea of Government in framing the section. I think the amendment has nothing to do with the general powers of Government which are given under section 60 for the punishment of the offender; and it seems to me that the change sought to be made in the section by the addition of the words "any watan in which he has an interest" is unnecessary. So far as the words "life interest" are concerned, it cannot be the intention of Government to confiscate only the life interest, and I think it is the practice that when property is forfeited, the forfeiture is for ever and the heirs of the offender are excluded from it also. I do not think either of the amendments is necessary.

The Honourable Lieut.-Colonel JACKSON said :—The Honourable Mr. HARCHANDEAI pleaded considerable ignorance of watandári. I will be equally candid and say I know nothing about it. But there are certain broad moral principles in dealing even with a technical Bill which should be observed, and when I hear general arguments put forward

which trespass on those principles in an injurious way I am inclined to doubt even the technical arguments the proposer of the amendment advances. The Honourable Ráo Bahádúr JOSHI pleaded in support of his argument that watandárs should not be severely punished, that the crimes which they are most likely to commit are malversation of property, criminal breach of trust, petty pilfering and the alteration of registers. These are crimes which, in his opinion, are peccadillos not gravely disqualifying for Government service—theft, forgery and cheating. If there is anything that is likely to induce friction between a Government and its subjects, it is this “pilfering with a privy twitch” as Aristophanes describes it. We are told that to a watandár his watan is as the breath of his nostrils and he values it more than life itself and yet a rupee or two tempts him to throw it away. We are told it is a treasured hereditary right. I will yield to no one in my admiration of hereditary rights, descent and estates, but it must be an unsullied descent, an untainted right, an honourably held estate. I cannot think anybody would be proud of a watan which has been handed down from a thief, a forger or a liar; and such an inheritance could not bring either honour or glory, or, if any of us believe in our religions, prosperity to the inheritor.

The Honourable Sir JOHN MUIR MACKENZIE:—The Honourable Mr. CURTIS has dealt so very fully with the various aspects of the case that I do not think it is necessary to add anything in reply to the Honourable Ráo Bahádúr JOSHI. I would only emphasise the point made by the Honourable Mr. CURTIS that the Honourable Ráo Bahádúr JOSHI, as indeed he pointed out in his speech, does not merely seek to amend our Bill but to amend the original Act. He wants to lessen the power which Government have been given by the Act of 1874 following the lead of the Act of 1843, a power which the Honourable Mr. CURTIS pointed out, is peculiarly subject to criticism, and has been exercised without the smallest fragment of complaint during 35 years. The Honourable Ráo Bahádúr JOSHI in pathetic tones talked of this as the most infamous enactment which has ever blotted the Statute Book and yet during all these 35 years not a single instance has occurred in which Government has been able to be accused of having under this section taken a single action which can be termed oppressive or even misjudged. I think the existing provisions of the law have very well justified themselves. I will not take up the time of the Council by going over ground which has been covered by the Honourable Mr. CURTIS and other speakers but will leave the Honourable Ráo Bahádúr JOSHI to make his reply.

The Honourable Ráo Bahádúr JOSHI, replying on the debate, said:—Mr. PRESIDENT,—At the outset I desire to express my gratitude to Honourable Members for their friendly and sympathetic criticisms. As to the point of order that has been raised, I think I had best leave it to the Chair. To pass on to the question before us—as regards the penalty of forfeiture as enforced in the Native States, I confess I have no accurate knowledge. My Honourable friend Mr. LALUBHAI SAMALDAS has just told us that Inám, Watan and Girassia lands are often confiscated in these States, and that, too, for ordinary offences—such as robbery or murder. Possibly it is so. As I have said I have no first-hand knowledge of such transactions or of the administrative methods at present obtaining in the Native States, and I am not in a position to offer any useful comment on that point. In speaking of procedure under Native rule in pre-British days I think I am on firmer ground. My authority for the statement I made the other day was the late Mr. Justice Ranade—who on more than one occasion

assured us—and we had no abler, closer or more philosophical student of Indian and Marátha History—that no Native ruler—not even the most arbitrary—ever touched these Ináms and Watans except in cases of treason or rebellion. Individual offenders were no doubt—punished with severity often with undue severity—but their Ináms and Watans which were hereditary were left untouched and were allowed to pass down in the regular line of succession. They were held sacred and inviolable, and were exempt from consequences of misconduct on the part of individual holders. When there were cases of forfeiture under Marátha rule, they were for such offences as Treason, Sedition, rebellion for disloyal conduct such as the Honourable Mr. CURTIS has referred to. Next, it is said that Watans are either service or non-service Watans and that we are here concerned only with the former. This is true. But the distinction between these two classes of Watans is of recent growth. It is only since certain classes of Watandárs such as Deshmukhs and Deshpandes, Desais and Nádgaundas were relieved of their service on their agreeing to surrender part of their Watan income by way of commutation that Watans have come to be classified some as service and some as non-service Watans. The distinction was unknown in old days.

Taking the service Watans, it is urged, there could be no injustice in enforcing the penalty of forfeiture in the case of serious offences, and the question is asked in this connection, what constitutes a Watan? Is it a reward for past services rendered to the State? Or is it simply remuneration for service to be rendered? I had been under the impression that this was no longer a disputed point. But I now see, it is still an unsettled question. I, however, submit there is a consensus of view that Watan is both a reward and a remuneration. In the very debates in Council to which the Honourable Mr. CURTIS has referred, you will find that the Honourable Khán Bahádúr KAZI SHAH-BUDDIN—speaking with his unrivalled knowledge of Gujarát—pointed out that there were several Watans in those parts originally acquired as rewards for past services to the State. Watans were often granted to heads of village communities who had helped to settle the villages or promote their prosperity. Even now, in the case of a Watan, it is only part of the Watan income that goes to the officiator, the rest remaining in the hands of the non-officiating Watandárs. This, I think, fairly settles the question, what constitutes a Watan?

The Honourable the PRESIDENT :—I refer you to section 4 of the Act.

The Honourable Ráo Bahádúr JOSHI :—(After reading.) The section no doubt defines watan property as “remuneration for the performance of the duty appertaining to an hereditary office.” In later sections, however, the distinction is drawn between service and non-service watans. In the cases of certain Watandárs they are relieved of liability to perform such service to the State on their giving up a portion of their watan income and allowed to retain the rest as hereditary watan property. In the Gordon and Pedder Settlements of 1862 and 1863 several classes of District Wataudárs were so relieved, and the service factor was appraised at a third or thereabouts of their total watan income—which was resumed by the State. So, again, in the case of village servants held to be no longer of use to Government,—their services were dispensed with; one half of their watan income was resumed by way of commutation, and one half being allowed to them to be held and enjoyed as hereditary private property. And even now, this officiating Watandár gets only part of the watan income—not the whole. What does it all show? Does it not show that watan is not simply remuneration for work to be

performed—but a reward as well for previous services to the State? It is thus private property plus service remuneration, not continuable or resumable by the State at its discretion. Thus, I submit, this remuneration theory about the nature of watan property—to which the Honourable Mr. CARMICHAEL referred the other day—is a theory which derives no support either from historical fact or from present practice. And yet, this is the theory which is largely entertained, and which underlies these forfeiture provisions. Under the present arrangements, it is only a part of the watan income which is assigned as remuneration to the officiating Watandár; the rest is held and enjoyed by his non-officiating co-sharers. And the question asked is, why should these non-officiating Watandárs—who do no work and yet enjoy the emoluments—why should they have them in this *sinecure* fashion? Why should they be exempt from all responsibility? True, they are not associated in any way with the officiating Watandárs in the performance of official duty; but they must not on that account be suffered to think that it is no concern of theirs how he does his work. They are his co-sharers—and must bear some sort of responsibility. They enjoy watan income, and must be held responsible in some measure for the conduct of the officiator. If he misconducts himself in the discharge of his duties, they must share with him the consequences of such misconduct. This is, I think, the origin of this forfeiture penalty and this is the section—section 60—which enforces such joint responsibility. When the Act of 1874 was under discussion in the Council, this line of argument in justification of the penalty was anticipated by the Indian Members. The late Ráo Sáheb V. N. MANDLIK strongly pleaded on behalf of the Watandárs for the concession to them of a right to select their own representative Watandár to officiate. If you are going, he argued, to lay on them such responsibility for the conduct of the officiating Watandár, it is only right that they should be allowed to select the man whom they can trust. But the Ráo Sáheb's suggestion was not accepted, and the original Bill as framed was passed, leaving the selection to the Collector. As regards rotation watans,—

The Honourable Mr. CURTIS :—I rise to a point of order. The question of the rotation principle cannot possibly be raised in this discussion.

The Honourable Ráo Bahádúr JOSHI :—Well I am only referring to the point by way of illustration. In the case of certain rotation watans, the right of choice is conceded to the Watandárs. But as a general rule, the non-officiating Watandárs are not permitted to choose their own men to officiate. And hence, we have this anomaly. They do not select their own officiators and yet are held responsible for their conduct. The right principle in such matters is put on one side—namely that where there is no power, there should be no responsibility. Power and responsibility should go together. If the Watandárs have no power to select their own men for the work, and have no sort of control over the management of affairs, there ought to be no such responsibility as is imposed on them under the existing law. I submit, this is unfair. To hold them responsible for the conduct of men in whose selection they have no voice—with whom they are in no way associated—over whose work they have no sort of supervision—and of whose methods they have absolutely no knowledge—this is opposed to all ideas of justice and right. Viewed in this light, the penalty as prescribed in this section is not only severe but unjust. It is manifestly unfair to hold the whole Watan Co-parcenary responsible for the misdeeds of the officiating Watandár—not only for his own misconduct, but for that even of his deputy or substitute. If a substitute has been employed—

say for a few months or for a few weeks—and he need not be a Watandár himself—and if he commits an offence specified in the schedule in connection with the management of the watan the whole body of co-sharers in the watan—come under the operation of the penal clauses. It is now proposed to enhance the severity of the penalty instead of reducing it. First it is proposed to extend this liability to forfeiture to all the watans in which the offending officiator may have an interest. I know of a Kulkarni who has shares in some sixteen watans. Now if that man or his deputy or his substitute commits an offence, not only he and his sons and his collateral heirs but all the co-parceners of all these sixteen watans will, under the proposed amendment, be liable to suffer for his offence.

The Honourable the PRESIDENT :—I am afraid the Honourable Member is travelling outside the limit of his amendment.

The Honourable Ráo Bahádur JOSHI :—What I wish to point out is, how it is now sought to enlarge this penalty instead of reducing it. It is further proposed to add a new class of offences to the schedule of offences for which not even the Penal Code prescribes a penalty so severe as forfeiture of property. I submit, the existing penalty in itself—let alone its proposed enlargement—is open to grave objection, and my amendment seeks to limit it to the life-interest of the offending Watandár. He who offends must of course suffer, but to make those who have absolutely nothing to do with the offence suffer likewise—simply because they happen to be his co-sharers in the Watan—under the law of inheritance—is opposed to justice and equity. And the penal clause requires amendment.

Sir, the issue before us is one of serious import. It affects the interests of the whole body of Watandárs. These Watandárs form the backbone and mainstay of our whole village administration, and its success depends on their contentment and loyal devotion to duty. I think anything that tends to lower their status, or weaken their position or interfere in any respect with their cherished rights and privileges is most earnestly to be deprecated, and I would respectfully appeal to the Council to consider whether it would be right to sanction not only the retention of a penalty in itself so unfair—but its proposed enlargement, or reduce it so as to make it more equitable and just. And with this observation, I beg to leave my amendment in the hands of the Council in the confident hope that it may commend itself to their judgment and approval.

The amendment was put to the vote and lost.

The Honourable Ráo Bahádur JOSHI asked for a division.

A division was taken with the following result :—

Ayes.

The Honourable Sardár PURSHOTTAM-
DAS VIHARIDAS DESAI.

The Honourable Mr. SIDDHANATH
DHONDDEV GARUD.

The Honourable Ráo Bahádur GANESH
VYANKATESH JOSHI.

Noes.

The Honourable MOULVIE BAFI UDDIN
AHMAD.

The Honourable Sardár LAKHANGAUDA
BASAVPRABHU, Sar Desai of Vantmuri.

The Honourable Mr. W. L. S. L.
CAMERON.

The Honourable Mr. GOKULDA S. K. PAREKH.

The Honourable Mr. GEORGE CARMI-
CHAEI.

The Honourable Mr. GEORGE SEYMOUR
CURTIS.

The Honourable Sardár Ráo Bahádúr
MOTILAL CHUNILAL.

The Honourable Mr. FAZULBHOY CUR-
RIMBHOY EBRAHIM.

The Honourable Sardár SYED ALI EL
EDROOS.

The Honourable Sardár NARAYANRAO
GOVIND *alias* BABA SAHEB GHORPADE,
Jághirdár of Ichalkaranji.

The Honourable Mr. M. C. GIBB.

The Honourable Sardár NAHARSINGHJI
ISHWARSINGHJI, Thákór of Amod.

The Honourable Lieutenant-Colonel J.
JACKSON.

The Honourable Sardár SHAMBHUSING
AMARSING JADHAVRAV, Ráje of Málegaon.

The Honourable Mr. LALUBHAI SAMAL-
DAS MEHTA.

The Honourable Sardár Ráo Bahádúr
YASHAVANTRAV TRIMBAK MIRIKAR.

The Honourable Sardár Dávar KAI-
RHOSEO EDALJI MODI.

The Honourable Sardár COOPOOSWAMY
VIZIARUNGUM MOODLIAR.

The Honourable Mr. HUGH MURRAY.

The Honourable Dr. TEMULJI BHIKAJI
NARIMAN,

The Honourable Mr. VISHNU RAGHU-
NATH NATU.

The Honourable Mr. ABDUL HUSSEIN
ADAMJI PEERBHOY.

The Honourable Mr. F. G. PRATT.

The Honourable Mr. H. E. E. PROCTER,

The Honourable Mr. IBRAHIM RAHIM-
TOOLA.

The Honourable Mr. MANMOHANDAS
RAMJI,

The Honourable Ráo Bahádúr SHRINIWAS
KONHER RODDA.

The Honourable Mr. W. H. SHARP.

The Honourable Surgeon-General H. W.
STEVENSON.

The Honourable Khán Bahádúr NOW-
ROJEE PESTONJEE VAKIL.

The Honourable Mr. HARCHANDRAI
VISHINDAS.

The amendment was declared to have been defeated by 4 votes against 30.

The Honourable Sir JOHN MUIR MACKENZIE :—We now come to amendment (b) of Ráo Bahádúr JOSHI'S. Perhaps the Honourable Member will allow me to put it to the vote at once as I think there is nothing very fresh to say on the subject.

The Honourable Ráo Bahádúr JOSHI :—In moving this amendment I have just to submit a few remarks. This sub-clause provides for the inclusion of new offences in the schedule—the harbouring and screening of robbers and dacoits. Robbery under the Penal Code includes even the pettiest theft committed in the presence of the owner under threat of violence—it may be the theft of a piece of cloth or a piece of wood or any the smallest thing—so also harbouring includes the supplying a person with food, drink, shelter or clothes. For these offences the Penal Code prescribes sufficiently severe and deterrent punishments and I submit to attach to these offences the further penalty of forfeiture of Watan property is to go beyond the necessities of the case. The unfairness of the proposal is all the more apparent when it is borne in mind that the offence may be committed by the officiating Watandár or his deputy or even by a substitute a low-paid man from outside and further that the penalty is to extend to all the Watan wheresoever situate—in which the offending Watandár has an interest. I would therefore propose that the sub-clause may be dropped.

The Honourable the PRESIDENT :—If it is not the desire of any member to speak, I will only say that this sub-clause was agreed to unanimously in the Select Committee. I do not think it requires any further remarks.

The amendment was put to the vote and lost.

The Honourable Mr. GARUD :—Before we pass on to the next item of business—

The Honourable the PRESIDENT :—The next item of business is the Honourable Mr. PAREKH'S amendment to delete item (a) from clause 2, sub-clause (3).

The amendment was put to the vote and lost.

The Honourable Mr. GARUD :—Mr. PRESIDENT, I request your ruling on a point of order. I have stated what amendments I wish to propose in my minute of dissent. I request that I may be allowed to move an amendment of which I have given notice in my minute of dissent.

The Honourable the PRESIDENT :—The terms on which notices of amendment can be given are described in the rules and no deviation from the rules can be permitted.

With reference to the remaining amendment the discussion of which was postponed, namely, the Honourable Mr. PAREKH'S amendment No. I, I have to say that, after

consideration of the speeches and some informal conference with the members of Government, we should be willing to accept the amendment of proviso (3) to section 36 proposed by Mr. PAREKH, that is to substitute the word "shall" for the word "may", if in the same proviso the word "being" is inserted after the words "registered as"; this however is on condition that Mr. PAREKH's amendment marked (a) is withdrawn, and that the words "subject to the foregoing provisos" remain. That is all we are willing to accept. Otherwise I am afraid Government will be obliged to oppose amendments both (a) and (b) of the Honourable Member.

The Honourable Mr. PAREKH :—I am not prepared to accept the compromise in the form in which it is proposed. What I understood you, Mr. PRESIDENT, to say was that proviso (2) will stand, and there would be an alteration in proviso (3).

The Honourable the PRESIDENT :—Yes; proviso (2) will stand.

The Honourable Mr. PAREKH :—I do not feel justified in accepting the proposal, and with your permission I may now proceed to reply.

The Honourable the PRESIDENT :—As the member in charge of the Bill I ought, before the Honourable Mr. PAREKH replies, to make one or two observations. I should like to explain as well as I can as regards 1 (a)—the subject is somewhat technical—the rationale of the Government position. The familiar case that occurs is this. We have a watan of four 4 anna branches descended from the original watandár. The four branches have each one representative watandár. They serve in rotation for five years and 4 annas is entered in the register as the share of each. One branch with a 4 anna share becomes extinct. The practice hitherto in a long series of cases, a practice which has been acquiesced in cheerfully by the watandárs—until quite recently they have not remonstrated with Government, they have not remonstrated at all—has been that when one share becomes extinct it is divided up among the other three and so they serve alternately in periods of five years with shares of 5 annas 4 pies each. If the Honourable Mr. PAREKH's amendment is adopted somebody will be picked out of these three and will get the benefit of that fourth turn of service instead of its being divided up. As my friend the Honourable Mr. CARMICHAEL explained in order to get down to this particular person, in order to find the nearest heir one has to descend into the mists of antiquity and the result is to cause uncertainty and disputes. What we require for the purposes of our Watan Act, that is particularly to determine who is to have the right of service is something very simple and something very certain, and for this reason we prefer to legalise the method which has been adopted with the sanction of Government and to the satisfaction of the watandárs who have been concerned rather than go into all the intricacies of Hindu inheritances and encourage a great deal of litigation in the Civil Courts. Our difficulty is this that in all these matters of watan succession you will find some method which has been worked out in practice and has been found satisfactory to the watandárs, but then suddenly you run on some hidden rock in the Civil Courts, and find that for the purpose of the devolution of property the Hindu Law of inheritance lacks that simplicity and certainty that we require when we wish to determine who are the people to hold an hereditary office. I hope it will be understood that the line that is being taken up by Government is far from unreasonable and one which in no way interferes with any principle of the devolution of property. The object is merely to preserve as far as possible the general principles on which the

succession to representative watandárships is based, according to the principles laid down by the original Act. If we were to accept the suggestion that "the foregoing provisoes should be ignored" as is proposed by the Honourable Mr. PAREKH's amendment 1 (b) we should be in a hopeless difficulty. The Collector would decide that watandár A was the nearest heir and in this capacity as the nearest heir he would enter his name as the representative watandár in accordance with the principles laid down by these provisoes, and then B would go to the Civil Court and he would get a decision quite contrary to these provisoes on the principles of the ordinary devolution of private property, and he would bring that decision back to the Collector, who would be virtually forced to accept it and upset the principles which we consider should be followed in determining the succession of hereditary offices. That is a position which the Government cannot possibly accept. If, as the Honourable Member says, we were to agree that the Civil Court in its decree shall follow these provisoes and so far as it does not follow them it shall not be binding on the Collector, then that would be all right but for the purpose of the succession to the representative watandárship we feel obliged to insist on the observation of our provisoes as I have endeavoured to explain in the earlier part of my speech.

The Honourable Mr. PAREKH, in reply, said :—It is urged that the first sub-clause of clause 2 does not apply to watan property but merely to the right of officiation. But the language used does not justify such an interpretation. The language of the Bill is "the share entered in the register against the name of the deceased watandár shall pass to the remaining representative watandár." The use of the word "share" does not limit the succession merely to the office without its emoluments. I think that according to the language used the right to the office as well as the share of the emoluments would pass. The Honourable mover of the Bill and the other members of Government say that the Bill is not intended to touch the watan emolument, but they introduce no words which definitely limit the provisions to the office, and do not apply to the watan property. The rule of law is that the speeches made at the Council cannot be used for interpreting Statutes. Therefore notwithstanding what is said, I feel that if this provision comes on for the consideration of a Court of Law, it would be interpreted as applying to watan property as well as to office.

It has been said by the Honourable Mr. CARMICHAEL and the Honourable Mr. CURTIS that Government wish to act upon the rule of lineal primogeniture. That intention can only be carried out by accepting my amendments. When there are two branches of a watandár family, to pass the watan on the extinction of the first to the representative watandár of the other branch and not to the most senior member of the senior sub-branch, is not acting according to the rule of lineal primogeniture but departing from it. In the same manner when there are several branches, not to allow the watan to pass to the senior member of the nearest branch but to divide it among the representatives of other branches is not acting in accordance with the rules of lineal primogeniture. There are several reasons why the representative watandárs are not necessarily the most senior members under the rule of lineal primogeniture, and one of the reasons is that in the appointment of representative watandárs very often the rule of ordinary primogeniture was resorted to and not that of lineal primogeniture. Such a mistake being once made, it is not proper to perpetuate it when a new succession opens up. In that case the person on whom the watan would devolve under the rule of lineal

primogeniture should be allowed to succeed in preference to the representative watandár who succeeded to the office owing to a mistake. In connection with the decrees of the Civil Courts, they should determine in case of disputes who, according to the special provision of succession to watans, is the successor to the office of a deceased representative watandár and upon the Civil Court arriving at its decision on the question, the Collectors ought to be bound to act according to it. He should have no discretion of saying whether the decision is in accordance with the law in the matter or not.

The Honourable the JA'GHIRDA'E OF ICHALKABANJI:—Mr. PRESIDENT, may I inquire if you will allow a member to move an amendment which would be acceptable to Government.

The Honourable the PRESIDENT:—I cannot allow any amendment to be moved.

The Honourable Mr. PAREKH's first amendment was put to the vote and lost.

The Honourable Member's second amendment was then put to the vote and it was also lost.

Bill read a second time. The motion to read the Bill a second time was put to the vote and carried.

Consideration of the Bill in detail. The Bill was then put to the Council clause by clause.

The Honourable the PRESIDENT next moved that the Bill be read a third time and passed.

The Honourable Ráo Bahádúr JOSHI:—I have only one suggestion to make and it is that I may be allowed to propose an interpretation clause to be added defining lineal primogeniture as distinguished from ordinary primogeniture.

The Honourable the PRESIDENT:—You can propose your amendment. I will submit it to the Council for consideration.

The Honourable Ráo Bahádúr JOSHI:—Briefly, the amendment is this that an interpretation clause may be added, defining what lineal primogeniture means. The definition is given in a foot-note to the Statement of Objects and Reasons, and is this: "Continual descent to the eldest member of the eldest branch, in exclusion of nearer members of younger branches."

The Honourable the PRESIDENT:—If you have a definite amendment to propose, you must put it before the Council.

The Honourable Mr. CARMICHAEL:—In the meantime may I move a clerical correction. Section 60, line 204, of the Bill "any watan in which he has an interest" would be clearer if it read "any watan in which the representative watandár has an interest." There is another small clerical omission which is referred to in Mr. GAEUD's minute of dissent, clause 3, sub-clause 7, clause (e) in the amendment of the Matádárs Act, the words "to be" should be inserted after the words "in force" in line 104.

The Honourable Sir JOHN MUIB MAOKENZIE:—We have examined the subject and on legal advice find that these words are not essential.

The Honourable Ráo Bahádúr JOSHI:—I move that an interpretation clause may be inserted after section 1 to this effect: "'Lineal' primogeniture means continual descent to the eldest member of the eldest branch, in exclusion of nearer

members of younger branches." Such a clause would be useful for the guidance of the public.

The Honourable Sir JOHN MUIR MACKENZIE:—I am afraid Government cannot accept the proposal. Our legal adviser told us very plainly that no definition of lineal primogeniture is necessary, and it would be wrong to accept on short notice a definition of principle. I am afraid we cannot possibly accept the amendment.

The amendment was put to the vote and lost.

Bill read a third time and passed.

The motion to read the Bill a third time was carried.]

RULES FOR THE CONDUCT OF BUSINESS AT MEETINGS OF THE LEGISLATIVE COUNCIL.

The Honourable Sir JOHN MUIR MACKENZIE moved:—That a Select Committee be appointed to consider the revised draft of the Rules of Business prepared by the Secretary with a view to the amendment of the existing rules in accordance therewith.

The Honourable Member said:—I will explain to the Council the circumstances under which the necessity for this motion arose. The existing rules for the conduct of the business of this Council were last amended in 1896. The passing of the Indian Councils Act, 1909, has necessitated some minor alterations in the rules, and Government think that this opportunity should be taken also to remedy certain defects, which have been found to exist in those of the rules, which refer to the conduct of legislation. The present rules on this subject are obscure and unsatisfactory in many ways, especially in respect of the character of amendments and the stages at which they may be moved. This uncertainty is a constant source of trouble and the rules ought to be completely recast. The following is a succinct account of the procedure in respect of Bills in the House of Commons:—1. Leave to introduce.—Now obsolete, save in the case of important Government measures. 2. First Reading.—Now a mere matter of form—No amendment or debate. 3. Second Reading.—Debate on principles of Bill—Discussion of details and amendments of clauses not allowed—The passing of the second reading settles the principles of a Bill. 4. Reference to Committee of the whole, or one of the recently created Standing Committees, which is a substitute for the Committee of the whole. At this stage the Bill is considered in detail clause by clause, amendments of clauses are made, and new clauses may be added. 5. Report Stage.—Bills reported from the Committee of the whole with amendments, or from a Standing Committee with or without amendment, come before the House for review of the work done in Committee. A Bill is not considered clause by clause but amendments may be made and clauses added. 6. Third Reading.—Verbal amendments only permitted. It will be apparent that our procedure is very different from that of the House of Commons. As against six or possibly seven stages, we have five:—(1) Introduction.—In most cases effected by publication. (2) First Reading.—Not a formality as in the House of Commons. (3) Reference to Select Committee. (4) Second Reading. (5) Third Reading. Our rules seem to have been framed on the supposition that our stages correspond to those in the House of Commons of the same name. Thus our Second Reading settles the principles of a Bill because that is done by a Second Reading in the House of Commons. This is of course a complete mistake. Our First Reading corresponds with the Second Reading of the

House of Commons, our Second Reading with the Report Stage, and the Third Readings alone are the same. Hence the First Reading should decide the principles of the Bill, upon which no debate should afterwards be permitted. At the Second Reading amendments must be limited to alteration of clauses which do not affect the principles of a Bill; and at the Third Reading verbal amendments only should be allowed as at present. We propose then that the existing rules dealing with legislation should be revised on these lines. In accordance with the provisions of section 37 of the Indian Councils Act, 1861, amendments of the rules are to be made by the Council, subject to the assent of His Excellency the Governor. We have therefore had a revised draft of the rules prepared by the Secretary on the lines approved by Government and members have been supplied with copies of the draft. The course we propose to adopt is to refer this draft to a Select Committee for report, and if that report is favourable a motion for the adoption of the revised rules *en bloc* can be moved at a subsequent meeting of the Council. I beg therefore to propose that a Select Committee of The Honourable Mr. MORISON, The Honourable Mr. CARMICHAEL, The Honourable Mr. SETALVAD, The Honourable Mr. IBRAHIM RAHIMTOOLA, The Honourable Mr. SHARP, and the Honourable Khán Bahádúr NOWROJEE PESTONJEE VAKIL be appointed to consider the revised draft of the Rules of Business prepared by the Secretary with a view to the amendment of the existing rules in accordance herewith, and directed to report within two months.

The motion was carried.

DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST.

The Honourable MOULVIE RAFIUDDIN AHMAD moved the following Resolution and said :—

Resolution by the Honourable Moulvie Rafiuddin Ahmad:—"That Government may be pleased to appoint a small committee of Mahomedans to be presided over by the Director of Public Instruction to enquire into the difficulties of Urdu Schools and the condition of Primary Education among the Mahomedans in the Presidency proper."

Your Excellency, at the debate at the Budget meeting last year, the late Honourable SYED ZAIN EL EDROOS had drawn the attention of the Government of Bombay to the conditions of Urdu schools and begged them to appoint a committee of enquiry into the subject. His distinguished son, who represents the Mahomedans of Gujarát in this Council, asks for a similar committee in his speech to-day. The Honourable Mr. IBRAHIM has already given his opinion about the necessity of granting such a committee in his speech on Saturday last, so that there is a complete unanimity of opinion among the Mahomedan members of the Council upon the subject. There is a similar unanimity of opinion among all the Mahomedans throughout the Presidency. Two years ago, the subject of primary education was discussed at Poona by a conference of the Mahomedans of the Central and Southern Divisions. In February 1909, this subject was discussed by the Mahomedans of Gujarát at Ahmedabad where a resolution was passed to convene a conference of the Mahomedans of all divisions of the presidency proper in April of that year at Poona. Such a conference was duly held under the presidency of the Honourable the Director of Public Instruction. Many grievances were discussed, resolutions passed and the delegates were directed to embody their views on the needs and requirements of their respective districts

with a view to submit the same before a special conference that was to be held the following year. Accordingly a conference was held in March last under the presidency of no less distinguished a person than His Highness the Agakhān, the leader of the Mahomedan community. The result of the deliberations of the conference was brought before the annual meeting of the Bombay Presidency Moslem League. The grievances were so numerous, the requirements of each district so varied and the whole system of primary education so defective that it was necessary to pass a resolution requesting the Government of Bombay to appoint a committee of Mahomedans to enquire into the condition of Urdu schools and primary education among the Mahomedans in general. A resolution was unanimously passed and forwarded to Government. It will therefore be seen that this resolution is not brought in a hurry before this Council. It has been before the community for two years and brought here to-day in accordance with the wishes of the thinking portion of the community and in concurrence with the unanimous opinion of its leaders. Leaders have said about meetings in all divisions of the presidency, it remains for me to add that a numerous signed petition was sent to his Excellency the Governor by many of the Mahomedans of Bombay describing the miserable condition of Urdu schools in that city and suggesting drastic changes in the curriculum of Urdu schools. The radical demands of the petitioners may or may not be wise but there can be no two opinions on the sad state of primary education and the necessity for an enquiry into the same. Before I point out to you some of our principal grievances, I would briefly allude to the position of Urdu to throw more light upon its official recognition and *raison d'être* as a language in this presidency. In 1871 the Government of India issued a resolution upon the condition of the Mahomedan population in the matter of education in which the Earl of Mayo in Council directed that further and more systematic encouragement and recognition should be given to the classical and vernacular languages of the Mahomedans in all Government schools and colleges. By the orders of the Secretary of State the resolution was forwarded to all local Governments for enquiry and report. The reports received from the local Governments in reply to the resolution were reviewed by the Government of India in a resolution dated 13th June 1873. From these reports and the resolution His Excellency the Earl of Northbrook in Council inferred that wherever the ordinary vernacular of the country was read and written in Urdu characters, there the Mahomedans occupied their proper position in primary and secondary schools founded or aided by the State. In all provinces where this was the case the indigenous Mahomedan schools were numerous and after a certain point in a thriving condition. On the other hand in provinces where the Mahomedans were scattered and not numerous, where they mostly spoke a different language from that of the majority of the population or where their teaching was in a different tongue and according to entirely separate traditions, there the special arrangements requisite to meet these circumstances had not always been organized and the claims of the Musalman community had been often inevitably disregarded. Where the Mahomedan used a form of the country dialect he attended with others the primary Government schools for the rudiments of education but where his mother tongue was different in speech and in written character he was naturally precluded from availing himself of this teaching. The peculiar obstacles which kept him apart from the ordinary school system naturally grew stronger as he emerged beyond these elements which are common to all teaching. The difficulties which had arisen from these causes have nowhere been satisfactorily surmounted. The Government

expenditure on education being necessarily limited and insufficient for the support of two separate classes of schools, the money available was naturally bestowed too exclusively upon those classes that not only formed the more numerous section of the people but were both homogeneous for educational purposes and more eager to make use of the grant. The Governor General in Council is assured that in all provinces where Mahomedans were few and often exposed to all the disadvantages which affect a religious minority without wealth or superior influence it would be the special care of Government to satisfy themselves that these endeavours to encourage the education of Mahomedans would be persistently maintained. After this resolution of the Government of India, systematic training began to be given and Urdu schools were established in every part of Mahomedan India. In 1882, the Education Commission was given special instructions by the Government of India to enquire separately into the condition of Mahomedan education throughout the country. In their report the Educational Commission made numerous recommendations exclusively for the benefit of the Mahomedans of which the following were adopted by Government of India and embodied in their resolution published in the *Gazette of India* of July 1885. They were forwarded to all local Governments for their guidance so that they are the law of the land by which Mahomedan education is to be governed in every province. The principles therein laid down cannot be changed without the sanction of the Imperial Council similarly promulgated in the *Government Gazette*. The recommendations are these :—

(1) that the special encouragement of Musalman education be regarded as a legitimate charge on Local, on Municipal, and on Provincial Fund ;

(2) that indigenous Mahomedan schools be liberally encouraged to add purely secular subjects to their course of instruction ;

(3) that special standards for Mahomedan primary schools be prescribed ;

(4) that Hindustani be the principal medium for imparting instruction to Mahomedans in primary and middle schools, except in localities where the Mahomedan community desire that some other language be adopted ;

(5) that the official vernacular, in places where it is not Hindustani, be added as a voluntary subject to the curriculum of primary and middle schools for Mahomedans maintained from public funds ;

(6) that in localities where Mahomedans form a fair proportion of the population, provision be made in middle and high schools maintained from public funds for imparting instruction in the Hindustani and Persian languages ;

(7) that higher English education for Mahomedans being the kind of education in which that community needs special help, be liberally encouraged ;

(8) that where necessary a graduated system of special scholarship for Mahomedans be established ; to be awarded (a) in primary schools and tenable in middle schools ; (b) in middle schools and tenable in high schools ; (c) on the results of the Matriculation and First Arts Examinations and tenable in colleges ;

(9) that in all classes of schools maintained from public funds a certain proportion of free studentship be expressly reserved for Mahomedan students ;

(10) that in places where educational endowments for the benefit of Mahomedans exist, and are under the management of Government, the funds arising from such

endowments be devoted to the advancement of education among Mahomedans exclusively ;

(11) that where Mahomedan endowments exist and are under the management of private individuals or bodies, inducements by liberal grants-in-aid be offered to them to establish English teaching schools or colleges on the grants-in-aid system ;

(12) that, where necessary, normal schools or classes for the training of Mahomedan teachers be established ;

(13) that, wherever instruction is given in Mahomedan schools through the medium of Hindustani, endeavours be made to secure as far as possible Mahomedan teachers to give such instructions ;

(14) that Mahomedan inspecting officers be employed more largely than hitherto for the inspection of primary schools for Mahomedans ;

(15) that association for the promotion of Mahomedan education be recognised and encouraged ;

(16) that in the Annual Reports on public instruction a special section be devoted to Mahomedan education ;

(17) that the attention of Local Governments be invited to the question of the proportion in which patronage is distributed among educated Mahomedans and others.

I regret to say that nearly every one of these regulations is being neglected or only partially carried out by the Educational Department of Bombay. It is necessary for me to remark that for a few years after the passing of this resolution, many of the recommendations of the Commission were carried out by the then Director of Public Instruction. The policy changed, with the change of the Director, so that at the present time it is difficult to find out who the first sinner was. It is necessary, therefore, to have a committee of Mahomedan experts to enquire into the circumstances that gradually brought about this change. Moreover, at the present time we have on hand the subject of female education which could hardly be said to have existed twenty-five years ago. We have to consider and surmount in female education all the difficulties that affect our boys as well as those engendered by the *pardah* system. The Madras Government has a *gosha* normal school for Mahomedan ladies. It is for us to enquire how to induce our people to send their girls in larger numbers to public schools. Moreover, there is the question of moral education in Urdu schools. Our boys have to learn the Koran in Arabic, Urdu their mother tongue, Maráthi the language of their neighbours, and English the language of their rulers and all these before they are ten years of age. This places a heavy mill-stone round their tender necks which has to be at once removed. Through the courtesy of His Excellency the Governor I have received a copy of the last annual report of the Educational Department regarding Mahomedan Education. What do I find therein? You will be surprised to hear that only 4 per cent. of the Moslem boys that attend primary schools find admission into the secondary schools. In other words, 96 Mahomedan boys out of every hundred give up their studies after two or three years' instruction in primary schools. This is a grave matter which requires a thorough investigation. The Director of Public Instruction says that the poverty of the Mahomedans is responsible for it. Mr. Peil in his report on Mahomedan education in 1885 rejects this plea. He says poverty alone would not account for this neglect

of high education, for beggar Brahmins abounded in high schools. There was probably also in the course of study itself something discouraging to Mahomedan youths. A moral and intellectual awakening is taking place in our community such as has never taken place before. The Government has kindly granted us political rights but political rights without education are a source of danger. We have to educate our masters the ignorant voters in the districts. The representatives of the Mahomedans have to perform their duties and discharge their responsibilities. They seek the co-operation of the Government in their onerous work. Our Hindu brethren who always complain that the speedy progress of the country is hindered by the ignorance of the Mahomedans will, I have no doubt, cordially support this resolution because it strikes at the very root of the evil. Lastly, I will quote Lord Dufferin's words which are as true to-day as they were in 1885: "We may perhaps assume therefore that the Mahomedans are not so much averse to the subjects which the English Government has decided to teach as to the modes or machinery through which teaching is offered. And if it thus appear that to the tradition and reasonable hesitation which keep aloof our Mahomedan fellow-subjects are added certain obstacles which our system interposes either by using a language that is unfamiliar or machinery that is uncongenial, it is plain that the universality of our educational system is susceptible of removal."

The Honourable Sardár SYED ALI EL EDROOS said:—I beg to second the resolution moved by the Honourable MOULVIE RAFIUDDIN AHMAD with regard to the appointment of a small committee to inquire into the difficulties and conditions of the Urdu Schools as I have already stated in my remarks on the Budget.

The Honourable Mr. ABDUL HUSSEIN ADAMJI PERRBHAY said:—I beg to support the resolution which is moved by my friend the Honourable MOULVIE RAFIUDDIN AHMAD. I am in complete accord with what he has said. The necessity of improvement in Urdu Schools is urgent, and I hope the Government will be kind enough to see that there are good grounds for appointing the proposed Committee.

[At the afternoon session His Excellency the Governor presided.]

The Honourable Mr. W. H. SHARP:—Your Excellency,—When the Honourable mover of this resolution first mentioned the subject to me, two or three months ago, I understood him to mean that he wanted me to meet him and one or two of his friends in order that they might once for all put before me the various difficulties they conceived themselves to be labouring under, and I said I was willing to meet them. But when he spoke to me a few days ago in connection with this resolution, it appeared that he contemplated a more formal inquiry, the examination of witnesses and the recording of evidence, I asked him how long it was likely to take and he said six weeks. Now, if witnesses are to be called on one side to state the Mahomedan case, it is probable that I should call evidence to rebut their evidence and the inquiry might be by no means limited in duration to six weeks. This is a very considerable consumption of time, and I think it is necessary to ask whether the objects sought to be obtained are worth the expenditure of time and trouble, or whether they could not be obtained in some other way. It seems to me from what he has said, and from what I knew previously of his views, that the objects sought to be obtained are partly such as could not be dealt with by a Committee, and partly such as could be dealt with in the ordinary course of business, without any formal Committee such as is proposed. The mover of the resolution referred to the miserable condition of the Urdu Schools in the City of Bombay. Now, the Bombay

Municipality has been entrusted with the management of its own primary education. The Corporation is very jealous of its position in this matter and would not welcome any interference from the Educational Department. The Mahomedan community is well represented on the Corporation, and I think its members, such as the Honourable Mr. **ЕБРАИМ** and the Honourable Mr. **FAZLBOH**, can be trusted to look after the interests of Urdu Schools in Bombay. The mover of this resolution quoted from a resolution of the Government of India, a copy of which I have not with me; but that resolution seemed to be taken directly from the report of the Education Commission, which I have here. These recommendations, many of which, he said, were completely neglected were such as the following. Special standards to be provided for Urdu Schools. So they are. "That Urdu should be the principal medium of instruction, and that the official vernacular of the district should be added as a voluntary subject." These two may be taken together as they refer to the manner in which the Urdu standards are constructed, *i.e.*, in which Urdu and the vernaculars are combined. These, I submit, are matters of detail which could be treated perfectly well in the ordinary course of business, and could not as a matter of fact be disposed of by a special Committee such as the Honourable Member suggested. A special Committee could hardly sit in my office, for instance, and revise Urdu standards, and if the Honourable Member and his friends have any objections to raise to the present Urdu standards, they can submit them to me in writing. I can submit them to my Inspectors and their Mahomedan assistants, and the standards can be revised in the same way as Maráthi, English or any other standards are revised. Another recommendation was that provision should be made in the Middle and High Schools for the teaching of Persian. That is done, but it does not come under the resolution, which refers to primary education. He next referred to Mahomedan scholarships. If the Mahomedans think there is something wrong with the arrangements for Mahomedan scholarships, surely there again they can submit definite proposals to me and they will be considered in the ordinary course of business. "That Mahomedan endowments should be used for the benefit of Mahomedans alone." The only endowment I am acquainted with is for the Kazi Shahbuddin Scholarships which are administered by myself. I do not think it part of my duty to conduct a general inquiry into Mahomedan endowments, but if there are such endowments connected with the Educational Department and anything wrong is being done with them he can bring the facts directly to our notice. "Training classes for Mahomedan teachers." So there are. They are admitted to the Training Colleges and taught Urdu and Persian.

The Honourable **MOULVIE AHMAD** :—Special Training Colleges for Mahomedans.

The Honourable Mr. **SHARP** :—As I say, I have not the Government resolution, but the recommendation of the Education Commission is this: "When necessary normal classes or schools for the training of Mahomedan teachers should be established." It says nothing about special classes. "Wherever the teaching is given through the medium of Hindustani endeavour should be made as far as possible to give that instruction by Mahomedan teachers." That is done wherever we can get Mahomedans but frequently there is the greatest difficulty in filling up posts by Mahomedans. "That Mahomedan Inspectors be employed more largely for the inspection of schools for Mahomedans." So they are. We endeavour to have an average, or minimum, of one Mahomedan Inspector for each district. I think now we have 23 districts and 22 Mahomedan Inspectors. Of course, the number varies according to vacancies, leave or retirement. These recommendations have been, I submit, carried out to a

much greater extent than the Honourable Member would have us suppose, and where there are any deficiencies, I submit they can be remedied perfectly easily in the ordinary course of official routine, if he or his friends will submit to me definite proposals and definite facts. The Honourable MOULVIE also told us that the Government of India had suggested that inquiry be made from time to time into the state of Mahomedan education. Every year the annual report of the Director of Public Instruction contains special sections dealing with the state of Mahomedan education in all its branches. In any year if Government considered that there was anything in that report which would properly form the subject of inquiry they would no doubt order an inquiry. The Honourable Member went on to mention the subject of female education, and suggested that something ought to be done in the way of training Purdah women by opening classes in connection with the female classes in the College in Poona. That, I submit is a matter of detail which can be settled by the Mahomedan representative and myself with representatives of the Female Education Society who manage that College. It is not a matter that can be settled offhand by a formal Committee. He referred to the text books in use as being worthless. I do not quite know what books he refers to. As regards the ordinary vernaculars and ordinary subjects we use the books we issue departmentally, and if there are any defects in them the Honourable Member is quite free to bring them to my notice, as others have done from time to time. If he refers to Urdu books in particular I do not believe this Department is responsible for them. I believe they are issued from Lahore or somewhere in Upper India, where Urdu is supposed to be spoken to greater perfection than it is here. He referred to the difficulties encountered by Mahomedans in the Training Colleges. I know from my conversations with him that he thinks Mahomedans are treated somewhat unsympathetically because the majority of the staff are non-Mahomedans. I have ascertained exactly what is done by the Poona College. The students are admitted to that College by an Entrance examination and for the benefit of Mahomedans the standard is lowered to some extent. If there are 75 vacancies they take not only those Mahomedans who are within the first 75 but go as low down on the list as 125. Then, again, in the interest of Mahomedans they disregard the age limit, and if a Mahomedan who seems likely to do at all well is over age they do not reject him on that account. In the Terminal Examination the percentage required for passing is reduced from 40 to 33½ in ordinary subjects and in Persian and Urdu from 25 to 20. Mahomedans who fail in the first year's examination are not driven out of the College, as other students are, but are allowed to take the course another year. It seems to me that short of allowing a Mahomedan to walk in at one door and walk out at the other with his certificate, we cannot do any more than is done at this College. I do not think Mahomedans have reason to complain because the Principal and Vice-Principal of that College are Hindus. The Honourable Member has often spoken to me of the bad teachers there are in the Urdu schools. After hearing of all these concessions it seems to me that perhaps it is because of these concessions that teachers are found rather weak when they come to work in the schools. I think I have said enough to show that there is no real object to be gained by holding a formal inquiry such as has been proposed. All these matters have either been attended to already or are matters of detail which can be attended to in the ordinary course. There remain one or two other things which constitute the permanent handicap of Mahomedans to which he referred in the discussion on Saturday. I do not refer to poverty. I think there is

as much poverty among Hindus as Mahomedans. A Mahomedan boy is expected to learn the Koran. That we cannot criticise. It is a matter of religion. We have done our best by offering facilities for studying the Koran along with other subjects so that too much time need not be devoted to Koran study. A Committee of Inquiry could do nothing in this respect. The other matter is the Urdu language. Mahomedans complain that in this way their boys are handicapped. Of course, they are, for they have to learn two languages instead of one. That is a matter of sentiment; we do not compel them to learn Urdu; and a great many Mahomedan boys do not learn it, but a number do for the sake of their religion and because they speak it at home. The Honourable Member may think I am unsympathetic in this matter, but I can refer him to another Honourable Member, Mr. FAZULBHOY, who told me that if he had wasted his time on Urdu instead of sticking to Gujaráti he would not have been where he is now. As long as Mahomedans insist on their children learning two languages they must be at a disadvantage. We do our best to lessen that disadvantage, but we cannot remove it altogether by any Committee, formal or informal. I think, therefore, the Council will be justified in rejecting this resolution, leaving it to the mover and his friends to submit to me any definite facts or suggestions they have to make on any of these subjects.

The Honourable MOULVIE RAFIUDDIN AHMAD, replying, said:—Your Excellency, I think the Honourable Mr. SHARP has done me great injustice. It was owing to the encouragement that he gave me that I brought this resolution before the Council. The fact is that I went to him and told him that a resolution had been passed at the annual meeting of the Bombay Presidency Moslem League requesting the Government to appoint a Committee to inquire into the state of primary education among the Mahomedans. I had a conversation with him and subsequently I sent him the resolution, begging him to forward the same to Government. But I am sorry to say I did not receive any reply. When we met later on he said I had not informed him of the kind of inquiry I wanted. I went into the details, and he said he would be happy to preside, but the question of appointing a Committee was in the hands of Government. So really speaking it cannot be said that the Honourable Mr. SHARP was altogether in the dark as to the nature of the inquiry I was demanding. Secondly, what I want to point out is this that those who are supposed to be the guardians of the traditions of education in this Presidency are ignorant about this matter. For instance, Dr. Selby, the late Director of Public Instruction. I went to him and asked him if he knew about the suggestions and recommendations which the Government of India and the Education Commission had made about the Mahomedans. He said no, and added that he was there for three months and he was going away. I am not sure that the Honourable Mr. SHARP knows the resolution of 1885. This resolution was circulated by the Government of India among the local Governments for guidance. As a result four Deputy Educational Inspectors were appointed from Urdu Schools, but four or five years later these appointments were dropped—I do not know why an Assistant Deputy Inspector on smaller pay and of inferior social position was appointed in their place. Now, under the rules the reports made by these assistants could not go to the head of the Department until they were approved by the Deputy Inspector of the district, so that in almost all cases the reports of these assistants did not reach the Director of Public Instruction at all. Thus the recommendation of the Education Commission for the appointment of Mahomedan Deputy Inspectors has not been carried out. The same may be said of the recommenda-

tions that special standards for Mahomedan primary schools be prescribed and that Hindustani be the principal medium for imparting instruction to Mahomedans in Primary and Middle Schools except in localities where the Mahomedan community desire that some other language be adopted. I was myself in one of the primary schools and learnt all the subjects in Urdu. I do not know one word of Maráthi. I do not know why in primary schools Urdu was dropped and Maráthi or any other language was adopted. The recommendation of the Education Commission was that the official vernacular in places where it is not Hindustani be added as a voluntary subject to the curriculum of Primary and Middle Schools for Mahomedans, and it is to be known by whose order Maráthi was made compulsory. This was one of the recommendations of not only the Education Commission but also of the Government of India, and the Educational Department does not give any reason why this was changed. Then the Honourable Mr. SHARP gave the instance of the Honourable Mr. FAZULBHOY, and said the Honourable Mr. FAZULBHOY had told him that if he had stuck to Urdu instead of Gujaráti he would not have been where he was to-day. This does not strengthen the Honourable Mr. SHARP's argument, because the Honourable Mr. FAZULBHOY is a Khoja Mahomedan and his mother tongue is not Urdu but Gujaráti. We are now talking of people whose mother tongue is Urdu. This question is entirely confined to Mahomedans whose children speak nothing but Urdu and who go to schools. And about this I will read the resolution of the Government of India. [Reads.] The sixteenth recommendation of the Government of India is particularly important. It was: "That in the annual reports on public instruction a special section be devoted to Mahomedan education" This was purposely added and the Government of India specially emphasised and said this was for the purpose of keeping the Government of India informed about the condition of the Mahomedan Urdu Schools. The Honourable Mr. SHARP advises the rejection of this resolution. I do not know why the Honourable Mr. SHARP opposes the motion, because even if it was passed according to the rules of the Legislative Council it would only be a recommendation to Government not necessarily binding upon them. They may appoint a committee or not appoint it. But the Honourable Mr. SHARP says, reject it altogether and do not accept it even as a recommendation. I am surprised at it. There is no harm in having the resolution on record. What are we here for? We are representatives of the people and naturally know more about the people than those who are not brought up and born among them. I beg to say this is a real grievance. Upon this depends entirely the future progress of the Mahomedan people. This is the real impediment in their way Dr. Selby says the condition of Mahomedan education is very bad; but the chief thing is that until you improve primary education you cannot improve higher education. The Honourable Mr. SHARP might see one or two people, but they do not represent all the districts and they therefore cannot know all the grievances. It is open to Government to reject my resolution, but I think in doing so they will incur a serious responsibility, because the remedy embodied in it was recommended by the most thoughtful portion of the Mahomedan community. In conclusion, I thank Your Excellency for sending me the report of the Educational Department from which I have been able to point out that 96 per cent. of the Mahomedan boys who go to primary schools do not go on to the secondary schools. I also thank Your Excellency for the sympathetic manner in which you have always interested yourself in the affairs of the people, and I hope Your Excellency will see that some practical good is done to the primary education of the Mahomedans.

His Excellency the PRESIDENT :—Do you wish me to put this resolution to the vote ?

The Honourable MOULVIE RAFIUDDIN :—If Your Excellency's Government will do something, I will withdraw the resolution.

The Honourable Mr. FAZULBHOY CURRIMBHOY EBRAHIM said :—Your Excellency,—I am very much pleased to hear the remarks that have fallen from the Honourable Mr. SHARP as to what efforts the Government are making to promote primary education among Mahomedans. I told the Honourable Mr. SHARP that had I taken to Urdu language, I would not have been where I am to-day, and I assert that it is essential that everybody should be well acquainted with the language that is spoken in the district in which he lives. He must learn the language that may be used in the profession, trade or service that he desires to enter upon. It is true that the Mahomedan parents are anxious that their children should learn Urdu. It is, I think, necessary for the regeneration of the nation; and I, for one, will be glad if it is encouraged. But, I submit, that after the explanation that the Honourable Mr. SHARP has given it is not necessary to appoint a Committee. I think we ought to be satisfied with the assurance that the Government will do all they can to remedy the defects in Urdu schools if they are brought to their attention.

The Honourable Ráo Bahádúr RODDÁ said :—Your Excellency and Honourable Members of this noble Council,—You have all heard the Honourable Mr. SHARP's eloquent remarks, being a reply to the resolution moved by the Honourable MOULVIE RAFIUDDIN AHMAD, and I rise to say a few words in support of what has been said by the Honourable Mr. SHARP. As regards the establishment of a special Training school or class for the Mahomedans I am of opinion that such an institution is quite unnecessary. In the first place it has been found by experience that it has been a difficult thing to find competent students for being trained. Many Mahomedans ignorant of Urdu are induced to join a Training College Class. When they wish to enter the college the first thing is to teach them from the very alphabets of Urdu. Owing to the defective knowledge of Urdu in the case of the first year students the Department has to give them a sort of instruction in the Preparatory Class, and being myself a Principal of a Training College I have had ample experience of our Urdu trained men. The Mahomedan Bursary Fund has been started and out of this Fund a scholarship is also awarded to a Urdu student of the fifth or sixth standard in the Practising School with the object of training him for a master's place. Even with 3 years' training the knowledge of Urdu on the part of a trained teacher is not such as to satisfy a common Mahomedan gentleman who knows Urdu pretty well. As regards the Training College in my Division—the Southern Division—the Mahomedans wish to be masters of Kánarese schools instead of Urdu schools, and it has also been found that trained teachers are in some cases unable to write to dictation a simple passage from the Urdu Fourth Book. All this is owing to the fact that Mahomedans in that part of the country are Kánarese-speaking people. The instruction in Urdu to the exclusion of the vernacular of the district does not improve the status of the Mahomedans. If they are employed in any public offices by the Revenue Department they will not be able to write down the depositions of the ryots. It is essential that every one resident of any district should learn the language of the district. Though at one time Telugu was the mother-tongue of my ancestors when we lived in a Telugu Province, we were obliged to learn Kánarese after we came and settled in a Kánarese country. To quote another instance in this very hall the Honourable Sardár

COOPOOSWAMY, though he speaks Telugu at home, he and the members of his family study Maráthi as they have settled in a Maráthá country. Such being the case the Mahomedans, though their home language is Urdu, must necessarily study the language of the district. With this view for the sake of bettering the condition of the Mahomedans Urdu is taught in Urdu schools and the vernacular of the district is introduced as an optional language. The Urdu boys are therefore taught the language of the district in a lesser degree than the Urdu. The boys studying the Urdu Fourth Book have to study the Third Book of the Vernacular of the district and the standards of instruction in Urdu schools have been very wisely framed in accordance with the requirements of the Mahomedans. In fact, all the recommendations made by the Educational Commission have been to a very great extent carried out. Endeavours are also in vogue to give every facility to the Mahomedans with a view to bettering their intellectual advancement. If there be any grievances which can be brought forward on behalf of the Mahomedans the Honourable Mr. SHARF is ever ready to redress them. Such being the case for reasons enumerated by Mr. SHARF I support them in his statement that a Special Commission is unnecessary. With these remarks I resume my seat.

The Honourable the JÁGHIRDÁR of ICHALKARANJI said:—I think from what has been said by the Honourable mover of the resolution that the Mahomedan Community has set its heart on certain things. One of the things is that their grievances should be heard by Government and that they should represent their grievances in such an impressive way as to carry great weight with it: and it is therefore natural that a resolution has been moved and it is but proper that the discussion should take up some time of the Council and we must not grudge it. It is said that the appointment of the committee meant a considerable amount of money being spent but if it would meet the real wishes of a large section of the community—I would even go further and say that if there would be in any way any consolation to even the thinking portion of the Mahomedan Community—then I think that the inquiry should be granted. I think the expense and trouble would be worth the gratitude that would be earned from the community. In supporting the resolution however I beg to take the opportunity of making a few observations. In the first place I think if the committee is to derive any importance it should not be, if I may be allowed to use the word, clannish or sectarian because after all we are one nation. The subject is too important to be enquired into by a Committee of Mahomedans only. In order that it should be in a position impartially to appreciate the evidence and suggest really useful remedies, I think that non-Mahomedan members should be appointed on the committee. That would give some more weight to the deliberations of the committee and would throw more light on the matter. If it is confined to one community the deliberations and the views would tend to flow in one channel because their point of view would practically be one and the same. The Honourable MOULVIS RAFIUDDIN was talking about the difficulties in teaching the boys not through their own mother tongue but through a foreign language and I feel much sympathy with the view. We all know that we here have to study the subjects in secondary and higher education in language that is not our own. We therefore sympathise with those who urge on simplifying the study of subjects and making it more easy and profitable for the boys to learn them in their own tongue. But then I submit the difficulty of language is not experienced by the Mahomedans alone. The Council is aware I believe that the community to which I belong is spread over the whole of

the Indian Peninsula. In Northern India we are called Deccanis and in Southern India we are called Marátha Brahmins. This community is to be generally found in almost all important places from the Island of Rameshwar to Nepal and from Peshawar to Calcutta. Though we are partial to our language and use it at home, members of the community are obliged to prosecute their studies in the local vernaculars and not in Maráthi. Turning to our own presidency the difficulty of language is also felt by such communities as the Jains and the Lingáyats whose vernacular is Kánarese and by Marwáris and Gujaráthis who have their own vernaculars, when they are living in a place when the spoken language is different from their own. In places where the number of people speaking different languages is considerable it would be possible to give instruction in both the languages. In Belgaum for instance in the High School there are two sides, *viz.*, Maráthi and Kánarese and a boy can enter either of them according to his convenience but this facility cannot be had when you once cross the border. With these remarks I support the proposition.

The Honourable Mr. HARCHANDRAI VISHINDAS said:—We are always in favour of Mahomedan education being encouraged and special facilities being afforded, and so far we are entirely in favour of the views expressed in this Council. But after hearing the remarks of the Honourable Mr. SHARP, it seems to me that what the mover of the resolution wanted was to get information, and there is now no lack of information. The Director of Public Instruction says that he is prepared to hear grievances and to remedy them. If the matters are represented and difficulties in the way of Mahomedan boys placed before the Director of Public Instruction then it will be in his hands to remove them. The Honourable Mr. SHARP has assured us that he is prepared to listen to their difficulties and the proposals that may be put forward before him. I do not think that any useful purpose would be served by the Committee. The object which we have in view, namely, to encourage Mahomedan education and give them required facilities will best be served by bringing the matter in a proper manner before the Director of Public Instruction, and after the assurance which the Honourable Mr. SHARP has given, I suggest that the resolution be dropped because the object will be fulfilled in its entirety by the adoption of the course suggested by him.

His Excellency the PRESIDENT said:—It seems to me that the bringing of this resolution before the Council has been an unmixed good. We have had considerable discussion on the subject and it has thrown light on many points of which probably all the members were not aware. The Honourable Mr. SHARP and the Honourable Ráo Bahádúr RODDA have successfully shown that very special privileges are given to Mahomedans in the matter of education. I was particularly struck with what the Honourable Mr. SHARP said with regard to the treatment of Mahomedans in the Training College at Poona, which showed that they have advantages which are denied to all other communities, and the Honourable Member has indicated, probably correctly, that the result of these privileges is not to the advantage of the Mahomedans as a whole. I do not think that anything of any practical value could be gained by an inquiry in this form. I hope the Honourable mover of the resolution will not think the Government unsympathetic to him and to his community, but I do not think he has shown us that an inquiry in the very vague form he has suggested could be of any profit at this stage. I do not know that he himself has gone quite far enough in his knowledge to take very active part in the inquiry at the present time. I would ask him to work up his subject much more

fully; let us have a few more details that we can understand, a few more facts we can recognise, and until such time as he can get them and we can give them careful consideration, I do not think the enquiry he suggests would be of any practical good to the Presidency or to the community.

The Honourable MOULVIE RAFI UDDIN AHMAD: I withdraw my resolution.

His Excellency the PRESIDENT: You cannot speak again.

The resolution was put to the vote and defeated.

This concluded the business on the agenda paper.

His Excellency the PRESIDENT then addressed the Council as follows:—In offering my remarks on the Budget I used the following words: "Referring to our land-revenue system, the assessments are now undoubtedly moderate, and though small readjustments in special localities may from time to time be necessary, I trust that there will be no general enhancement." It occurs to me that these words might possibly be misunderstood and therefore I should like to explain that there is no intention of making any change in the general principles of the revision of assessments. As existing settlements fall in there must of course be fresh inquiries and only these inquiries can show whether readjustments entailing increases in some cases would be justified. What I meant to state was that there will be no policy of general enhancement and pitch of assessments, especially in the arid portions of the Deccan. It is not probable that any material enhancement of the revenue demand over any large area will be made in the future unless exceptional circumstances arise. It has been represented to me by some members that they would like to say a few words with reference to the approaching departure of the Honourable Sir JOHN MUIR MACKENZIE. It would not be in order to put a motion on the subject, but if any member would like to say a few words on a subject that appeals to all our hearts I hope he will do so.

FAREWELL ADDRESSES TO THE HONOURABLE SIR JOHN MUIR MACKENZIE
ON HIS RETIREMENT.

The Honourable Sardár DAVAR MODI said:—May it please Your Excellency,—I had thought of making a motion to get placed, on the records of the proceedings of this Council the concise, able and highly appreciative and weighty words of praise which fell from Your Excellency's lips regarding the meritorious public services of the retiring member of Council, the Honourable Sir JOHN MUIR MACKENZIE. But I am sorry to see that I cannot do so under the rules. The aspect of his public services which demands more than a passing notice is that he has proved himself to be the worthy coadjutor of an eminent statesman of the first class whom our lamented King sent from England at a very critical moment to rule over the destinies of Bombay and who did such magnificent but too successful work without any fuss or force but none the less ably, steering the vessel of State into smooth waters of the port. He is a most successful and fortunate member of that glorious Civil Service which has raised India to its present prosperity. A service which taken all in all there is none on the face of the earth to compare with. The career of this most successful Civilian has been watched from far and near and has most favourably passed this scrutiny. He has throughout his career been leading a life of laborious days and has watched through anxious nights with care the troublous times in which during the latter years of his career the Presidency has

passed. He has ably assisted His Excellency the Governor in carrying out the reforms which the statesmen who met at the Council of the King framed in a wise decree, broad-based upon the people's will. His sympathy has been broad, being the result of that touch of nature which makes the whole world kin. His has been the policy of "Char darwaza open"—the policy of Sir JOHN MALCOLM. He is a very polite officer, a native of the natives, but he has got the "Suaviter in modo, fortiter in re"—ever sticking to his own opinion. In social matters his affability is beyond praise, the ladies of his family helping him in all social movements as if they too were the paid representatives of Government. He retires under a necessary and salutary rule of the Service, though I may perhaps say that after devoting a whole life time of service to India, it is possible that he may not like to leave it just as we who know him would not like to part with him. "The tree of deepest root is found least willing still to quit the ground. It was therefore said by ancient sages that love of life increased with ages." Fairly therefore love of office and position may also increase.

The Honourable Khán Bahádúr NOWROJEE PESTONJEE VAKIL said:—I take this opportunity to express the very high respect in common with others I entertain for the Honourable Sir JOHN MUIR MACKENZIE. A more able, a more courteous, a more obliging officer it has not been my good fortune to meet. It has been a great pleasure to me to have been associated with such a thorough gentleman in this Council. His retirement will, I am sure, prove a great loss to the administration. But he has worked hard and worked long and is fully entitled to his well-earned rest. I hope he will thoroughly enjoy it and that he will live many a long year at home in health and happiness.

The Honourable Ráo Bahádúr RODDA said:—Your Excellency,—Coming from the distant part of the Presidency, I have to re-echo the sentiments so eloquently expressed by my colleague in regard to the Honourable Sir JOHN MUIR MACKENZIE. As far back as forty years ago, he was our Assistant Collector at Belgaum. He was connected with the land administration. His practical interest in the agricultural welfare of the Province is known to us all. His services in this direction, and especially in connection with the farm established at Dhárwár, have been productive of much good. The people in the Karnátak district have been placed under his deep obligation. His valuable advice and his kindly interest have much benefitted the Kánarese people and the especial encouragement which he has given to the agricultural classes will not be forgotten so long as there are fields in our land. We are placed under a deep debt of gratitude to him for the very kind manner in which he has treated us all along. Although he will leave us, his services will long be remembered and his kind and courteous manners will always remain in our hearts; and so long as Kánarese people exist his services will not be forgotten. I am sure that the Honourable Sir JOHN MUIR MACKENZIE will always be near to our heart, and I trust that he will always continue to watch our interest from a distance.

The Honourable Mr. GARUD said:—Your Excellency,—Owing to the severe time-limit imposed upon Budget discussion this year much of what we had to say had necessarily to be left out; and I am therefore thankful to Your Excellency for giving us this opportunity to express our appreciation of the Honourable Sir JOHN MUIR MACKENZIE's services to this presidency. I am personally more familiar with Sir JOHN's career as our Finance Member. His tenure of office has been characterised by progress

in all the departments of the State. We have had an expanding revenue and an increasing expenditure. There was an opportunity to do good and Sir JOHN has taken full advantage of it. We have always found Sir JOHN willing to devote money to desirable improvements in all the popular departments of the State and I am glad he has been able to do it without resorting to provincial taxation which some of my Honourable colleagues would have felt inclined to oppose. We have always associated Sir JOHN's name with the liberal policy of remissions and suspensions of land-revenue. I have of course nothing to detract from the gratitude that is due to Your Excellency for appreciating and encouraging that policy. These remissions and suspensions have given considerable relief to the agriculturists in very trying times. But I have felt that Sir JOHN was just rather than generous in this matter, and it was this belief that induced me to refer in my Budget speech to the necessity of permanently reducing the State-demand on land. Sir JOHN's well-known sympathies towards agriculturists have encouraged District Officers to make liberal proposals for their relief. I am expressing the sentiments of the agriculturists when I say that they feel very grateful to Sir JOHN for his sympathy and help.

The Honourable the JAGHIRDAR of IOHALKARANJI :—Will Your Excellency kindly allow me to associate myself fully with what has fallen from the previous speakers. I have known the Honourable Sir JOHN MUIR MACKENZIE personally from my boyhood. His name is remembered even now with great gratitude in the Southern Mahratta Country, and especially in Sátára, where he had served as Assistant Collector a long time ago and where people loved to call him "MORE MEKANZIE Saheb" for the keen interest he took in the welfare of the agriculturists, particularly in the direction of advocating their cause in regard to forest policy. If I may be allowed to make a personal reference, I may say that I have been brought up by a gentleman (my tutor) whose family owes much to the Honourable Sir JOHN MUIR MACKENZIE and from my boyhood I have come to look up to Sir JOHN with great regard and esteem. Then, my association with him in this Council extends over a considerable period and during that time I have always found him very courteous and encouraging. He has invariably tried to do his utmost to redress the grievances that have been placed before him. We cannot expect to agree on all points that have come for discussion before the Council, but all the same both in the Council itself and in the Select Committees we have found him very kind and courteous. He has always been desirous of supplying us with all the information that we require and his great aim has been to draw the sympathy of the non-official members towards the measures of Government. I think it would not be quite out of place here to refer to the laudable work that has been done by Lady MUIR MACKENZIE in this Presidency. We all know what keen interest she takes in the social well-being of the people of this country, especially of their womenkind. We have seen with gratitude the strenuous efforts she has made to bring together English and Indian ladies and promote social intercourse between them. The interest she takes in the religions of the Indians has also touched the hearts of the people, and her sympathy in this respect will long be gratefully felt. There is nothing that touches the heart of the people more than a regard and esteem for their religion. I will conclude by joining in the wish expressed by the previous speakers that the Honourable Sir JOHN MUIR MACKENZIE may long be spared to enjoy his well-earned rest, and that while in his native country he will continue to take a kindly interest in the people of this

country, and especially of the Western Presidency where he has passed his official life. We all know that he belongs to an influential family and his efforts in this direction are likely to be fruitful.

The Honourable MOULVIE RAFIUDDIN AHMAD said :—On behalf of the Mahomedan community I associate myself with the views that have been expressed by the previous speakers as regards the Honourable Sir JOHN MUIR MACKENZIE. I am sorry to say that my friend Mr. BHURGRI is not here or else he would have testified to the great and useful services the Honourable Sir JOHN MUIR MACKENZIE rendered to the Mahomedans of Sind who are specially indebted to him for his interest in their welfare. He proved to be their kind friend, philosopher and guide. A short time ago, he presided at a representative gathering of Mahomedans in connection with a Mahomedan Primary School in this city and the memorable speech he made on that occasion was a very encouraging one in the cause of Moslem education. He has shown special interest not only in the welfare of Indian Moslems but even Mahomedans outside India, and I was told by the Turkish Consul General that he had not seen many Europeans here taking such interest in Mahomedan affairs, not only in India but outside India, as he had found the Honourable Sir JOHN MUIR MACKENZIE doing. I hope that when he returns to England he will continue his interest in India, and we will like to see him, as a member of the House of Commons, throwing more light on Indian questions. It is necessary that men of his knowledge and authority should enter the House of Commons to enlighten the English public as to our needs instead of those persons who after a few weeks' visit to this country pose as authorities on Indian political affairs. I am sure that in the British Parliament he will prove himself of great use to this country.

The Honourable Sardár DESAI said :—The previous speakers have very well spoken on the numerous qualities of the Honourable Sir JOHN MUIR MACKENZIE and they have left very little for me to add to their eloquent tribute to the Revenue Member who has been the chief pioneer of agricultural education in this Presidency. The agricultural college was founded in his time and his name will go down to posterity as a friend of the agricultural classes. His one earnest desire has been to show to the people how agriculture could best be developed through agricultural science and he is always thinking about the ways in which agriculture could be improved and the product of the land increased. Although he has not served in the Kaira district, his name is everywhere known and remembered with gratitude by the agricultural classes.

The Honourable Ráo Bahádúr JOSHI said :—Your Excellency,—I would most heartily associate myself with everything that has fallen from previous speakers in appreciation of the great services which the Honourable Sir JOHN MUIR MACKENZIE has been able to render to the State and to the community during his long and distinguished career in this Presidency. In almost every branch of our public life Sir JOHN's sympathies have ever been with us and he has invariably extended his hearty support to movements intended to advance the material, moral and intellectual welfare of the people. It is only one side of Sir JOHN's work, however, that I have been able to follow, and it is finance. Speaking on that point after a close study of the financial administration of the Presidency during the past ten years or so, it is a great pleasure to me to say that he has piloted our vessel with judgment, foresight and success. As regards Land-Revenue the way in which the rules regarding suspensions and remissions have been worked during recent years has afforded immense relief to the agricultural classes—

particularly in the Deccan. I have had occasion to study some of these Land-Revenue Reports and on a rough calculation I find that the total remissions granted during the past 15 or 16 years amount to over 3 crores—190 lakhs alone since the famine of 1899-1900. The remission has been a great boon to the broken and struggling peasantry of the Presidency and they are most grateful—I can speak for the Deccan ryots—at all events—to the Administration and to Sir JOHN MUIR MACKENZIE as its chief adviser in this Department, for the generous concession. And indeed we may justly say that the ryots of the Presidency have had no more generous, kinder or more sympathetic friend than Sir JOHN, and his approaching departure will be regretted by none more keenly than by our agricultural classes. Sir JOHN's retirement will be a heavy loss not only to the Administration he has served so long and with such eminent success but to the agricultural interests he has done so much to help, to promote, and to foster. The Honourable Sir JOHN is shortly going back home and we may assure him that he will carry into his retirement the best wishes of the people of this Presidency—and particularly of the peasantry. And if on his return home, Sir JOHN gets into Parliament as we hope he may, he will have a vast field of useful public work before him. Questions are coming up—questions of great importance and seriousness—questions will be coming up in the next few years under the notice of the House of Commons touching this distant Dependency; and we may be confident—and in so saying I think, I am only echoing the general feeling on this side of India,—that Sir JOHN's voice will be always found pleading for measures calculated to promote the permanent good of India and her people. Altogether, Sir JOHN's work amongst us has been a record work and reflects the highest honour on an Administration with which he has been so long associated and which, in Your Excellency's happy words—exists only for the good of the governed. Sir JOHN is going back to his distant home, but his heart will ever be with us; and his services will be remembered in this Presidency after his retirement with pleasure and gratitude for many long years to come. I hope, higher honours and many happy years are before him in his dear home-land.

The Honourable Sardár COOPOOSWAMY MOODLIAR said:—We are very much indebted to Your Excellency for giving us an opportunity of expressing our heartfelt good wishes to the Honourable Sir JOHN MUIR MACKENZIE. I have the honour of knowing the Honourable Sir JOHN for over twenty-five years. When we first met he was Director of Agriculture and I was a Secretary to the Poona Cattle and Agricultural Show. It was the first show of the kind in Poona. I was quite a new hand at that time, but through the co-operation of the Honourable Sir JOHN the Show proved to be a complete success and the Governor of that time and the Commissioner of the Central Division expressed their perfect satisfaction at it. The Honourable Sir JOHN's long stay in this country has enabled him to be thoroughly familiar with the ways and manners of the people. A new comer from England is apt to get annoyed by our habits and practices, but the Honourable Sir JOHN moved among us freely and showed such kindly interest in our affairs that his name has become a household word and is not easy to be forgotten. His great abilities and his extensive knowledge and experience of the different Departments of Government have enabled him to carry on the administration successfully during the past five years. We expected that he would stay in the country for a little time more and give us the benefit of his experience. We thought at least that if he would stay in this country as long as Your Excellency is here, he

would do immense good. He is leaving us, but I assure him he is carrying with him our best regards and wishes.

The Honourable Mr. FAZULBHOY CURRIMBHOY said :—Your Excellency,—I wish to add my humble tribute to the worth of the Honourable Sir JOHN MUIR MACKENZIE, who always evinced a keen interest in the deliberations of the Bombay Chamber of Commerce and the Millowners' Association and gave those Bodies the benefit of his sound and mature advice. Whenever he is staying in Bombay he always attends the Orient Club and exchanges his views with other members of the Club. He has done his best to promote cordial social relations between the European and the Indian Communities. I may be permitted to say a word in regard to Lady MUIR MACKENZIE who is also taking a great interest in the social advancement of her Indian sisters, and it is due to her exertions that the Ladies' Gymkhana is thriving in Bombay.

HIS EXCELLENCY THE GOVERNOR said :—I wish to associate myself whole-heartedly with the warm tributes which have been uttered by the Honourable Members of this Council to the great public services of the Honourable Sir JOHN MUIR MACKENZIE. In the nearly three years during which it has been my privilege to enjoy his friendship and profit by his loyal co-operation, I have had most special opportunities of realising his great knowledge, devotion to duty and his keen insight in promoting the welfare of our people. In the Agricultural Department, which he has nursed from its infancy to its now vigorous youth, there will remain behind a monument more durable than one of bronze to the memory of his wise and progressive administration when he has left what has been called, not quite justly called, this "land of regrets." He will have the right to look back with broad satisfaction on a long career of public usefulness. He has seen many changes instituted and great progress effected in his time and has borne his part in promoting both. In listening to the generous appreciation which has been uttered by the members of this Council, I am tempted to ask whether the intolerable bureaucrat, of whom I have read, lives in this land. I confess I have not found him in this Presidency, and I have often been struck by the generous appreciation accorded by Indians to the men who live strenuous lives among them, seeking only to be their true friends and true helpers. From this point of view I regard what has been said with such evident sincerity as a hopeful and encouraging sign. The good work done among the people of India does not pass unheeded by them, and they show themselves responsive to all efforts on their behalf. I am quite sure I speak on behalf of all true men in the Presidency when I say that we part with Sir JOHN MUIR MACKENZIE with great regret, and that his great labours for the public good will not be forgotten in the Presidency.

The Honourable SIR JOHN MUIR MACKENZIE said :—With Your Excellency's permission I wish to say a few words of thanks for the great kindness of the tributes which have now been paid to me. It would be very wrong of me to attempt to take credit for all that is attributed to me in the kind appreciations of my poor efforts which have been expressed. I may take one single matter, for instance, that of suspensions and remissions. I was the fortunate man to come in when that policy was framed. I cannot claim the smallest credit for having framed that policy. At the very best I had the luck to put one or two touches at the end which I believe were considered a small improvement. When it comes to carrying out that policy I would tell the members of this Council it

is not a member of the Council or even a Government they should thank. It is the District Officers that they should thank. It was on their shoulders that all the difficulties and complications, and they were very serious, fell. It was on their shoulders that the burden fell and full nobly did they bear that burden and discharge their duty. If the District Officers had not thrown themselves heart and soul into the carrying out of the policy, if they had not been animated by the deepest sympathies and warmth of heart, it would have been absolutely impossible for that policy to have had any success whatever. It was the greatest satisfaction to me to learn from no less a person than the Honourable Mr. MORISON, when he was a Commissioner, that when he went through the Deccan villages the ryots came to him one after another and said "Without these suspensions and remissions we should have died." For the carrying out of that policy the District Officers were responsible, and at the best all I can venture to claim, and all that the Government can venture to claim, is that the District Officers knew that in carrying it out they would have an unfailing support. As regards finance I can claim nothing but good fortune. Who would not be a tolerable Finance Minister when there is plenty of money? As for Agriculture, it has only been the plenteousness of money which has helped us to do so much. There was a time when we looked on agriculture as a budget of expenditure, but things have changed within the past few years; there has been money and we have been able to do many things and spend money on many desirable objects, and all we can hope is that with good seasons we may still have money without resorting to—what my honourable friend Ráo Bahádur JOSHI considers such an undesirable expedient—the taxing of ourselves. But above all the many tributes I may venture to value most that expressed by the Honourable Ráo Bahádur JOSHI on behalf of the Deccan ryot. If there is a class of men whom I love as well as I love my own countrymen the Scotch, it is the Deccan ryot. I served my early days among them principally in the Sátára district, and I found them one of the most splendid, stout-hearted set of men it has ever been my business to come in contact with. The way they have stood up through the recent tremendous visitations of famine and plague, through their losses of cattle and all their other troubles is a thing that makes them worthy of the admiration of the civilised world, and from them of all others I part with the deepest regret. I will conclude by again alluding to the delightful relations I have always had with the members of this Council, and to say that I assure them that if there is anything I can do in my retirement to promote the interests of this Presidency and the interests of India I shall not be behindhand.

The Council then adjourned *sine die*.

By order of His Excellency the Honourable the Governor,

G. D. FRENCH,
Secretary to the Legislative Council.

Poona, 28th June 1910.

A P P E N D I C E S

TO THE

**PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF THE
GOVERNOR OF BOMBAY ON THE
25th, 27th and 28th JUNE 1910.**

A P P E N D I C E S

TO THE

**PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF THE
GOVERNOR OF BOMBAY ON THE
25th, 27th and 28th JUNE 1910.**

Statement showing the total expenditure of each District Local Board and expenditure sanctioned

1 Year.	2 Total expenditure of the Board.						3 Expenditure sanctioned under last clause of section 45.					
	Karachi.	Hyderabad.	Sukkur.	Larkana.	Thar and Parkar.	Upper Sind Frontier.	Karachi.	Hyderabad.	Sukkur.	Larkana.	Thar and Parkar.	Upper Sind Frontier.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1898-1899 ...	1,79,399	2,65,970	3,19,388	...	76,179	84,332	17,990	23,480	59,019	...	3,617	2,918
1899-1900 ...	1,80,515	2,46,319	2,53,216	...	69,890	67,969	17,990	23,480	15,010	...	2,810	3,784
1900-1901 ...	1,66,347	2,10,481	2,57,082	...	74,081	79,522	18,530	25,567	16,135	...	2,910	2,918
1901-1902 ...	1,67,409	2,69,679	2,62,091	...	74,441	91,620	18,530	24,801	17,135	...	4,228	5,118
1902-1903 ...	1,28,245	2,51,665	1,89,889	2,02,678	86,762	94,298	18,030	24,840	5,290	17,375	3,286	4,018
1903-1904 ...	1,19,748	2,87,481	1,21,436	1,96,091	1,02,037	1,09,586	14,730	19,322	5,160	16,145	4,738	11,018
1904-1905 ...	1,20,704	2,35,874	1,29,452	1,89,591	1,12,152	1,08,082	14,090	15,308	2,760	15,170	4,686	5,076
1905-1906 ...	1,62,394	2,72,955	1,61,407	1,97,899	1,56,608	1,08,815	14,900	19,780	8,960	16,078	5,460	5,064
1906-1907 ...	1,79,514	2,88,950	1,94,661	2,00,471	1,21,980	91,617	14,470	25,440	5,900	16,094	3,960	6,247
1907-1908 ...	1,55,053	3,95,490	2,17,733	2,58,175	1,43,785	98,241	16,746	26,740	7,000	18,068	5,960	9,727
1908-1909 ...	1,91,920	3,12,165	1,98,865	3,17,730	1,71,998	1,30,344	20,886	20,980	18,800	17,817	3,460	6,727

N. B.—For the Larkana district, figures have been given from 1902-03, the

A.

under last clause of section 45 of the Bombay Local Boards Act, 1881, in the Province of Sind, etc.

4						5						6					
Of the amount in column 3, the sum expended outside the limits of the district, if any.						Percentage of column 3 on column 2.						Percentage of column 4 on column 2.					
Karachi.	Hyderabad.	Sukkur.	Larkana	Thar and Parkar	Upper Sind Frontier	Karachi	Hyderabad.	Sukkur.	Larkana	Thar and Parkar.	Upper Sind Frontier	Karachi.	Hyderabad.	Sukkur.	Larkana.	Thar and Parkar	Upper Sind Frontier
Rs.	Rs	Rs.	Rs.	Rs.	Rs												
2,250	4,000	45,245	.	1,957	2,455	10.02	8.82	18.43	...	4.7	3.46	1.24	1.5	14.17		2.5	2.91
2,250	4,000	9,400	...	1,150	3,385	9.96	9.63	5.93	...	4.04	5.49	1.24	1.5	3.71	...	1.6	4.98
2,250	4,000	5,600	...	1,250	2,483	11.80	12.15	3.28	...	3.9	3.67	1.35	1.9	2.15	..	1.6	3.12
2,250	4,000	6,888	.	1,150	3,492	11.05	9.19	6.54	...	5.6	5.58	1.84	1.4	2.63	...	1.5	3.61
2,250	4,000	2,110	10,150	1,300	2,334	14.57	9.07	3.79	3.56	10.7	4.26	1.81	1.5	1.51	5.00	1.5	2.48
2,050	4,000	2,110	10,420	1,150	2,337	12.80	6.82	4.20	3.23	4.6	10.05	1.71	1.3	1.73	5.31	1.1	2.13
1,550	4,000	1,550	6,706	1,300	2,611	11.07	6.19	2.13	3.00	4.1	4.70	1.28	1.6	1.19	3.53	1.1	2.32
2,160	4,050	2,350	3,487	1,450	2,801	9.17	7.24	2.46	3.12	2.2	4.65	1.33	1.48	1.45	4.23	9	2.57
1,730	4,000	2,300	9,335	1,450	3,418	8.05	3.80	3.19	3.02	3.2	6.80	96	1.38	1.25	4.65	1.1	3.72
3,306	4,000	2,300	11,406	3,450	3,471	10.73	6.76	3.21	3.99	4.1	9.90	2.13	1.01	1.03	4.43	2.3	6.59
4,306	4,005	3,350	11,098	1,450	2,980	10.65	5.34	6.94	5.60	2.01	5.16	2.24	1.02	4.20	3.49	3	2.28

year in which the District Local Board was first constituted.

APPENDIX B.

Statement showing the outstanding balances of takāvi at the beginning and end of each of the financial years 1908-09 and 1909-10, and the amounts advanced and recovered in each of these years.

Year.	Outstanding balance at the beginning of the year.	Amount advanced during the year.	Amount recovered during the year.	Balance at the end of the year.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
1908-09 (Actuals)	1,47,84,457	35,84,202	(a) 29,06,428	1,54,62,221
1909-10 (Preliminary Actuals)	1,54,62,221	21,10,654	(b) 43,26,121	1,32,46,754

(a) This includes a sum of Rs. 44,840 on account of takāvi written off, which is finally credited to the Loan Account and debited to Provincial Expenditure.

(b) This includes a sum of Rs. 22,568 as above.

APPENDIX C.

No. 339-Ry. of 1910.

PUBLIC WORKS DEPARTMENT.
Bombay Castle, 12th May 1910.

From The Hon'ble Mr. W. L. CAMERON, C.S.I.,
Secretary to the Government of Bombay;

To The Agent, G. I. P. Railway Company.
The Agent, B. B. & C. I. Railway Company.
The Agent, Madrás and S. M. Railway Company.
The Manager and Engineer-in-Chief, B.-G.-J.-P. Railway.
The Manager, Morvi Railway.
The Chief Engineer and Agent, Barsi Light Railway.
The Political Agent, Cutch.

Railways.

Sir,

I am directed to forward, for your information, a copy of Question No. 6 put by the Honourable Mr. Siddhanath Dhonev Garud, and the answer being given by Government thereto.

2. I am to request that you will be so good as to inform Government, what precautions are taken

• The Cutch State Railway only on ^{your} _{Cutch State} * Railway to ensure that the edible articles sold to native passengers on Railway stations are of the best quality, and to enforce a reasonable standard of cleanliness among the vendors.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) R. W. MURPHY,

Under Secretary to Government,

Documents accompanying :—

Question No. 6 referred to, and the answer thereto.

Copy of letter No. G-224-27 (16), dated 24th March 1910, from the Officialising Manager and Engineer-in-Chief, B.-G.-J.-P. Railway, to the Secretary to the Government of Bombay, Public Works Department.

With reference to your No. 339-Ry., dated 12th March 1910, I have the honour to state that contracts for sale of edible articles on this Railway are granted, annually, to approved vendors only and their agreements provide for the contracts to be terminated if the vendors are found unsatisfactory. The Inspectors have instructions to constantly supervise the sale of their wares and from the absence of complaints from the public in this respect there is, apparently, no fault to be found with regard to the articles of food sold or the cleanliness of vendors themselves, on this system.

Copy of letter No. 4209-W, dated 29th March 1910, from the Agent, B. B. and C. I. Railway Company, to the Secretary to the Government of Bombay, Public Works Department

With reference to your letter No. 339-Railway, dated 12th March 1910, I have the honour to inform you that, with the object of supervising the quality and cost of food sold to passengers, the following procedure is adopted :—

- (1) District Traffic Superintendents are required to exercise great care in the appointment of vendors
- (2) Only vendors, unconnected with each other, are allotted to any one station, so as to secure competition among them.
- (3) District Traffic Officers and Traffic Inspectors have to frequently inspect these vendors.
- (4) For the periodical reports submitted by Traffic Inspectors, they are required to answer the following questions :—

Is the quality of the food sold by Platform vendors good ?

Have you heard any complaints from passengers about the food ?

2. I may mention that at Mehsana an experiment of letting the native refreshment vending on contract is about to be made, the tenders to be based on the prices at which foods, specified in respect to quality and quantity, will be sold to the public.

Copy of letter No. 3-Q—2, dated 29th March 1910, from the Agent, G. I. P. Railway Company, to the Secretary to the Government of Bombay, Public Works Department.

With reference to your letter No. 339-By., dated 12th March 1910, enquiring what precautions are taken on this Railway to ensure that the edible articles sold to native passengers on Railway stations are of the best quality, and to enforce a reasonable standard of cleanliness among the vendors, I have the honour to forward herewith a sample form of an Agreement which is entered into with Licensees on this Railway.

2. From clause 2 thereof, it will be observed that the Lessees are bound to provide their servants with uniform clothing consisting of a Khaki jacket, Khaki pugree, an arm badge and a clean white dhotee.

3. From clause 6, it will be seen that the food stuffs exhibited for sale at the stalls are subject to inspection at all times by any of the officers or servants of the Company, such as District Traffic Superintendents, District Traffic Inspectors, Station Masters, etc.

4. Under clause 7, the Lessees are bound to sell the food stuffs at such rates as are from time to time fixed by Railway Company in accordance with the local bazar prices and a list of articles with sale prices, is exhibited at each station.

5. Under clause 8, the Railway Company have reserved to themselves the right to withdraw or cancel, without assigning any reason for so doing, all or any of the rights secured by the Lessee, or if the Lessee has, in the opinion of the Company, broken or failed to keep any of the terms of this Agreement.

MEMORANDUM OF AGREEMENT made the _____ day of _____ 19____
Between THE GREAT INDIAN PENINSULA RAILWAY COMPANY, by _____ their General
Traffic Manager hereinafter referred to as the Company of the one part and
(hereinafter referred to as the Lessee) of the other part whereby it is agreed as follows:—

First.—The Lessee shall have the exclusive right of selling _____

to the public at the _____ Station of the Company.

Second.—In the exercise of the rights and privileges conferred upon him by this agreement the Lessee shall employ within the Company's premises only such person or persons from time to time and not more at any one time than _____ in number as may be approved by the Company, and each person so employed shall be provided with at Lessee's expense and shall at all times wear when on the premises of the Company a uniform consisting of a Khaki pugree, a Khaki Jacket, an arm badge and a clean White Dhotee.

Third.—All articles referred to in the first clause of this agreement shall be sold only from a stall, or at the discretion of the Company's Officers in the absence of a stall, and under such orders as they may issue, at all hours, but vendors are prohibited from calling out their wares between the hours of 8 o'clock p. m. and 7 o'clock a. m., under the penalty of having their goods forfeited and the agreement cancelled.

When the articles are sold from a stall, the stall shall be erected and placed by the Lessee in such a position within the station premises as may be fixed by the Company and shall be moved by the Lessee at any time or from time to time upon notice from the Company to any other position the Company may direct.

Fourth.—No wine, beer or other spirituous liquors of any kind shall be sold by the Lessee within the premises of the Company.

Fifth.—Troops, while travelling by Railway, are not to be supplied at the station with Fruit, Sweetmeats, milk or any other articles except under the special orders by or on arrangement with the General Traffic Manager or District Traffic Superintendent in each instance, and the Lessee is not to be allowed to come on to the platform to sell his wares or to hold any communication with such Troops while Special Troop Trains are standing at the station, or while Troops are waiting at the station to proceed by Special Troop Train.

Where stalls have been put on the platform or within the Railway premises, the stalls shall be closed, if necessary, while Trains conveying Troops are standing at stations or while such Troops are waiting there to proceed by Special Troop Trains, and the Lessee must not be allowed to sell anything to the Troops, except as provided above.

Sixth.—All articles which, under this agreement, the Lessee may be entitled to sell within the said station shall be subject, day by day, and at all times to inspection by any of the officers or servants of the Company, and such officers or servants of the Company shall have the right without assigning any reason, to reject and prohibit the sale of any of such article or articles as they may consider to be unsuitable,

unwholesome or objectionable, and the Lessee shall forthwith remove from and not offer for sale within the premises of the Company any and all of such article or articles as may be so rejected by the officers of the Company, and shall also provide any of such articles of such different or other kind as may be specified by the officers of the Company from time to time.

Seventh.—The Company shall have the right at all times during the continuance of this agreement to fix the prices and rates at which the articles referred to in this agreement are to be sold within the premises of the Company by the Lessee, and the Lessee shall charge to the public only such prices as may be so fixed from time to time by the Company.

Eighth.—The Company shall have the absolute right summarily and without notice at any time during the continuance of this agreement without assigning any reason for so doing, to cancel and withdraw all or any of the privileges secured to the Lessee under this agreement, if in the opinion of the Company the Lessee has broken or failed properly to keep any of the terms of this agreement, or if the Lessee shall, in the opinion of the Company, have been guilty of any misconduct, or if from any other cause whatever the Company shall in their uncontrolled discretion consider it inadvisable that the privileges granted to the Lessee under this agreement should be continued.

Ninth.—In consideration of the rights secured to him under this agreement the Lessee agrees forthwith to pay the sum of Rupees _____ annually to the Company, the receipt for the first year's annual payment is hereby acknowledged, such sum of Rupees

being accepted by the Company as in lieu of any other payment or compensation by the Lessee for the privileges here granted to him, and the Lessee hereby agrees that if this agreement is cancelled at any time during its continuance under the terms of the third or eighth clause the Company shall be and they are at liberty to retain and keep the whole of the said annual payment paid to them and shall not be liable to account therefor or for any part thereof.

Tenth.—The privileges granted to the Lessee under this agreement shall not be sub-let by him without the sanction in writing of the Company, and the Lessee shall exercise the privileges conferred upon him under this agreement either himself or by his recognized servants only, and the Company shall not be required to give any reason for withholding or for withdrawing their sanction to the sub-letting of the privileges granted to the Lessee under this agreement.

Eleventh.—This agreement shall remain in force for a period of one year from the 1st of January 19____ and shall continue in force after the expiration of that time if the Lessee has given satisfaction and agrees to pay to the said Railway Company the sum of Rupees _____ per annum in advance, *i.e.*, before the 31st day of December of the year in which the Contract expires or until cancelled by one month's subsequent notice to be given by the said Lessee or by the said General Traffic Manager of the Great Indian Peninsula Railway Company. But it is hereby agreed that the said General Traffic Manager of the said Great Indian Peninsula Railway Company shall be entitled to cancel the agreement at any time either before the expiration of the first year or subsequently upon two days' notice if, in the opinion of the General Traffic Manager of the said Great Indian Peninsula Railway Company the said Lessee is not carrying out this agreement or for any other reason which they are not bound to state, the said Railway Company consider it necessary or desirable to terminate this agreement and the said Lessee agree, to give up possession and to remove his stall and effects from the said Railway premises upon the expiration of any notice given in pursuance of the terms of this clause.

Lastly—All approvals and consents acts and things to be given or done by the Company under the terms of this agreement shall be deemed to be properly and regularly given and done if given and done by the General Traffic Manager for the time being of the Company, or other the person or persons from time to time authorized by him or by the Company to give or do the same

As witness the hands of the said parties.

Witness to the signature of }

the General Traffic Manager of }
the G. I. P. Railway Company. }

General Traffic Manager.

Witness to the signature of }

the Lessee abovenamed. }

Lessee.

Received this _____ day of _____ 19____ from }
the Lessee abovenamed the sum of Rupees _____ }
being the consideration money within-mentioned and agreed }
to be paid by him _____ } Rs

Copy of letter No. 61, dated 1st April 1910, from the Political Agent, Cutch, to the Secretary to the Government of Bombay, Public Works Department, Bombay.

With reference to your letter No. 339, dated the 12th ultimo, I have the honour to forward herewith a copy of letter No. 134, dated the 31st March 1910, from the Diwán of Cutch to my address, showing what precautions are taken on the Cutch State Railway to ensure that the edible articles sold to native passengers on the Railway stations are of the best quality and to enforce a reasonable standard of cleanliness among the vendors.

Copy of letter No. 134, dated 31st March 1910, from the Diwán of Cutch, to the Political Agent, Cutch.

With reference to your letter No. 290, dated the 17th instant, I have the honour to inform you that from a report received from the Manager and Engineer, Cutch State Railway, it appears that the vendors and the edible articles they sell on the platforms are daily inspected by the Station Masters, who look that no unclean vendors are allowed on the platforms and see that the edible articles of best quality are sold there.

Copy of letter No. 8093, dated 31st March 1910, from the Agent, Madras and S. M. Railway Company, to the Secretary to the Government of Bombay, Public Works Department.

With reference to paragraph 2 of your letter No. 339-Ry., dated the 12th instant, I have the honour to inform you that the precautions taken on the Madras and Southern Mahratta Railway have always been such as to ensure edible articles of a good quality and at reasonable prices being sold to Indian passengers, and cleanliness enforced among the vendors of such articles. The vendor is required to execute an agreement binding himself to the following among other conditions :—

- (1) That he shall appear in a clean and suitable dress and wear a badge lettered "Licensed vendor."
- (2) That the edible articles shall be of a pure, fresh and wholesome nature.
- (3) That the articles shall not be sold at prices higher than those obtaining in the local bazar and duly sanctioned by the District Traffic Superintendent.
- (4) That the articles shall be subject to examination by the Railway Medical staff and Refreshment Inspectors and that the articles objected to by them shall be destroyed.
- (5) That the vendor and his servants shall submit themselves for examination by the Railway Medical staff as to their being free from any contagious or other dangerous disease.

2. There is an Inspector specially appointed whose only business is to constantly travel on the line to inspect and see that platform vendors and the Indian Refreshment Room-keepers at stations offer good things to the passengers, and, in consultation with respectable Indian passengers, whom he may come across while travelling, to suggest the means by which the catering to the comforts of 3rd class passengers can be improved.

Copy of letter No. 1883, dated 21st April 1910, from the Manager, Morvi Railway, to the Secretary to the Government of Bombay, Public Works Department.

With reference to your letter No. 339, dated 12th ultimo, I have the honour to state that on this Railway Station Masters and the Traffic Inspector have strict instructions to occasionally inspect the food stuff and see that they are not of an inferior quality.

The vendors also are instructed that if they sell articles of inferior quality they will either be destroyed or a fine up to Rs. 2 inflicted.

Copy of letter No. 899-7S-C, dated 16th May 1910, from the Chief Engineer and Agent, Barvi Light Railway Company, to the Secretary to the Government of Bombay, Public Works Department.

In reply to your No. 607-Ry. of the 14th instant, I have the honour to state that the precautions adopted by this Railway with regard to the sale of refreshments are the careful selection of contractors and the ordinary inspection from time to time by traffic officers. As we have never had a complaint from the public I assume this has been satisfactory.

APPENDIX D.

GREAT INDIAN PENINSULA RAILWAY COMPANY.

No. 62-C/4.

AGENT'S OFFICE, VICTORIA TERMINUS,
Bombay, 17th May 1910.The Secretary to the Government of Bombay,
Public Works Department, Railway,
Bombay.

Sir,

Complaints in the Khândesh-Vaibhav Newspaper of the 21st February 1910.

With reference to your letter No. 847-Railway, dated 12th March 1910, forwarding a translation of a leading article in the "Khândesh-Vaibhav" Newspaper of the 21st February 1910, I have the honour to inform you that the requirements of the Châlisgaon-Dhulia branch, as also of other branch lines connected with the G. I. P. Railway main line receive full consideration as regards the convenience of the public.

2. I will now reply to each of the complaints made:—

First complaint.—Full consideration was given to the question of increasing the first and second class fares before the increased rates were introduced and I regret that the rates cannot be reduced as asked for.

Second complaint.—The General Traffic Manager reports that the traffic offering did not warrant the running of a mudday train between Châlisgaon and Dhulia and it has therefore been discontinued.

Third complaint.—An estimate for the provision of a goods-shed at Dhulia is under preparation.

Fourth complaint.—The matter of providing drinking water for passengers at Dhulia is receiving attention, and it is hoped that suitable arrangements will shortly be made, in the meantime chatties of water are kept filled at the station for the use of passengers.

Fifth complaint.—Carriages are swept, watered and cleaned on arrival at Châlisgaon. The matter of keeping the carriages clean will continue to receive attention.

Sixth complaint.—This complaint is not understood. The carriage lamps are, according to rules, lit half an hour before the trains are due to start in the evening and are put out after arrival of trains at destination.

Seventh complaint.—An extra Goods Clerk is, the General Traffic Manager reports, not found to be necessary at present, but should the necessity arise, one will be appointed.

Eighth complaint.—It is not considered that there is any necessity for the provision of a Booking Office in the city at Dhulia all facilities for dealing with the traffic exist at the station.

Ninth complaint.—The question of the provision of intermediate class accommodation on this Railway has already received consideration, and it has been decided that there is no real necessity for this at present.

Tenth complaint.—The size of cattle vary to such an extent that it is difficult to fix a number which will, while securing a fair load, effectually prevent overcrowding. The matter will, however, continue to receive attention and every endeavour made to prevent overcrowding.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) H. A. L. HEPPER, MAJIB, R. E.,
for Agent.

APPENDIX E.

A.

Annual Statement of the Fund for the Relief of Indigent Pilgrims, Bombay.

1905-06.

	Rs. a. p.		Rs. a. p.
Amount of lapsed coupons transferred to the Fund ...	12,951 8 3	Paid to Railway Companies for railway tickets exchanged for Coupons ...	60 5 6
Miscellaneous Receipts—Value of Steamer tickets (unclaimed) credited to the Fund ...	10 0 0	Value of lapsed coupons refunded ...	385 1 0
		Cost of Cheque Books ...	2 0 0
			447 6 6
		Balance on 31st March 1906 ...	12,514 1 9
	12,961 8 3		12,961 8 3

1906-07.

	Rs. a. p.		Rs. a. p.
Balance on 1st April 1906 ...	12,514 1 9	To Railway Companies for tickets exchanged for coupons ...	33 3 0
Amount of lapsed coupons transferred to the Fund ...	13,352 7 3	Value of lapsed coupons refunded ...	545 2 0
Miscellaneous on account of value of unclaimed 9 Steamer tickets	98 3 2	Miscellaneous. For landing indigent pilgrims from steamer to shore ...	51 4 0
Amount transferred by the Health Officer of the Port of Bombay on account of balance remaining with him after settlement of all claims of steamer tickets of pilgrims ...	1,254 15 6	Railway fare to 400 indigent pilgrims despatched to their homes including batta at annas 3 each per day during the journey ...	5,758 9 6
			6,388 2 6
		Balance on 31st March 1907 ..	20,831 9 2
	27,219 11 8		27,219 11 8

1907-08.

	Rs. a. p.		Rs. a. p.
Balance on 1st April 1907 ...	20,831 9 2	To Refund of value of unused Railway coupons ...	326 2 0
Value of unused Steamer tickets...	109 5 5	Miscellaneous. Railway fare and batta provided to 480 indigent pilgrims despatched to their homes ...	5,142 6 6
Credit for non-issue of coupons adjusted through the exchange on account of the B. B. & C. I. Railway for May 1907 ...	56 4 0	Value of a stamp affixed on a cheque ...	0 1 0
Paid by the Health Officer of the Port of Bombay to the credit of the Fund ...	9 14 0		5,468 9 6
		Balance on 31st March 1908 ..	15,533 7 1
	21,007 0 7		21,007 0 7

1908-09.

	Rs.	a.	p.		Rs.	a.	p.
Balance on 1st April 1908 ...	15,538	7	1	To Railway and Steamer fare to 650 indigent pilgrims despatched to their homes including batta ...	8,120	6	9
				Refund of value of unused coupons ...	25	9	0
				Value of 3 stamps affixed on cheques ...	0	3	0
					8,146	2	9
				Balance on 31st March 1909 ...	7,392	4	4
	15,538	7	1		15,538	7	1

1909-10.

	Rs.	a.	p.		Rs.	a.	p.
Balance on 1st April 1909 ...	7,392	4	4	Boat hire for indigent pilgrims conveyed from Steamer to Malet Bunder ...	90	0	0
Donations from the members of the Haj Committee ...	1,400	0	0	Railway and Steamer fare for 531 indigent pilgrims paid to G. I. P., B. B. & C. I. Railways, &c., including batta ...	7,088	10	3
Donations from different gentlemen ...	3,610	6	0	Refund of unused Railway coupons ...	8	10	0
Received from H. H. the Nizam's Government railway fare and batta originally advanced from the Fund to 7 destitute pilgrims ...	30	5	0	Value of Receipt Stamps affixed to 3 cheques ...	0	3	0
Recovered from the B. B. & C. I. Railway Company on account of refund of Railway fare paid to a pilgrim for unused portion of a ticket ...	10	9	0	To provide for the purchase of Stationery, &c., for the Haj Committee, out of the donations subscribed by the Committee ...	83	8	0
Value of unused Pilgrim Steamer ticket recovered from a Steamer Company ...	45	0	0	Compensation paid to an indigent pilgrim for loss of baggage ...	5	0	0
Value of Postal Money Order sent by H. M.'s Steamer "Perseus" ...	15	0	0		7,275	15	3
Amount refunded by two Pilgrims ...	17	0	0	Balance on 31st March 1910 ...	5,244	9	1
	12,520	8	4		12,520	8	4

1910-11 (up to 18th June 1910).

	Rs.	a.	p.		Rs.	a.	p.
Balance on 1st April 1910 ...	5,244	9	1	Railway fare paid to Companies for 15 indigent pilgrims despatched to their homes ...	160	7	0
Donations received after the publication of the appeal by the Commissioner of Police, Bombay ...	1,437	2	0	Batta and Conveyance hire to 333 indigent pilgrims ...	258	5	0
				Value of Receipt Stamp affixed to a cheque ...	0	1	0
				Claim for lapsed coupon paid ...	26	7	0
					445	4	0
				Balance on 18th June 1910 ...	6,236	7	1
	6,681	11	1		6,681	11	1

N.B.—All the above accounts of the Railway Companies have been adjusted some months after the dates of repatriation of the indigent pilgrims. Accordingly during the present season in all 833 pilgrims have been repatriated and the Railway Companies' Bills for the fare of 820 pilgrims out of the said 833 pilgrims amounting to Rs. 4,394-3-3 remain still unadjusted. Rs. 234-0-0 for which bills have been submitted and remain unpaid for conveying absolutely indigent pilgrims from the steamers to the Bunders and Rs. 1,000-0-0 have to be reserved for the pending and expected claims of the pilgrims or their heirs for the lapsed coupons. Consequently the balance now available is according to the following statement and steps are being taken to utilize the same for the repatriation of further pilgrims.

Statement of the balance now available.

	Rs.	a.	p.		Rs.	a.	p.
Balance in hand	6,236	7	1	Amount payable to Railway Companies for repatriation of indigent pilgrims ...	4,394	3	3
				Amount payable for boat hire from the Steamers to Bunders for pauper pilgrims ...	234	0	0
				Reserved for pending and expected claims for lapsed coupons ...	1,000	0	0
					<hr/>		
					5,628	3	3
				Balance now available.	608	3	10
					<hr/>		
					6,236	7	1

Bombay, 20th June 1910.

S. M. EDWARDES,
Commissioner of Police.

APPENDIX F.

B.

Summary showing the number of indigent pilgrims repatriated and the cost incurred thereto.

Year.	Number of indigent pilgrims despatched to their homes.	Railway fare including Bhatta.	Remarks.
		Rs. * a. p.	
1905-06 ... ..	...	.....
1906-07	400	5,758 9 6	
1907-08	480	5,142 6 6	
1908-09	660	8,120 6 9	
1909-10	581	7,088 10 3	
1910-11	13	160 7 0	
	320	258 5 0	Bhatta for 320 pilgrims has been paid.
		4,394 3 3	Amount of unpaid bills of Railway Companies.
Total ..	2,404	30,923 0 3	

Bombay, 20th June 1910.

S. M. EDWARDES,
Commissioner of Police.

APPENDIX G.

REVENUE DEPARTMENT.

Bombay Castle, 24th May 1910.

No. 4659.—In exercise of the powers conferred by section 1, paragraph 5, of the Transfer of Property Act, 1882 (IV of 1882), the Governor in Council, with the previous sanction of the Governor General in Council, is pleased to exempt from the provisions of sections 59 and 123 of the said Act, with effect from the 1st January 1893 to the 1st July 1910, the following territories administered by the Government of Bombay, namely:—

* The districts of Poona, Sátára, Sholápur and Ahmednagar.

By order of His Excellency the Honourable the Governor in Council,

G. CARMICHAEL,
Chief Secretary to Government.

APPENDIX H.

REVENUE DEPARTMENT.

Bombay Castle, 24th May 1910.

No. 4659-A.—In exercise of the powers conferred by section 61 of the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), the Governor in Council is pleased to make the following amendment in the rules under the said section for regulating the proceedings of Village Registrars and for providing for the custody of their records, published in Government Notification in the Revenue Department No. 7189, dated the 11th September 1896, as subsequently amended.

Amendment.

For Rule No. 22 of the said rules the following shall be substituted, namely :—

“22. When the instrument has been written it shall be read out to all the parties by the Village Registrar and executed as provided in section 57 of the Act. Endorsements to be made on the instrument after its execution.

The Village Registrar shall then endorse upon the instrument a note in the following form :—

	Rs.	a.	p.
‘ Fee received for preparation and registration, etc., etc. ...	0	0	0
Total ...	0	0	0

If a witness is examined as to identify his signature and place of residence shall be taken in the following form, *viz.* :—

I, E. F. of G. H., identify A. B.

(Signature or mark of E. F.)’

Below the above the Village Registrar shall make the attestation required by paragraph 2 of section 57 of the Act in the following form :—

‘This instrument written by me (or under my superintendence), after having been read aloud within his hearing has been executed in my presence this day by A. B. of C. D., whom I know (or of whose identity I have duly satisfied myself).’

This endorsement shall be signed and dated by the Village Registrar.

If the instrument is an instrument of mortgage or gift, or if any of the executors is unable to read the instrument, the attestation of two respectable witnesses shall immediately follow that of the Village Registrar. Such attestation shall be written in the following form, irrespective of the fact whether the party is a literate or otherwise.

‘ We, I. J. of K. L. and M. N. of O. P., have witnessed the execution this day of this instrument by A. B. of C. D.

(Signature or mark of I. J. of K. L.)

(Signature or mark of M. N. of O. P.)’

The Village Registrar shall next endorse upon the instrument the note required by paragraph 2 of section 59 of the Act as to whether or not the transfer of the consideration named therein or of any part thereof took place in his presence. This note shall be in one or other of the following forms, as the case may be :—

‘ A. B. of C. D. has in my presence this day received from Q. R. of S. T. the sum of Rs. (to be entered both in figures and words) (the following articles, *viz.*), being the whole (a part) of the consideration stated in this instrument ;’

or

‘ No portion of the consideration stated in this instrument has been paid in my presence to A. B. of C. D.’

The endorsement shall be signed by the Village Registrar.

Immediately below such declaration shall be endorsed a further note showing the number of the instrument and the page and volume of the Register Book in which it is registered.

Finally, at the foot of all these endorsements shall be affixed the Village Registrar's signature with his official designation ' Village Registrar of ' and the date of such signature."

By order of His Excellency the Honourable the Governor in Council,

G. CARMICHAEL.
Chief Secretary to Government.

APPENDIX I.

Note.

The information required is compiled in the accompanying statements. The excess of receipts over charges is Rs. 4,646-7-6 and Rs. 18,377-4-3 for the Poona and Kirkee shops respectively. The charges do not take into account license fees for the right of retail vend. These were Rs. 5,125 and Rs. 18,600 respectively for the two shops for the year 1907-08 when the sales were 3,957 gallons and 9,748 gallons respectively. At the beginning of 1908-09 the maximum selling price was raised from Rs. 5-4 to Rs. 6-12, the still-head duty remaining the same (Rs. 4), and the cost price rose from 10 annas to 13 annas.

APPENDIX J.

Poona Shop.

Receipts.			Expenditure.		
	Rs.	a. p.		Rs.	a. p.
Selling price of 3,908 gallons 17½ drams (2,283 gallons 30¼ drams at Rs. 6* per gallon and 1,624 gallons 35 drams at Rs. 6-12 per gallon) ...	24,668	11 9	Pay of vendors and other staff ...	643	14 1
Excess collection on ¼ dram sales at 1 anna 3 pies instead of 1 anna 1½ pies ...	83	13 0	Lighting and cleaning ...	10	11 0
Sale proceeds of furniture ...	100	1 6	Rent ...	216	0 0
Recovery of duty (Rs. 56-12) on, and cost price (Rs. 10-10-3) of, liquor remaining unsold on the night of 31st March 1909 ...	67	6 3	Transport ...	68	7 3
Recovery of house rent from a sub-tenant ...	36	0 0	Casks and bottles ...	93	11 3
Total ...	24,956	0 6	Furniture and miscellaneous ...	173	9 3
			Wastage and dryage ...	255	0 0
			Cost price of 3,975 gallons 24 drams of liquor (154 gallons 8 drams at 10 annas per gallon and 3,821 gallons 16 drams at 13 annas per gallon) plus 1 anna 2 pies for "give and take."	3,201	4 2
			Duty on 3,975 gallons 24 drams at Rs. 4 per gallon ...	15,902	0 0
			Total ...	20,564	9 0

*NOTE.—From 1st April to 24th October 1908 liquor was sold at Rs. 6 per gallon and from 25th October 1908 to 31st March 1909 at Rs. 6-12 per gallon in order to keep to the prices proposed to be charged by the liquor licensees in the vicinity.

Kirkee Shop.

Receipts.			Expenditure.		
	Rs.	a. p.		Rs.	a. p.
Selling price of 10,769 gallons 47 drams (at Rs. 6-12 per gallon) ...	72,697	5 9	Pay of vendors and other staff ...	1,420	13 10
Excess collection on ¼ dram sales at 1 anna 3 pies instead of 1 anna 1½ pies ...	552	7 3	Lighting and cleaning ...	14	12 3
Sale proceeds of furniture ...	211	8 11	Rent ...	257	15 6
Recovery of duty (Rs. 977-2-8) on, and cost price (Rs. 183-3-6) of, liquor remaining unsold on the night of 31st March 1909 ...	1,160	6 2	Transport ...	235	2 6
Total ...	74,621	12 1	Casks and bottles ...	161	5 0
			Furniture and miscellaneous ...	371	4 6
			Wastage and dryage ...	342	0 0
			Cost price of 11,085 gallons 6 drams of liquor (342 gallons 39 drams at 10 annas per gallon and 10,742 gallons 15 drams at 13 annas per gallon), plus annas 4 for "give and take" ...	8,942	10 3
			Duty on 11,085 gallons 6 drams at Rs. 4 per gallon ...	44,340	8 0
			Total ...	56,086	7 10

APPENDIX K.

A.

Statement showing the names of the present A'bakari contractors in the Konkan Districts.

District.	Name of Contractor.
<i>Thána.</i>	
(1) Sálsette, Bassein and Máhm talukás ...	{ Khán Bahádur Naoroji Pestonji Vakil. Khán Bahádur Rustomji J. Vakil. Mr. K. C. Lalkaka. Mr. Sorabji Ruttonji Lalkaka.
(2) Dáhánu taluka, Umbergaon petha and Jawhar State.	{ Mr. Merwanji Dadabhoy. Mr. Tribhowandas Jamnadas. Mr. Jijbhoy Ardeshr Divecha.
(3) Kalyán, Váda, Bhiwandi, Sháhápur and Murbád talukás.	{ Mr. B. E. Umrigar. Mr. P. C. Umrigar. Mr. A. J. Umrigar.
<i>Kolába.</i>	
(1) Karjat and Panvel talukás ...	Khán Bahádur Hormasji Maneckji Bhiwandiwala and Dorabji Dossabhoy Bhiwandiwala.
(2) Rest of district with Sudhágad mahál of Bhor State.	Khán Bahádur Hormasji Maneckji Bhiwandiwala and Dorabji Dossabhoy Bhiwandiwala.
<i>Ratnágiri district.</i>	... Khán Bahádur Hormasji Maneckji Bhiwandiwala and Dorabji Dossabhoy Bhiwandiwala.

APPENDIX L.

B.

Statement showing how the *A'bkari farms* were held in 1908-

District.	Name of Contractor.	Date from which the Contractor shown in column 2 has uninterruptedly held the farm.
<i>Contract Supply System.</i>		
Ahmedabad ...	} Messrs. Dalal, Vakil & Co. ...	1908-09.*
Kaira ...		
Panch Maháls ...		
Broach ...		
Surat (including the Dángo)	} Messrs. Sorabji and Kawasji Dadabhoy	1896-97.
West Khándesh ...		
East Khándesh ...		
Poona and Ahmednagar ...	Messrs. Sorabji and Kawasji Dadabhoy	1896-97.
Sátára and Sholápur ...	Messrs. Sorabji and Kawasji Dadabhoy	1908-09.
Násak ...	Messrs. Sorabji and Kawasji Dadabhoy	1907-08.
Bijápur ...	} Messrs. Parry & Co. ...	1908-02.
Belgaum ...		
Dhárwár ...		
Kánara (above-gháts) ...		
<i>District Monopoly System.</i>		
<i>Thána.</i>		
(1) Sálsette, Bassein and Mábim Tálukás.	Khán Bahádur Naoroji Pestonji Vakil... Khán Bahádur Rustomji J. Vakil ... Mr. K. C. Lalkaka ... Mr. S. R. Lalkaka ...	1901-02.
(2) Dhánu Táluka, Umbargaon petha and Jawhá State.	Mr. Merwanji Dadabhoy ... Mr. Tribhowandas Jamnadas ... Mr. Jijbhoy Ardeshr Divecha ...	1905-06.
(3) Kalyán, Váda, Bhiwandi, Sháhá-pur and Murbád tálukás.	Mr. B. E. Umrigar ... Mr. P. C. Umrigar ... Mr. A. J. Umrigar ...	1901-02.
Kotáda ...	Khán Bahádur Hormusji Maneckji Bhiwandiwala, and Dorabji Dossabhoy Bhiwandiwala.	1901-02.
Ratnágiri ...	Khán Bahádur Hormusji Maneckji Bhiwandiwala, and Dorabji Dossabhoy Bhiwandiwala.	1903-04.
Kánara (below-gháts) ...	Mr. Dadabhoy Ratanji Balsarwala ...	1899.
Sankheda Mewás ...	Mr. Jamsedji Nasarwanji Ginwala ...	1892-93.

* NOTE.—Prior to 1908-09 Messrs. Dalal, Vakil & Co. held contracts for two districts only, viz., Broach and Panch Maháls, but this firm was then known as Messrs. Dalal and Company.

APPENDIX M.

Village Police.
Reorganization of the inferior Village Police
in the Ahmedabad District.

No. 9 of 1900.

JUDICIAL DEPARTMENT.

Bombay Castle, 3rd January 1900.

Mémorandum from the Revenue Department, No. 4010, dated the 10th June 1899—Transferring for disposal a memorandum No. 1807, dated the 20th May 1899, from the Commissioner, N. D., who forwards a letter from the Collector of Ahmedabad, No. 1169, dated the 1st idem, on the subject of the reorganization of the inferior Village Police in the Ahmedabad District. Transferring also a memorandum from the Commissioner, N. D., No. 1868, dated the 23rd May 1899, on the same subject.

Memorandum to the Revenue Department, No. 6056, dated the 28th August 1899.

Memorandum from the Revenue Department, No. 6900, dated the 30th September 1899.

RESOLUTION.—The scheme formulated by the Collector of Ahmedabad is approved and sanctioned, subject to the restriction that land assignments must be confined to such amounts as may in each case be approved by the Commissioner, N. D. Increased expenditure may be incurred in the villages specified in Statement U, or such others as the Collector or the Commissioner may decide, up to the limit of Rs. 2,500 without equivalent reduction in expenditure elsewhere. Above this limit, however, the scheme should be brought into operation gradually, every increase in establishment and expenditure being provided for by reductions elsewhere, until the whole of the reductions proposed in Statement B are carried into effect. The reductions under Statement B should be effected by the Collector in the manner indicated by him in paragraph 16 of his report in the particular case, or with the previous approval of the Commissioner in any other manner that is considered convenient, provided that the legal rights of the persons whose posts are reduced are not infringed. Where waste land is available for assignment to the increased establishment and other remuneration is not required, it may be granted at once, and the establishment entertained without reference to the limits of expenditure mentioned above.

(Signed) L. C. CRUMP,
Under Secretary to Government.

To
The Commissioner, N. D.,
The Collector and District Magistrate, Ahmedabad,
The Inspector-General of Police,
The Revenue Department,
The Financial Department.

APPENDIX N.

The following are the regulations on the subject of the impressment of carts :—

(a) that the rate of cart hire be fixed by order of the Commissioners of Divisions per mile, as Kos vary greatly : that there be a minimum charge for engaging a cart at all, and a minimum rate for a cart kept a whole day ;

(b) that no cart be carried beyond 20 miles, or thereabouts, from the place of hiring ;

(c) that a list of all carts in a village be kept by the patel, and a list of the number of carts in each village by the Mámlatdár ;

(d) that requisitions by public officers for carts be made on the patel, or where a large number are needed (as when troops are marching) on the Mámlatdárs, and be met in strict rotation of individuals and of villages ;

(e) that no person's cart be taken in a village other than his own, unless he offers it for hire ;

(f) that no cart in use on any public road be taken for the use of public officers travelling ;

(g) that officers below the rank of Assistant or Deputy Collector or Executive Engineer should be furnished with a written order from their official superiors for obtaining transport by requisition.

APPENDIX O.

BUDGET OF THE GOVERNMENT OF BOMBAY FOR THE YEAR 1910-11.

[Figures in thousands of rupees.]

The current year's budget estimates of Provincial revenue and expenditure embodied in the Revised Financial Statement for the year 1910-11, as modified by the memorandum issued from the Financial Department on 11th March 1910, have been finally accepted by the Government of India without any modification. Accordingly the figures now stand as shown in the following table :—

	1909-10.		1910-11.
	Budget.	Revised.	Budget.
Opening balance ...	69,62	69,83	76,84
Revenue ...	6,20,87	6,30,84	6,29,40
Expenditure ...	6,26,07	6,28,83	6,39,37
Closing balance ...	64,42	76,84	60,87

Details by major heads are given in the appended statement. Detailed distribution of the major head figures will be found in the Civil Estimates for 1910-11, a copy of which is furnished to the Honourable Members.

2. The Revised estimates for 1909-10 of disbursements and recoveries of takāvi and other loans as finally passed by the Government of India amount to 38,76 and 42,83 instead of 39,43 and 42,33 as stated in paragraph 8 of the Revised Financial Statement for 1910-11. These alterations necessitate some changes in the figures given in the second and the last sentence of paragraph 15 of the Revised Financial Statement where the figures of the Loan estimates for 1910-11 were compared with those of the Revised estimates for 1909-10. The amount of 26,00 provided for loans to cultivators in 1910-11 is distributed as shown below :—

Northern Division ...	...	...	...	4,25
Central Division ...	...	...	...	11,41
Southern Division ...	...	...	...	3,05
Sind ...	...	...	...	7,16
Reserve with Government ...	...	...	...	13
			Total ...	<u>26,00</u>

3. Under the head Irrigation slight changes have been made in the distribution of the grant for Original Works, the allotment for Deccan and Gujarāt for Major Works being reduced by 3 with a corresponding addition to the allotment for Sind and the allotment for Minor Works in Deccan and Gujarāt being raised by 2 with a corresponding reduction in the allotment for Sind.

4. The expenditure Budget in the Public Works Department is now distributed as follows :—

<i>Original Works.</i>				
Civil Buildings ...	...	...	...	20,10
Communications ...	...	...	...	4,77
Miscellaneous Public Improvements ...	...	...	...	50
Reserve including discretionary grants (5,00) to certain Heads of Departments ...	...	...	...	6,84
				<u>32,21</u>
<i>Repairs.</i>				
Civil Buildings ...	...	...	...	6,71
Communications ...	...	...	...	11,77
Miscellaneous Public Improvements ...	...	...	...	28
				<u>18,74</u>
Establishment ...	...	...	...	12,77
Tools and Plant ...	...	...	...	1,80
			Total ...	<u>65,52</u>

The provision of 32,21 for original works is made up of 21,31 for major works in progress, 4,06 for new major works, 5,00 for minor works, and 1,84 for reserve with Government. The provision of 20,10 for "Original Works—Civil Buildings" is distributed as shown below :—

Administration	...	...	...	...	6.62
Police	...	...	...	...	4.22
Education	...	...	...	...	3.29
Medical	...	...	...	...	2.48
Jails	...	...	...	...	2.28
Miscellaneous	...	...	...	...	65
Law and Justice	...	...	...	...	56
					Total .. 20.10

The grants exceeding 10 in each case for major works in progress will be spent chiefly on :—

- (i) Central block of buildings for the accommodation of various offices at Poona (1,00), Buildings in connection with the contemplated formation of a new district in Sind (70), Electric Installation at Government House, Ganeshkhind (60), Kacheri and Court-house at Hyderabad (55), Commissioner's offices at Ahmedabad (36) and Belgaum (17), Deputy Commissioner's office and Huzur Treasury and Deputy Collector's office at Mirpurkhas (25), Mamlatdars' kacheris at Raver (25), Dhárwár (25), Dindori (23), and Sátára (20), and Improvements and alterations to the Commissioner's Press, Karáchi (20);
- (ii) Police lines near the Arthur Crawford Market, Bombay (50), Quarters for the City and Head-Quarter Police, Surat, (50), City Police Lines at Sholápur (35), Lines for the armed Police and conversion of the head-quarter office into quarters for the City Police at Broach (30), Head-Quarter Police lines at Kárwár (23), Buildings for the Head-Quarter Police at Sátára (20) and Thána (20), Police Lines at Ráver (18), Sekhat, Central Hyderabad Canals District (13), and Ankola (11), and Police offices and stores (17), and new lines for the armed Police (13) at Jacobabad;
- (iii) Agricultural College and Research Institute Buildings (including hostel for students) at Poona (1,25), Laboratory at the College of Science, Poona (50), Physiological Laboratory (35), Quarters for students (17) and Lecture Theatre (14) in connection with the Grant Medical College, Hostel for the High School at Dhárwár (25), Additions and alterations to the students' hostel, Elphinstone College (21), and Government Middle School at Surat (16);
- (iv) Central Lunatic Asylum at Yeravda (1,00), Depot for the preparation of vaccine lymph at Belgaum (32), Quarters for the Assistant Surgeons and Stewards of the J. J. Hospital, Bombay (26), and certain works at the Gokuldas Tejpal Hospital, Bombay (25);
- (v) Jail for Bombay at Andheri (1,25) and Civil Debtors' Jail at Crater, Aden (13);
- (vi) Court for the District Judge at Surat (24);
- (vii) Bridges at Kalyán (90), Mahuli in the Sátára District (50), Khed in the Poona District (40), and Konkangson (20), and on the Kolhápúr Road (20), Improvements to the Khándesh-Nízám Frontier Road (25), Karád-Bujápur Road, Section from Tikota (15), and Málwan-Phonda Road (15), Roads from Erandol to Paldhi (25), from Vihigaon to Khodala (24), from Uran to Jasai (20), and from Bhatkal to Mysore Frontier (20), Widening the Bombay-Agra Road in Násik (17), and Dips and bridges on Pali-Phonda Road (12); and
- (viii) Construction of the Vasápur Tank (20), Water-supply to the Lunatic Asylum and the town of Ratnágiri (15), and Pier at Rewas (15).

Among the new major works the most important are—

- (i) Sanitary fittings at Government House, Ganeshkhind (60), Mukhtíárkar's kacheri at Tatta (25), Works in connection with the development of Sásette (21), and Residence for the Assistant Political Agent at Pálanpur (19);
- (ii) Construction of a building of three flats in the Marine Lines, Bombay (40), New office for the Executive Engineer, Kánara (12);
- (iii) Quarters for extra warders (25), and Battery for the Printing Press (18) at the Yeravda Prison;
- (iv) Chemical Analyser's Laboratory at Karáchi (22);
- (v) Kirkee Police Lines (14), and Additions to the Nággpáda Police Station in Bombay (13);
- (vi) Bridge over the Amba river on the road from Dharamtar to Mahábleshtar (20); and
- (vii) Amalgamation of the compound of the District Judge's and Sub-Judge's Courts at Ahmednagar (12).

Bombay Castle, }
9th June 1910. }

J. W. P. MUIR MACKENZIE.

Statement showing Provincial Revenue and Expenditure by Major Heads for the years 1908-09, 1909-10 and 1910-11.

[In thousands of rupees.]

Number of Account head.	Major Heads of Revenue.	Accounts, 1908-09.	Budget, 1909-10.	Revised 1909-10.	Budget, 1910-11.	Number of Account Head	Major Heads of Expenditure.	Accounts, 1908-09.	Budget, 1909-10.	Revised, 1909-10.	Budget, 1910-11.	
	Provincial share ..	1,70.81	2,05.06	2,10.85	2,03.03	1	Refunds and Drawbacks ...	8.91	2.69	3.38	8.37	
I	Land Revenue	Alienated ...	92.24	92.54	92.28	2	Assignments and (Cash	9.36	9.49	9.86	9.54	
		Fixed allotment and adjustments	...	91.02	91.50	92.63	89.35	Compensations, } Alienations ...	79.35	79.43	79.78	79.78
			Land Revenue ... { Cash					78.77	74.35	73.21	74.37	
IV	Stamps ...	32.11	32.50	36.40	38.26	6	Stamps ... { Alienations ...	7.40	7.43	7.19	7.40	
V	Excise ...	84.23	87.00	86.00	87.12	7	Excise ...	1.11	1.16	1.14	1.16	
VIII	Assessed Taxes ...	23.76	24.19	23.48	23.98	10	Assessed Taxes ...	5.09	4.90	4.80	4.93	
IX	Forest ...	17.04	18.50	19.05	18.55	11	Forest ...	45	48	47	49	
X	Registration ...	7.08	7.04	7.40	7.60	12	Registration ...	10.23	10.53	10.68	11.31	
XII	Interest ...	7.04	7.67	10.00	9.81	13	Interest in Ordinary Debt ...	8.52	8.62	9.68	8.90	
XVI-A	Law and Justice—Courts of Law ...	5.89	5.00	6.70	5.87	18	General Administration ...	16.07	16.06	16.11	17.04	
XVI-B	Do. —Jails ...	2.17	2.35	2.50	2.05	19-A	Law and Justice—Courts of Law ...	52.81	52.49	52.60	53.03	
XVII	Police ...	8.94	4.40	3.96	4.03	19-B	Do. —Jails ...	9.32	9.84	9.83	10.49	
XVIII	Ports and Pilotage ...	89	90	90	95	20	Police ... { Cash	84.38	88.10	88.14	89.95	
XIX	Education ...	4.09	4.10	4.10	4.20	21	Ports and Pilotage ... { Alienations ...	4.99	4.98	5.01	5.01	
XX	Medical ...	2.22	2.24	2.20	2.16	22	Education ...	58	57	60	56	
XXI	Scientific and other Minor Departments ...	61	85	80	98	23	Medical ...	41.21	44.73	44.00	50.80	
XXII	Receipts in aid of superannuation ...	2.11	2.05	2.20	2.35	24	Political ...	25.52	29.13	26.75	30.12	
XXIII	Stationery and Printing ...	1.03	1.00	1.05	1.01	25	Scientific and other Minor Departments ...	4.00	4.47	4.60	4.97	
XXV	Miscellaneous ...	76	1.00	1.00	98	26	Superannuation Allowances and Pensions ...	7.00	6.69	7.16	6.96	
XXIX	Irrigation—Portion of Land-Revenue due to Irrigation ...	12.47	11.34	13.05	11.33	29	Stationery and Printing ...	27.27	23.79	23.79	30.20	
XXIX	Irrigation—Major Works—Direct Receipts ...	4.91	5.20	5.80	5.69	30	Miscellaneous ...	12.87	12.72	13.46	13.99	
XXX	Irrigation—Minor Works and Navigation ...	2.02	1.67	1.50	1.50	32	Political ...	2.97	3.00	2.95	3.62	
XXXI	Civil Works ...	7.57	7.07	6.60	6.02	33	Famine Relief ...					
						36	Reduction or Avoidance of Debt ...	13.70	13.70	13.70	13.70	
						41	Miscellaneous Railway Expenditure ...	47				
						42	Irrigation—Major Working expenses Works. } Interest ...	5.87	5.81	5.26	6.34	
						43	Irrigation—Minor Works and Navigation ...	5.28	5.68	5.64	6.13	
	Total ...	5,37.54	6,20.37	6,30.84	6,23.40	45	Civil Works ...	78.75	77.36	78.14	73.96	
	Opening Balance ...	96.02	69.63	62.93	78.34		Total ...	614.03	6,26.07	6,23.63	6,22.27	
	Grand Total ...	6,33.56	6,90.00	7,00.67	7,00.24		Closing Balance ...	69.53	64.42	76.84	60.87	
							Grand Total ...	6,33.56	6,90.00	7,00.67	7,00.24	