Minutes of Evidence Taken Before the Royal Commission Decentralization in Bombay

Vol. III. 1908

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Report

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN

BOMBAY.

VOLUME VIII.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRAL

FIFTY-FIRST DAY.

BOMBAY, *Thursday, 5th March*, 1908.

PRESENT:

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

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. R. A. LAMB was called and examined.

The Hon. Mr. R. A. Lamb

5 Mar., 1908

32067. (*Chairman.*) You are the Chief Secretary of the Government of Bombay?—Yes. I deal more particularly with the Revenue and Financial Departments.

There is an essential difference, to the best of my knowledge, not recognised in practice, between the Governments of Madras and Bombay and the other provincial Governments. The latter consist merely of a Lieutenant-Governor who must therefore alone dispose, with his Secretariat, of all matters referred to the Local Government; the former are fully constituted Governments consisting of a Governor and a Council amongst whom the work of the Local Government is distributed for disposal by a Member of the Honourable Board, or by two of them, or by the Full Board, according to the importance of the subject. The financial power of such a fully constituted Government should logically be larger than that of a Lieutenant-Governorship.

There should be a return to the former system of entirely separated heads of revenue and expenditure, and divided heads both of revenue and expenditure should be abolished. The net revenue at present derived by the Government of India from Bombay under those heads only which are shown in the provincial budgets is approximately 6⅜ crores. I would advocate a division under heads which are either wholly imperial or wholly provincial, yielding to the Government of India a net revenue of 6½ crores. The difference is ⅛ of a crore only; that is to say, the revenues of the Government of India would be in as good a position as they are now. The difference would be that the budget of the provincial revenue and expenditure under the wholly provincial heads would be drawn up separately, as under the former system, should be debated and settled in the Local Legislative Council, and should not be liable to alteration by the Government of India. The budget of the wholly imperial heads should, as at present, be prepared by the Local Government; it should be submitted to the Government of India, should not be debated in the Local Legislative Council, and should be liable to alteration by the Government of India, but not as at present by a Secretary of the Government of India with no reason assigned. There should be a fixed assignment from provincial to imperial instead of from imperial to provincial as at present; and against this assignment should be worked the existing guarantees of a minimum land revenue and of famine expenditure. The Government of India should remain, as at present, solely in charge of resource estimates, ways and means, and cash balances in India. The provincial balances should continue to form part of the general balances of the country; but this Government should have power to spend in any year, in excess of its total budget provision for the year (*a*) when the actual opening balance of the year was found by the actuals of the preceding year to be in excess of the budgeted opening balance—up to the amount of the excess plus a fixed proportion—say ¼ of the actual opening balance; (*b*) when the actual opening balance was found by the actuals of the preceding year to be equal to or less than the budgeted opening balance—up to a fixed proportion—say ⅛ of the actual opening balance. The Local Government should be required to give to the Government of India previous intimation of its intention to exceed the total budget provision of the year; and should be bound to modify its intentions to the extent required by the Government of India for reasons connected with the maintenance of the general resources and cash balances, but not otherwise. The Accountant-General would continue to be as at present an Imperial Officer, charged with the audit of the revenue and expenditure within the province, whether imperial, provincial or local.

With an assured revenue under their own control, fully constituted Governments such as Bombay should have borrowing powers, subject to restrictions as indicated in the Government case. It would be proper for them to raise money for their own requirements on the security of their own revenues, without having to depend on the willingness of the Government of India to raise a loan for provincial purposes on the security of the general revenues. There would not, however, be any advantage in this Government having borrowing powers unless a considerable or large number of revenue heads ceased to be divided and were made wholly provincial. It would also be necessary that the settlement should provide for a provincial income in excess of the provincial expenditure. The revenues drawn by the Government of India from Bombay would be reduced to that extent; and to an equivalent extent the former Government would be relieved from the necessity of borrowing, and of making provision for interest and reduction of debt in respect of works in the Bombay Presidency.

Under all heads made wholly provincial, the Bombay Government should have powers not less than those which the Government of India now has, or may have hereafter, in respect of imperial heads. Under heads wholly imperial as proposed in the Government Case.

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The Hon. Mr. R. A. Lamb.

5 *Mar.*, 1908.

The extent to which administrative powers should be exercised by the Bombay Government should be larger than that proper to other Local Governments (except Madras). When general lines of policy are laid down, the Bombay Government should not be restricted in its application of them in any department falling under any head made wholly provincial. As regards these, copies of its proceedings would go, as now, to the Government of India, and that Government would comment on the proceedings, when necessary, and convey its criticisms to this Government, for consideration; but it should not have authority to compel this Government to alter its orders regarding the application of the general principle to the local conditions. In departments falling under heads wholly imperial, which are at present, and should continue to be, administered by this Government as agent for the Government of India, the attitude of the Government of India towards the Local Government should be one of confidence, not of distrust. That that is not in all respects the present attitude of the Government of India seems to be indicated by such actions as the refusal of that Government to grant to this Government authority to dispose of cases of shares held, or presents received, by officers serving under this Government.

It is for the legal officers of Government to advise whether a general Act or a series of specific amending Acts is preferable. The speedier course would be the better.

The tendency of the departments of the Government of India is distinctly towards a too rigid uniformity. For example, as regards agricultural education, this Government was recently asked not to proceed to affiliate its Agricultural College to the Bombay University, the main reason being apparently that other provinces were not yet advanced enough to arrange for the grant of a degree in agriculture, and that it was thought desirable that all should advance at the same pace. Police reform proposals, forest subordinate establishment schemes, civil veterinary subordinate organisation, all have been delayed or have been returned with minute detailed criticisms because, it appears, they are not cut exactly to the pattern which seems to be thought necessary for all India. Every Government must dispose of liquor shops in its territories in exactly the same way. Even every peon in India should wear the same uniform. The way to reform lies through the provincialization of all departments which the Local Government can deal with locally, the control of the Government of India being restricted to supervision and advice.

The tendency is to place no trust in the Local Government, but to require everything, except the most insignificant matters—and even some of these—to be referred to the Government of India for orders; to allow but little latitude to the Local Government in the development of its own administration; and to extend the control of the Government of India into every ramification of every department of Government. It can hardly be said that the Government of India is too impersonal; the personal touch is not infrequently perceptible in its orders. There is also a marked tendency to over-elaboration and complexity in rules and regulations. Classes of cases which might be reduced to comparatively few by treating them on broad lines, disregarding minor and unessential differences, are divided and sub-divided so that each such difference is the cause of a separate rule. These complicated rules cause constant references, audit objections, and waste of time and labour. Examples are the mass of Travelling Allowance Rules, and the set of Foreign Service Rules. Indeed the whole of these regulations could with advantage be reduced and simplified; as could many of the provisions of the Civil Account Code.

The orders regulating the dealings of the Inspector-General of Forests with the Forest Department in this Presidency, and with this Government, may be taken as a model on which the relations of all Directors and Inspectors-General with this Government and its departments should be laid down. Within a sphere strictly prescribed as in those orders, many of these general officers are capable of being of service to this Government without interfering with its control of its own affairs. Without such a prescription, they must inevitably tend to arrogate a direct share in the management of provincial concerns. The Government of India constitutes them, it may be, in the first instance its advisers in their particular departments, and at the same time the advisers—perhaps in technical matters only—of the Local Government. Then—or possibly even from the first—it delegates to them some of its own administrative authority; it cannot but result that the exercise of the administrative authority delegated to them in affairs of the Imperial Government is extended by these officers, perhaps almost unconsciously, into administrative intervention in the affairs of the Local Government. So long as the Government of India requires these Directors and Inspectors-General to advise it and exercise part of its own administrative authority, they should be absolutely debarred from correspondence, formal or informal, with the Local Government or its officers, except at the request, or with the express permission, of the Local Government. Without such an absolute bar experience shows that they pass beyond their proper bounds and assume authority to intervene directly in the Local Administration.

I should say that of recent years the marked tendency to centralization which has characterized the Government of India has had for an effect the checking of initiative on the part of the Local Government.

I see no necessity for allowing anything beyond a second appeal; and the right to a second appeal should be subject to the production of a certificate—granted by the authority of first appeal. Any authority above the second appellate authority should use its power of revision in the strictly limited manner in which a High Court uses its powers of revision; it should not interfere except in case of manifest injustice or breach of law, rule, or order.

Any increase in recent years in demands for returns and information is due to the necessities of specialization in many branches of administration. A simple form of administration, suitable to an undeveloped country, requires few returns and little compilation of facts. But when each department is elaborated into a highly organised entity, it is impossible for the Government—whether Home, Imperial, or Local—which is charged with the control of them all, to exercise this control effectively unless it is supplied with constant and full information of the working of the departments and of their progress in dealing with the part of the administration which is entrusted to them. I do not regard any considerable reduction in reports and returns as at all practicable unless we are to return to the simple days when there were no Agricultural Department, no Veterinary Department, no Forest Department, no separate Excise Department—no department at all, and the Collector was everything himself. Such a return is unthinkable. Reports and returns are a necessary part of a highly organised Government; and India is not so prolific of these products as Governments which either are more highly organised than it is, or have to deal with masses of men in a more advanced stage of civilization. Nor do I share the view that the time of the Collector is improperly taken up in the study and submission of these reports and returns. He cannot possibly see everything himself, and it is right that he should be kept informed of what is done in all branches of work in his district, should study the information and form opinions on it, and should keep Government informed of the facts and of his opinions. My own 24 years' district experience does not lead me to the conclusion that the duty of supplying information to headquarters is one which stands in need of reduction—provided that the reporting officers are checked from prolixity and the information called for is reduced to the really necessary. Much has been done in this direction in recent years.

This Presidency has no Board of Revenue or misnamed Financial Commissioner. It does not need either; and I should be strongly opposed to

a scheme for converting the Commissioners of divisions in Bombay into a Board of Revenue. The Commissioners of divisions occupy a distinctly higher and more important position in this Presidency than officers similarly named occupy in provinces which have a Board of Revenue or Financial Commissioner. The proposals of this Government for the delegation to them of powers are before the Government of India; and are by that Government kept pending, after being returned for details 12 years ago.

Here Commissioners are the Court of Wards. They can delegate their powers as such to Collectors in any particular case—with the sanction of Government.

There is doubtless a tendency—materially assisted by the intervention of Imperial Directors and Inspectors-General—to work specialised departments mainly or solely through their own Departmental Heads. This tendency has from time to time been strongly checked by this Government. In 1892, for example, Conservators of Forests were made directly subordinate to the Commissioners in all but technical and forest account matters. The Settlement Commissioner and Director of Land Records submits nothing to Government without consultation with the Commissioner or through him. There are orders to the effect that though the Commissioner of Abkari is responsible for Excise Administration, the Commissioners of divisions are not thereby to be excluded from interesting themselves in and advising about the excise arrangements in their divisions, and these have been confirmed by the Government of India. In hospital and dispensary, and sanitary matters the Commissioner has a direct influence; his position towards public instruction is similar to that in the case of excise. He is not entirely divorced from concern in police administration—though his direct administration in police matters has, beneficially, been much reduced and transferred to the Inspector-General of Police. I certainly think that adequate weight is given to the views of the Commissioner. Little is done without consulting him; and one enormous disadvantage of converting the Commissioners into a Board of Revenue would be to cut them off absolutely from all concern with anything but the land Revenue Department and its branches.

Speaking generally, District Officers have sufficient opportunity for contact with the people. Assistant Collectors and others are on tour amongst them for seven months of the year; Collectors compulsorily for four, and usually in fact for six. In the case of Collectors obstacles arise—

(*a*) When the volume of office work is so large that either it has to be neglected—in which case the administration of the district suffers—or intercourse with the people is reduced to a minimum. The remedy is to give the Collector a personal assistant, vested with power to dispose for the Collector of the bulk of the ordinary work. In four* of the heaviest districts a personal assistant has been given, but in three cases out of the four the personal assistant is an Uncovenanted Officer of the Provincial Service, and this is not sufficient. To afford adequate relief the personal assistant must be a Covenanted Assistant of experience.

(*b*) When the district is so large in area that the Collector cannot get round in it in less than two or three seasons' touring. Here the office work can be got through without special assistance and leave sufficient time for out-of-door work; but distances are so great and *talukas* so many that it takes a considerable time to know much about them all. The only remedy that I can suggest is reduction of area.

Satara and Poona are examples of (*a*)—and these have since been given personal assistants; Ahmednagar† of (*b*); (*b*) also affects both Satara and Poona; Kanara and Kolaba are quite free from either obstacle. Khandesh was subject to both, and was first given a personal assistant, and then reduced in area by being divided into two districts.

As a rule, the Executive Officers possess a sufficient knowledge of the vernaculars. They have to pass in them—subject to deduction of pay on failure within prescribed periods; and they—up to the Commissioner—do much of their daily office work in the vernacular. The practice of doing in the vernacular a large part of the current work between the Collector and his Assistants or Deputies on the one side and the Commissioner on the other is, I believe, peculiar to this Presidency, and is beneficial in keeping up the knowledge of the Executive Officer in the language as written and spoken.

The *cadres* of the Indian Civil Service (Bombay Establishment), the Bombay Provincial Service and the Imperial and Provincial Forest Services are in need of strengthening.

Of recent years full effect is given to the principle of selection in the case of Commissioners; in the case of Collectors also, Assistants not found fit for promotion are passed over. The principle is already laid down in orders and is carried out in practice.

32068. You are primarily responsible for the postings and transfers of officers?—Not in all departments, nor am I primarily responsible in any.

32069. In whose hands is it?—The posting is entirely in the hands of the Governor, and the Private Secretary undertakes that with him and consults, as far as he deems necessary, the departments in which the posting or transfer is to be made.

32070. Have you recently submitted the budget of Bombay to the Government of India?—Yes, for next year.

32071. Has that budget been returned to you lately?—We have had from the Government of India the first edition of the budget notes and also the second edition, but the final budget has not yet been sent down.

32072. Has there been much alteration in the budget as proposed by the Bombay Government?—There have been some six or eight alterations of considerable moment, and others of less moment.

32073. In what method have those alterations been made?—The method in almost every one of them has been merely that the estimate in the budget is too high, and it has been cut down by so much.

32074. Does that apply to both income and expenditure?—I could not say for certain about income, but it applies to certain heads of expenditure.

32075. Have you any information to give about the income?—No, I do not remember exactly anything about income, except that we objected to the Government of India taking the land revenue income so high as they proposed to do for which we did not think there was sufficient warranty. In the land revenue income we took a figure of 4 crores 20 lakhs, and the Government of India proposed to put it up to 4 crores 35 lakhs, which appeared to us to be too large an increase, and we suggested that they should not go above 4 crores 25 lakhs at the very outside; they promised to consider it, but the decision is not yet out.

32076. As regards expenditure has the principle adopted by the Government of India been to interfere with the minor heads of expenditure or to reduce in bulk each particular major head?—The procedure has been to reduce in bulk the total of each major head affected.

32077. Is the principle adopted by the Government of India satisfactory?—We do not regard it as satisfactory, because we think it would be desirable if they want to make a reduction under any major head, that they should indicate under what specific major heads the reduction should be made, and give us some indication of the reason for which they think a reduction is necessary.

* Thana. Poona. Satara. Dharwar.

† 6,600 square miles—11 *talukas*.

The Hon. Mr. R. A. Lamb.

5 *Mar.*, 1908.

As it comes down at present no reason at all is given.

32078. Is the present method in which the Government of India have interfered this year, different from that which has been adopted before?—I cannot answer for the two preceding years because I was not in the Secretariat, but as far as I can recollect, it was similar in 1904 and 1905. This year the different orders for decrease are even more abrupt than they were in previous years.

32079. In the statement of your Government certain instances are mentioned in which the Government of India have issued orders of general application without consulting the Local Government; as a rule, has the result of those general orders been detrimental to the interests of the Local Government?—I cannot quite answer that directly without understanding to what reference is made.

32080. In the cases mentioned, has the result of the interference of the Government of India, without consulting the Local Government, been injurious to the Local Government?—In the particular case of vaccinators it appears that difficulty will be experienced in giving effect to the orders of the Government of India, because of the status of the vaccinators being completely changed, and the difficulty of providing for their new status in respect of pensions owing to their becoming local employees instead of Government employees, the charge being thrown on the municipalities.

32081. That involves a considerable question of principles?—It involves a question of funds.

32082. Does it not also deal with the question of principle?—Yes.

32083. Do you think the Local Government ought to have been consulted upon the question of principle?—That is our opinion in that particular instance. The orders at present in force were passed under the direction of the Secretary of State, and as far as appears on the surface of the orders received from the Government of India, no consultation has taken place with the Secretary of State cancelling the orders which were passed under his direction previously.

32084. Your complaint is not as to the wisdom or the unwisdom of the orders issued, but as to the fact that the Local Government were not consulted?—In that particular case it is both—both non-consultation and the inconvenience created by the order actually passed.

32085. You say that the functions of Inspector-General are to furnish Local Governments with advice and information—can you tell me whether the Government of Bombay do so apply for information and advice?—They are almost always in constant communication with the Inspector-General of Agriculture, before anything is done by them, demi-officially and officially. I have also known cases of reference to the Inspector-General of Forests.

32086. Have you a Chief Conservator in Bombay?—No. Then there are references to the superior officer of Geology, and I understand from the Irrigation Department that they find the Inspector-General of Irrigation very useful. I cannot speak with regard to sanitation, but as to commercial intelligence there are communications direct with the Director, which are chiefly concerned with the compilation of statistical intelligence. With regard to education, I am not able to say anything.

32087. So far as you have come across Inspectors-General, have you found them on the whole useful officials?—Yes, provided they do not correspond direct with our own officers.

32088. What is your objection to their doing so?—The objection is that things are discussed and debated between them, and even possibly orders given for carrying out something without the Government itself knowing anything about it.

32089. There is a particular instance of that which is mentioned by the Local Government. In that case did the Government of Bombay take any action with regard to their own official?—In that particular case I do not know; that would be in the Judicial Department, and probably I should not see the papers at all.

32090. You cannot say then whether the Bombay Government, having found their own official transgressing their orders, dealt with him suitably?—I do not know what they did. With regard to the Sanitary Commissioner, the Government of India have recently written to this Government saying that pending the inquiries of this Commission the Sanitary Commissioner of the Government of India will not be permitted to correspond officially with the Sanitary Commissioner of this Presidency.

32091. What is the difficulty which arises supposing an Inspector-General corresponds with your local Inspector-General; does it not save circumlocution?—It is rather likely to add to the correspondence, because the Local Government officer is not authorised really to carry out anything except with the approval or sanction or under the orders of this Government.

32092. If the Local Government control their own local officer, and deal with him suitably if he steps outside that control, have they not a complete administrative hold upon him?—Yes, they have on their own officer, but they have no hold on the officer of the Government of India.

32093. If suitable control is retained over the local officer, could he possibly pledge the Local Government to any action of which they disapprove?—I have not actually seen a case, but I can imagine he might go so far that it would be very difficult to draw back.

32094. Then is the sentence which says that the Inspector-General tends to increase the administrative control of the Government of India merely a hypothetical statement?—I think it means what it says—that it does tend in that direction.

32095. But you cannot point out to me any specific instance in which it has done so, and in which action has been definitely taken without the knowledge of the provincial Government?—No, I do not think I can.

32096. Then you say that the Inspector-General can only act on information gathered after a hasty cold-weather tour, but has not an Inspector-General served in several provinces previously as a departmental officer?—He must have served somewhere.

32097. And therefore he has some experience besides that gathered during the month or two he is on tour?—He will have had experience of whatever province he may have served in before, but not of the other provinces which he has not toured over.

32098. Therefore the information which he seeks in the particular province he visits will probably be confined to seeing whether that province differs from his previous experience?—He will see where it does differ.

32099. In the case for decentralization issued by the Government of Bombay, in Case A you say that the Local Government were blocked by the refusal of the Government of India to accept reforms. Then under B you say that there are cases in which reforms have been delayed through the necessity of procuring the approval of the Central Government?—Yes, police reorganization is still under correspondence, and the Subordinate Forest Service is still under correspondence; also the substitution of police for military guards over treasuries is a matter which is still under correspondence.

32100. Does not that raise a considerable question of policy?—The question of policy has been settled, and it is simply a question of detail with regard to carrying it out. Then the provision of house accommodation or allowances for officers, and the revision of the low pay of subordinates in the Presidency town, is still in abeyance, and the papers are now before the Government of India.

32101. With regard to the questions on which orders have been issued without previously consulting the provincial Government, has the Local Government been seriously inconvenienced by the issue

of these orders without consultation with the Government of Bombay?—As regards the transfer of vaccinators I should say yes; as regards the revision of fees for Medical Officers, I prefer to leave that to be dealt with by the Medical Department; also the Sanitary Department is not within my knowledge. The appointment of Inspector-General of Excise is a recent thing, and we have not seen how it is going to work, except that he began by demi-official correspondence taking up a rather large matter and corresponding direct with our Collector of Salt Revenue, and in so far as this Government might not concur with the system prescribed it would be inconvenient.

32102. Can you point to any specific instance in all these cases where the Local Government have been unduly hampered, or is it more a general matter?—I should say with regard to the prescription of a uniform system for the disposal of retail licenses for the sale of liquor in opposition to the recommendations of the Excise Committee, we have been distinctly unduly hampered. This Government would certainly have preferred to follow the recommendations of the Committee, and to have experimented and tried various methods as to the disposal of shops in order to see whether anything superior to auctioning could be arrived at, but as to that we are absolutely blocked by the distinct order of the Government of India that no other system shall be adopted in any province.

32103. Then you say that by these methods of interference the Government of Bombay is being reduced to a forwarding agency; do you wish us really to accept that definition?—In all matters of considerable size and considerable importance, it is so.

32104. Speaking generally, from your experience, would you say that the Government of Bombay are freer now than they were 10 years ago?—My own experience is limited to less than 2 years.

32105. During that time what has been the change, if any, in the position of the Bombay Government *quâ* the Government of India?—Compared with what I can recollect in 1904, I should say we are in very much the same position as we were then.

32106. Have you had no greater freedom devolved upon you?—I do not think so. The provincial settlement was more liberal in its terms, but it left us entirely in the same position as regards our financial independence or dependence.

32107. Have you the same latitude in distributing your funds as you had four years ago?—I cannot recollect any difference.

32108. Do you desire the Commission to consider that in important matters the Government of Bombay is merely a forwarding agency?—Yes, it is merely an agent for the Government of India.

32109. Then you say that the Government of Bombay object to the system of financial doles—what does that refer to?—It refers to the fact that the anticipated expenditures on introducing reforms into any department, as for instance the Educational and Police Departments, are not met by the funds which are available to this Government under the provincial settlement, but are met partly by them and partly by a special assignment made by the Government of India for that specific purpose.

32110. It is a grant in extension of the moneys received under the settlement?—Yes.

32111. And the accounts as to these grants have to be kept separate?—That is so.

32112. Is there a greater expenditure on the part of the Government of India in connection with particular departments than was expected at the time of the settlement?—No, I think it was expected at the time of the settlement; the arrangement of the settlement was that so much was to be anticipated as our ordinary expenditure and so much as our ordinary revenue, and a settlement was arrived at on that basis. The Government of India said at the time, "In view of the anticipated increase in the matter of police and education we will, as they come on, increase the fixed amounts which we have undertaken to give you."

32113. How much was the amount with regard to the police?—It was 25 to 26 lakhs.

32114. And you object to having to keep separate accounts with regard to this expenditure?—Yes, it is very difficult to keep them separate from what is already regarded as provincial revenue; it is very difficult to put down what should be debited to the one, and what should be debited to the other. The Government of India want to know how much out of the special assignment has been spent, and it is very difficult to say how much has been spent out of the provincial revenue and how much has been spent out of the assignment.

32115. Dealing with what I may call the constructive part of the case for the Local Government you say that it is not possible to construct a settlement without negotiation. When this quasi-permanent settlement was made, were there considerable negotiations between the Government of Bombay and the Government of India?—Yes.

32116. Were they on the whole satisfactory?—They were, on the basis on which the settlement was then made.

32117. Would you prefer a constantly revised settlement to a quasi-permanent settlement?—No.

32118. Therefore the settlement is satisfactory now?—It is satisfactory on the basis then made, which was that the Government of India kept for itself the whole of the revenues and allocated to the provincial revenues what it thought fit.

32119. You say that the Government of India kept them to itself, but were not they always the revenues of the Government of India?—They are still called the revenues of the Government of India of course, but they ought not to be. That is what I refer to in my remarks as to the basis on which it is made.

32120. You did not mean the basis of the division of funds?—It was right that the funds should be divided.

32121. But taking the amount of money available, was the division between the Local Government and the Government of India satisfactory to the Local Government?—It was a liberal division compared with the previous settlement.

32122. Then you say that under the existing system the Government of India can alter the budget of the Local Government, but under your improved scheme it would be possible to divert large sums to medical relief and education or *vice versâ*—cannot you do that now?—That is what the Government Case states—I may say that I did not draft this Case.

32123. But cannot you now within your *quasi*-settlement divert funds from medical relief to education or *vice versâ*?—We can make re-appropriations from one head to another, provided that each head is provincial, or that each head is half provincial and half imperial, but we cannot transfer funds from an imperial head to a provincial head or *vice versâ*; re-appropriations can be made only within the particular class of revenue or expenditure.

32124. But with all those alterations you can now divert large sums from medical relief to education or *vice versâ*?—We cannot divert large sums which are subject to the sanction of the Government of India. The sanction of the Government of India is necessary for any increased expenditure under a certain head beyond certain limitations, and there are limits laid down as to what may be appropriated by this Government.

32125. Within the total of your budget and within those limitations you have stated, you can divert large sums from one budget head to another?—We can divert sums, but the extent of them is limited by the restrictions of the Civil Account Code as to the amount which this Government may re-appropriate without sanction.

32126. What is that amount?—I cannot answer that question without looking up the Civil Account Code.

32127. Is it a large amount?—I do not think it is.

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32128. (*Sir Frederic Lely.*) Can you mention any instance in which the Government of Bombay has been thwarted by the Government of India by any alteration in their budget either in the way of cutting out or reducing an item?—I cannot off-hand from memory.

32129. Are you familiar with the action taken by the Government as a consequence of the Police Commission?—No, I cannot say that I am familiar with the case.

32130. Are you aware of the history of the Marine Lines in Bombay?—Not in detail.

32131. Would you agree that the Government of India should intervene in large matters, involving important principles?—Certainly, on matters of principle it would be for the Government to issue instructions to the Local Government.

32132. For instance, would you allow them to do so in matters concerning the land revenue policy of the Government?—I think the Government of India should lay down principles, and that the Government of Bombay should be left to apply those principles to the local conditions. In their application of the principles the Local Government ought not to be subject to absolute over-ruling by the Government of India.

32133. Did not the Bombay Government adhere for a long time to a rigid system of land revenue?—Yes, I believe so.

32134. In the year of famine in 1899 did they propose to limit suspensions to 20 per cent. of the demand?—I believe it was something of that kind.

32135. Do you know at all events that the Government of India intervened and obliged them to be more liberal?—I know that the present rules for the suspension and remission of land revenue have been under correspondence between the two Governments for some years past, but are now settled.

32136. And settled practically by the Government Resolution of 1905?—I think so.

32137. Did not that Resolution in many points run counter to the traditional policy of the Government of Bombay?—Certainly, the previous policy of the Bombay Government has been considerably modified in respect to suspensions and remissions.

32138. In the direction of greater liberality and sympathy?—That is so.

32139. Did not the Bombay Government long insist on giving relief, not on general grounds with reference to large areas, but upon enquiry into individual cases?—The rule formerly was that there should be enquiry in each case.

32140. And was not that condemned by the Government of India Commission, as leading to corruption and delay?—I do not remember where the condemnation came from; I know it has now ceased.

32141. At any rate it came from outside the Government of Bombay?—I do not know where it came from.

32142. You do not know that it was given up owing to the influence of the Government of India?—I do not know that for certain.

32143. The record of rights has been introduced into the Bombay Presidency?—Yes.

32144. Was that at the instance of the Government of India?—I think so.

32145. Was not the land revenue assessment in Bombay formerly carried out by a separate department?—Yes.

32146. A department altogether separate from that which had the administration of the revenue?—By the Survey and Settlement Department—a separate department.

32147. Was that abolished at the instance of the Government of India?—I do not know by whose order it was.

32148. Was the Bill empowering Government to restrict the right of transfer in future sales of occupancy right of land brought in under pressure from the Government of India?—I do not know where it came from.

32149. It has been suggested that Assistant Secretaries and Secretariat Superintendents should be appointed from men who have done executive work in the districts; would that be a good plan?—No, I personally do not think it would. I think the Assistant Secretary must have continuous Secretariat experience in order to be well acquainted with the records which he has to put up on cases under consideration; the district experience is better supplied by the Under-Secretary and Secretary himself.

32150. Should Under-Secretaries and Secretaries be men with district experience?—Yes, certainly.

32151. Is there a general understanding that men who get into the Secretariat are the successful men of the Service?—I do not quite know what is meant by "general understanding," but my own opinion is that the man who is selected to be a Secretary is selected because it is considered that he will be a competent man as a Secretary.

32152. Is it the general opinion that district and divisional work is on a lower level than Secretariat work?—Naturally the District Officer is lower than an officer in the Secretariat—the mere pay shews that.

32153. May a man who is summoned to the Secretariat consider himself a picked man?—Certainly, he is picked because it is thought likely that he will be a capable man as a Secretary.

32154. Is not the result of that to lead able men to turn their eyes to the Secretariat and to disparage district work?—I do not think so, because the man who remains in a district may rise to be a Commissioner, and there are many men who would prefer to be a Commissioner rather than a Secretary.

32155. Would you agree that the ordinary District Officer is better in himself for having had two or three years' experience in the Secretariat?—I should say it would be a good thing.

32156. Would you advocate a freer interchange than there has been hitherto in that way?—Yes.

32157. Do not most cases of administrative appeal eventually go to the Civil Court?—It is rather difficult to say whether most of them do, but some do undoubtedly.

32158. Would it be a good thing to make a rule allowing only one appeal unless the party agreed not to pursue his case in the Civil Court?—I have not considered that; I do not know how that would work.

32159. Would not the effect be to diminish many long-drawn-out appeals?—It would, certainly

32160. The right of appeal might be withdrawn, and yet the right of withdrawal be entirely nullified by the exercise by the Government of its powers of revision?—If the right of appeal were withdrawn and the right of revision remained with the Government, of course applications could be made to Government irrespective of any appeal.

32161. And if Government freely accepted those petitions and made enquiries upon them the withdrawal of the appeal would be virtually nullified?—Yes, and therefore it has been suggested that the revision should be exercised under restrictions similar to those under which the High Court exercises its powers of revision—that we should not go into facts and that we should examine only into cases of gross neglect of rule or order, or manifest injustice.

32162. In the *Watan* Act only one appeal is allowed?—Yes.

32163. Are you aware that petitions under that Act were invariably accepted by Government and enquired into just in the same way as if they had been formal appeals?—What the previous practice may have been I do not know; the practice now is that usually the order is that the Government decline to interfere; but if there appears to be anything obviously wrong, then a report is called for from the Commissioner and orders are passed according to the facts which are elicited.

32164. I am thinking now in particular of the proceedings for framing *watan* registers; was not the section which was introduced for the purpose

of limiting appeals virtually nullified by the Government of the day?—I cannot say anything about the Government of the day, I can only answer for what this present Government is doing.

32165. You say that a Commissioner is not entirely divorced from concern with police administration; do you mean he is called in as a consultant?—That is practically all.

32166. He has no direct influence?—As I understand, he has none.

32167. Is that a good thing?—Yes, I think so.

32168. Do you agree that the growth of the departmental spirit has a sinister influence on modern Government?—I think that it is a necessary evolution of Government. As the administration becomes more complex it becomes necessary that parts of it should be placed under departments specially charged with the conduct of administration in that special branch.

32169. But is it a necessary part of the present system to exclude from the purview of every one outside the department, the action of the Government officers in it?—I do not know that their action is excluded from the purview of other officers.

32170. Is the influence of the Commissioner as great as it ought to be?—Generally speaking, I think it is.

32171. Is not the departmental spirit specially to be avoided in the case of the police?—It is to be avoided in all departments, certainly as much in the police as in any other.

32172. Would you not say more so in the case of the police?—No, not more so than in the case of the Excise Department.

32173. But have not the police more to do with the general life of the people than any other department?—More than any other except the land revenue, perhaps.

32174. Might not the Commissioner exercise a salutary effect as a counteracting influence?—He is in a sufficiently strong position to do that now.

32175. Although he has no power?—He has not any power in the department itself, but he is referred to by the Government on any possible subject that arises in any department.

32176. Does he send unofficial reports about Police Superintendents?—I do not know whether he sends them or not.

32177. It is most important to have men of a right stamp as Superintendents. Supposing a Commissioner formed an opinion which is likely to be a sound opinion, as to the fitness of a particular Superintendent to command men, and supposing he was appointed to the most important district in his division, should not the Commissioner have a voice in the matter?—I would not go so far as to say it would be necessary to consult the Commissioner as regards every appointment made in his division.

32178. Would it not be good in the public interest that he should have a word in the matter? As regards the personal qualifications for a particular officer to hold a billet in his division?—Yes, I see no harm in that.

32179. You say the Commissioner of the division is not to be excluded from interesting himself in excise; do you happen to know anything about the genesis of the Mowra Flowers Act?—No.

32180. Is it not an Act imposing very severe restrictions on the people of certain districts?—It imposes restrictions.

32181. Do you know whether the Commissioner was ever informed of that Act while it was being framed?—I do not know at all.

32182. Or if he was referred to for an opinion until the Government of India sent back his Bill for further inquiry?—That is not within my knowledge.

32183. Is the toddy-tree tax a heavy one or not?—Generally the rates are rather high, but in some districts they are higher than in others.

32184. Was it first introduced without even informing the Heads of the districts concerned?—The first introduction is not within my knowledge at all.

32185. Does the Government hold the Commissioner responsible for overlooking education in any way?—The Commissioner visits primary schools and interests himself in them, but has no direct concern with secondary or upper education.

32186. Is he expected to take an interest in high schools and training colleges?—Not to my knowledge.

32187. If discipline became exceedingly lax in a training college, would the Commissioner be supposed to know anything about it or take any interest in it?—No, I do not know that there is anything official requiring him to.

32188. I have alluded to three particular Departments of Government, Police, Excise and Education, which together form a very large part of the relations between the Government and the people?—Yes, a very considerable part.

32189. May I say that the Commissioner has nothing to do with any one of them except as to the influence he can command by his own personal weight and position?—So far as I know that is so, except that Government are apt to consult the Commissioner on everything, whether it is in his own department or not.

32190. Is not the new departure in the direction of introducing agriculture into village schools a matter which very closely concerns the people?—Yes.

32191. Were Commissioners taken into consultation about that at all?—I cannot say.

32192. It is said in Sir John Strachey's book that nothing can or should happen in a district which it was not the Collector's duty to keep himself informed of, and watch the operation of; is that so still in the Bombay Presidency?—I should regard it so, certainly.

32193. Taking police for instance, has a Magistrate power to inspect a police station?—To the best of my recollection he has. He does not inspect as regards discipline or kit and control.

32194. But his visit would not be resented?—Certainly not, in my opinion.

32195. Is there any connection between the Public Works Department and the Collector or the Commissioner?—I was in constant communication with the Executive Engineer as a District Officer.

32196. Was that on personal grounds chiefly?—I could not say whether there was anything laid down in the books that there should be, but I was.

32197. Does not the Executive Engineer claim an absolutely independent footing in a district?—I have never experienced that he did in any district that I have served in.

32198. If you gave him an order would he obey it?—I do not know that I ever had to give an absolute order; we settled in consultation what was to be done.

32199. Was that because you were on good terms with each other? Is there any official connection between the Collector and the Executive Engineer?—I cannot say that there is anything laid down directly subordinating the Executive Engineer to the Collector.

32200. Is the Public Works budget submitted to the Commissioner or Collector?—The budget itself is not, but the Collector and the Commissioner put in a list of works which they think are requisite.

32201. And they are accepted or not as the Superintending Engineer may decide?—Not at all as the Superintending Engineer may decide; the Commissioners are asked to name in the order of emergency the works which they think are required; the lists come up through the Superintending Engineers, and they are received in the Public Works Department Secretariat, and at present the custom is that the Public Works Department Secretary and the other Secretaries of Government meet together and consider the lists, and decide which are the works to go into the budget.

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32202. But the budget as a whole is never submitted to the Commissioner?—I think the budget as a whole is not, but I cannot say for certain.

32203. Has the Public Works Department power to make any re-appropriation it thinks fit without any reference to the Commissioner; say, for instance, to strike out a forest road and apply the money to some other purpose?—That I cannot say; probably they have.

32204. It has been strongly urged in some provinces that the Executive Engineer should be made subordinate to the Head of the district in the same way that the forest officer is,—what would you say to that?—I would not make him subordinate in that way, if it meant laying down a set of rules having the force of law under the Act, as is the case with the forest officer in this Presidency, but it would be useful that it should be laid down by executive instruction that the Public Works Department officer is the Collector's assistant for Public Works in his district, subject to the same control by the Superintending Engineer as the district forest officer is by the Conservator.

32205. If a Collector saw something which he considered wrong in regard to Public Works, what course would he take?—He would be expected to bring it to notice, either by direct communication with the Executive Engineer, or, if that was insufficient, by communicating with the Commissioner.

32206. And if the Collector and the Executive Engineer differed in opinion, would it go to Government?—I presume it would go to Government if it could not be settled between them.

32207. The Secretary in the Public Works Department is himself an Engineer?—Yes.

32208. Are the arrangements for the examination and probation and selection of *mamlatdars* satisfactory?—Yes. We went through the rules in 1904 and 1905, and amended them considerably.

32209. Do you consider that *mamlatdars* are satisfactory exponents of the views of Government?—As a class I should say so, certainly.

32210. At present a man goes into a *mamlatdar's* office, and serves for 18 months in various posts in order to learn his work?—He serves for a great deal more than 18 months.

32211. Is not a man brought into the Government Service appointed for six months at a time in each of these particular offices under an existing *mamlatdar* in order to learn his work?—Men who are taken on in the subordinate revenue establishment, before they can be considered qualified have to put in certain periods of work in certain branches in the *mamlatdar's* office, and also have to pass their departmental examinations.

32212. Does not having to read up for examination often militate against the efficiency of a person as a clerk in the office?—I do not think so; they very frequently obtain leave in order to read up for their examinations.

32213. (*Mr. Dutt.*) It is stated in the Government Case that, "Once in the hands of the Government of India the budget may be modified to any extent by that Government," and that "the Local Government are bound to recast the financial provision in each department for the year by the figures received from the Government of India"; is that any longer correct?—It is not exactly correct now, because this year, for the first time, the Government of India have informed us that as to the provision of the Local Government, which may be called "G," although it may be reduced by modification of the Government of India to a figure which may be called "E," nevertheless the Local Government may spend up to the figure G without further reference to the Government of India provided they do not exceed "G," and the Accountant-General keeps them informed of the extent to which they are exceeding the figure E.

32214. So that at present you do not have to modify each item?—Provided that there are only modifications made with special reference to diminishing G to E; but supposing they make further deductions beyond that, as they have actually done this year, then we have to modify our provision to the extent of that further reduction, and at present we are in correspondence with the Government of India to know exactly what is meant.

32215. Within certain limits will not that considerably simplify matters?—Yes. It will now enable us to inform all concerned what the provision up to "G" is, and they will understand they are at liberty to spend up to that, the Government looking after the excess over E up to G.

32216. You make a distinction between the budget for imperial revenue and expenditure and provincial revenue and expenditure, and you say, "the budget of the provincial heads would be drawn up separately as under the former system; would be debated and settled in the local Legislative Council and would not be liable to alteration by the Government of India." Do you mean that as a matter of general practice the Government of India should not make alterations in the budget?—So long as there continues to be a large number of divided heads, that is to say, half imperial and half provincial, the Government of India cannot possibly do otherwise than modify the budget, because they are interested to at least half the extent of the revenue or expenditure concerned; but if it were arranged that a certain number of heads should be entirely provincial, then it seems to me it would be wise to let this Government have complete control, and the Government of India should not modify them at all.

32217. But you recognize that the Act of 1858 vests in the Secretary of State for India—and therefore, to some extent, in the Government of India—complete control over the finances of India?—Control vests absolutely in the Secretary of State and it is within his discretion to direct how much and to what extent the Government of India shall share the revenues, and how much and to what extent any provincial Government should have control of revenues within the limits of the province. The Secretary of State can, if so disposed, direct or decide the extent to which the Government of India shall control all the provincial revenues.

32218. So that by claiming financial independence for a provincial Government you do not suggest that the Secretary of State should in any way divest himself of any of the powers vested in him by that Act?—No.

32219. Do you suggest that the Government of India should have no general control over what you call the budget of provincial revenue and expenditure?—No; I would allow the budget to be debated in the provincial Legislative Council, and modifications to be made in that Council, but in disbursing its revenue the Local Government should be still subject to the audit of the Imperial Audit Officer, namely, the Accountant-General, and the Audit Officer should certainly have the power to interfere with the Local Government if it went wrong.

32220. Is it your idea that they should lay down general rules and the Audit department should see that they are observed, and beyond that the Government of India should not interfere in the matter of the budget of provincial revenue and expenditure?—That is so.

32221. You propose that the budget of provincial revenue and expenditure should be debated and settled in the local Legislative Council; what exactly do you mean by "debated and settled"?—What I intended to suggest by that was that after the draft budget had been prepared by the Executive Government, it should be introduced into the local Legislative Council, that debate should be allowed there, and the members of the Council should be allowed to express their opinion as to the estimates made by this Government for expenditure under a given head. After it has been debated, the actual settlement of the budget should remain with the Executive Government.

32222. Is that not the practice now?—No, there is no debate on the provincial budget.

32223. Is there not a discussion on the budget in the Council after it has been sanctioned?—It is called a budget debate, but it is not really so at all.

32224. In what respect would you depart from the present practice and give power to the members of the Legislative Council?—The exact difference would be that instead of the budget debate being a series of orations without any specific reference to the budget provisions, there should be, before the budget was absolutely settled, a debate in which the members should be entitled and authorised to give their opinions with regard to the provisions proposed to be made.

32225. Would you limit it to giving opinions only, or would you give some power to settle the items by vote?—I would not object myself to giving them a power of settling it, providing the Executive Government, as at present, always had a sufficient majority in the Council. Of course, that is my own individual opinion.

32226. You would credit the whole of land revenue to the provincial fund, making a fixed allotment of 153 lakhs of rupees to the Imperial Government—on what principle do you fix the 153 lakhs?—That is merely the balancing figure. The statement is an example of the way in which a settlement such as is suggested might be arrived at by negotiation; it proceeds on the same system as existing provincial settlements, namely, to bring about an exact balance, and the 153 lakhs is the balance on the figures of the budget of 1907-08.

32227. As a matter of fact, do you increase the provincial revenues from 4 crores and 91 lakhs to 6 crores and 26 lakhs?—On those figures, that appears to be so.

32228. If this kind of division was made, would it stop the Government of India from sometimes making suggestions as to land re-assessment, which would affect the future income from that head?—The Government of India would be in as perfectly good a condition as now to make any suggestions it thought fit as regards land revenue; it would still be its business to do so as it is now.

32229. And to lay down the general lines of policy which the Government of Bombay would be compelled to adhere to?—The question is as to the extent to which they should be compelled; my opinion is that general principles which are laid down by the Government of India after discussion with the Local Government, must be adhered to by the Local Government; the application of those principles exactly to the local needs, ought not to be interfered with by the Government of India, and the Government of Bombay should have discretion as to the exact extent of the application of the general principles to the local conditions.

32230. But you would allow the Government of India to lay down the general principles, and when they are laid down of course they are to be observed?—Of course.

32231. Therefore you would expect the Bombay Government to follow up those principles?—Yes.

32232. Supposing those principles interfered with the future increase of the land revenue in this province, would not the Government of Bombay have a right to complain, and say, "You have given us as a provincial head of income a certain sum, and if you lay down these rules our income goes down"?—They would be able to say so, and that would form a ground for a revision of the settlement; if the figures were injuriously affected under the settlement they should negotiate for a revision of it.

32233. You say if this kind of division was made between provincial heads of revenue and imperial heads of revenue, then you would give the Bombay Government borrowing powers, but at present you do not suggest that the Bombay Government should have any borrowing powers?—I do not think they would be useful at present.

32234. If the Bombay Government had power to borrow, should it be on condition of repayment within a specified period, or should it be a permanent addition to the indebtedness of the country?—It might be one or the other; if it were a small amount, probably it would be convenient to arrange for its repayment within a period of years; as I think Local Board and municipal loans are now arranged for.

32235. In regard to provincial Governments generally, would you lay down a rule that they must borrow for limited periods and make provision for re-payment within such periods?—No, I would not lay that down as a rule if the powers were given, but it would be convenient that a rule should be laid down that they should not raise a loan absolutely on their own motion; they should refer to the Government of India and ask them to raise the loan, but the security should be on the revenues of the province instead of on the revenues of the country.

32236. Would the raising of the loan be subject to the sanction of the Government of India?—I should think not; if the provincial Government had assigned to it definite sources of revenue and expenditure, and could show on the figures that they were able to meet the interest on a loan raised, they ought to be able to raise it without any sanction.

32237. Do you say that they would have to go to the Government of India and say, "Raise this loan for us"?—Yes.

32238. Would you not leave it to the Government of India to say that it was not a matter on which a loan need be raised; would you allow them no such control?—Yes, they would be entitled to say that, if we asked them to raise a loan for us.

32239. So that practically it would be subject to some sort of sanction of the Imperial Government?—Certainly, I think it would.

32240. You say, "It is for the legal officers of Government to advise whether a General Act or a series of specific amending Acts is preferable. The speedier course would be the better." Have you thought of the plan of delegating powers by one amending Act, including all those powers in a schedule, so that the work might be simplified and shortened and at the same time done through the Council instead of by Gazette notification?—I do not think it has been taken up here; the only case I can think of is the delegation of powers to Commissioners of divisions, as to which a schedule has been drawn up containing the powers which it would be desirable to delegate, and it has been sent on to the Government of India, but it has not been considered here whether an amending Act is necessary.

32241. Supposing you wanted to delegate certain powers to Commissioners of divisions or to any other officers, would it be better to delegate them by Gazette notification under a general Act of delegation, or to put all those powers in the schedule of an amending Act and have that Act passed in the Council after proper debate?—Where legislation becomes necessary because of an existing section in an Act, one general Act amending the several Acts which impose that restriction would be desirable, but where the delegation is not restricted by any section of an Act and is a matter of executive arrangement, I do not personally see the necessity of putting it into a schedule at all.

32242. I was referring rather to the delegation of powers which are vested by an Act?—Then I would have one Act amending all the Acts.

32243. You mention a number of cases in which reforms were proposed by the Bombay Government and were delayed or negatived by the Government of India; in those cases was local opinion taken in any way before the Bombay Government submitted their schemes to the Government of India?—No, I cannot say that I recollect any.

32244. Would not the case for the Bombay Government have been much stronger if they could say, "We have consulted local non-officials and they agree"?—The difficulty is, that there are orders in existence directing that matters of importance which are under the consideration of Government should be made known to the public in order that an expression of public opinion may be elicited, but it is subject to the restriction that nothing, which

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has to go up to the Government of India or which has come down from the Government of India, may be published until it has been permitted by the Government of India; therefore, since every one of these subjects has to go to the Government of India, not one of them could be published beforehand.

32245. Is it not desirable to take the public with you when you have any proposals of reform to make?—It would be very desirable indeed, and if we could do it on our own responsibility, we should do it now, but since we are under the restriction that we can publish nothing with which the Government of India is concerned before it has been dealt with by them, we can publish nothing.

32246. Do appeals give your Secretariat any undue amount of work?—I do not think so; a certain number come in in the course of the year, but not an excessive number.

32247. Do you think the right of appeal gives some sort of security to Government officers in the Service in which they are employed?—That is my opinion.

32248. When you want the Government of a province to be autonomous to some extent, do you not think it necessarily follows that the delegation of power should go down to the leading men in the districts, and even down to the villages?—I think that the Legislative Council should be consulted in connection with the budget.

32249. Is it not necessary according to your scheme that the Collector himself, who is the Executive Officer of the district, should be guided or advised by the public opinion of the district?—I do not think it would tend to the efficiency of the executive administration at all. It appears to me when an Executive Officer has to do work he is responsible for doing it, and if he has to subject his actions in carrying out his work to a Board or a Council, I think it would be unworkable.

32250. I was not referring to executive work, but to general lines of policy in regard to such matters as education and sanitation; in those matters would consultation with the leading men of the district not help the Collector in his administration and at the same time make the work more popular?—It is better the Collector should do as most Collectors do now, that is to say, consult with the leading men of the district by personal interview with them. My own experience as a District Officer is that when one goes on tour, on arriving at every camp, one makes and receives visits from all the leading men of the neighbourhood, and comes into communication with everybody who is likely to be concerned. Anybody who likes to come may come and see the Collector; he talks to them and gathers their opinions, and that appears to be a preferable plan to laying down a form of procedure by which an Advisory Council would be called together in a formal manner.

32251. Do you not think that an Advisory Council would enable him to get information and opinions far better?—Personally I do not think so.

32252. And you do not think that the delegation of powers which you are recommending for officials should go down to the non-official people of a district?—I do not think so; I do not think the time has come for that.

32253. Can you suggest any other method by which district administration could be brought more into touch with the people?—No, I have not thought out any method by which it could.

32254. Would you leave matters as they are now?—Practically.

32255. In the Government case it is said of Directors-General and Inspectors-General that "Competent officers with special knowledge of forests, irrigation and agriculture may be capable of offering useful advice, although it must in many cases be doubtful whether the knowledge of the expert at Simla exceeds that of the provincial expert, or whether the greater of two experts cannot be more usefully employed in a locality where he is in direct touch with affairs than in a far distant office. In education, sanitation, commercial matters, salt, excise, medical questions, printing and stationery, the utility of the general expert, assuming him to exist, is not apparent." Is it the view of the Bombay Government that, as far as the Bombay Government itself is concerned, the creation of these appointments has been of no practical use?—That seems to be the view stated. Of course, that applies to those particular heads.

32256. Is each district in this Presidency divided into a number of sub-divisions?—Yes, each district is divided into a number of what are called *talukas*, and each sub-division consists of two, three, or even four *talukas*.

32257. Is that fixed by Government, or is it fixed according to the discretion of the Collector himself?—The Collector may vary the size of the sub-divisions.

32258. So that he can put an officer in charge of three, four, or two *talukas*, as he thinks necessary, and the limits of the sub-division are not fixed as they are in Bengal by the Government itself?—No, the extent of sub-divisions are not fixed by Government; the Collector of a district has it in his own discretion to give one, two, three, or four *talukas* to an Assistant Collector.

32259. Would it be an advantage if the limits of the sub-divisions were fixed by Government in this province as they are in Madras and Bengal?—I think it would be a distinct disadvantage.

32260. Do you think it would be an advantage if the Sub-Divisional Officer was required to live in his sub-division?—I do not see any advantage in that. He travels through his sub-division for seven months of the year, and, during the remaining five months, when it is not practicable to travel, he is better placed at headquarters than he would be by being out in some sub-divisional town.

32261. Do you not think it would bring the officer more into touch with the people if he lived in his sub-division?—I do not think so because he lives in it now for seven months in the year when he is moving about.

32262. (*Mr. Hichens.*) You refer in your note and also the Government Case refers to the detailed nature of the rules and regulations of the Government of India; is the suggestion that practically the whole of them or most of them should be abolished?—I do not know that that is so; the idea is that they may be very considerably simplified. If the Government Case goes so far as to say that they ought to be abolished, I personally would not go so far. What is meant is that all those things come under the Civil Service Regulations and most of them are subject to the authority of the Government of India, and the suggestion is that in matters and functions pertaining entirely to the Local Government, the Local Government should have final authority and not the Government of India.

32263. In matters of that sort, should regulations be drawn up by the Local Government and not by the Government of India?—Yes, as regards their own functions.

32264. For example, as regards travelling allowance?—Yes.

32265. Would there be any objection in your opinion to the Government of India laying down a general principle governing the case?—Not at all.

32266. And that it should be left to the Local Government to interpret it?—Certainly, that is my idea.

32267. That would apply to a variety of the rules and regulations of what might be called minor importance?—Yes.

32268. Objection has been raised that if that were done a most disturbing state of non-uniformity would arise in the different provinces; would it matter much if there were differences?—No, I do not think it would. It does not seem to me that, in these matters, there is any great necessity for strict uniformity.

32269. It would not make any difference to you in Bombay if you had a totally different system as to travelling allowances from that prevailing in Madras?—We have to a considerable extent a

different system, because we have what is called permanent travelling allowance to a considerable extent in Bombay, which, I believe, does not exist to any appreciable extent in the rest of India.

32270. If one province chose to adopt a mileage basis as the best mode of carrying out their view of the general principle, and another province chose to adopt a time basis, it would not matter in your opinion at all?—I do not think it would; they are all in use, and I do not see that any one of them is absolutely better than the other.

32271. Another objection which has been raised is that the provincial Government might be more of a family party and that it might be rather difficult for them to give a fair and impartial interpretation of such rules; what would you say to that?—I should say that it has no foundation at all. I do not see how a Government consisting of three members as this one does, one absolutely disconnected with the Presidency until he is appointed here from home, and the other two belonging to distinct branches of the service, could not be trusted to deal impartially and not in a family spirit with such questions.

32272. Would you lay down the principle that travelling allowances are intended to cover the actual travelling expenses of the individual?—That is laid down.

32273. Would you leave it at that as far as the Government of India is concerned, and allow the Local Government to place upon it their own interpretation?—I see no objection to that.

32274. Supposing a Local Government for example thought it desirable to extend the principle to an officer's wife, would you say that it should be referred to the Government of India before it could be done?—It might be. We are assuming that the Government of India said nothing more shall be allowed than is sufficient to cover the actual expenses of the officer, and if the Local Government wanted to extend it to the expenses of his wife and children, they ought to go to the Government of India and ask whether the principle would bear such an interpretation.

32275. You would not call it interference on the part of the Government of India if they gave an interpretation on that point?—No.

32276. Would the same thing apply to regulations dealing with the housing of Government officials?—Yes, the same principle would apply.

32277. Would you allow the Local Government to make its own pension scheme, and fix the pensions to be paid to members of the Provincial Services?—So many pensions necessarily come upon the imperial revenues that I think it would not be desirable to have a different system or basis on which they are calculated. The provincial Government should be required to follow the principles of the Government of India as regards pensions, which are laid down for the Imperial Service.

32278. Would you have a uniform pension scheme even in respect to pensions which are paid out of purely provincial funds?—Yes, even in respect of these; it would never do to have officers of the Imperial Department and the Provincial Departments serving side by side in the same place, one of them being on one basis of pension and the other on a different basis. As it is, there are men in the Imperial Departments serving in Bombay with men of the Provincial Departments, and there would be difficulty if their pension prospects were different.

32279. Would you give the Local Government greater latitude in regard to the interpretation of the regulations?—As regards pensions I do not think so.

32280. Do cases occasionally arise which do not fall within the four corners of the regulations, such as compassionate pensions?—That is so.

32281. Should those go to the Government of India?—They might give us greater latitude than they do. At present if a policeman dies whilst engaged on plague duty, for instance, we are authorised to give his family a compassionate pension or a gratuity, but if a man who is not a policeman, who is—for example—a schoolmaster, dies under similar circumstances, we have to go to the Government of India before we can make any grant, the logic of which is not quite apparent.

32282. Can you give any general idea as to how far the powers of the Local Government might be extended?—It would probably be a limit of amount. When the general principle as to the conditions under which such allowances might be made is arrived at, then an amount might be fixed up to which the Local Government might go, and then go to the Government of India if any case arose which was not covered by the general principle.

32283. Is there not a figure as to amount to-day?—I cannot say.

32284. Are you prepared to express any opinion as to what the figure should be?—No, I am not.

32285. With regard to the doles, which are given by the Government of India, is your only objection to them that you are compelled to keep separate accounts with regard to them?—I do not think it is simply an objection as to keeping separate accounts; it is such an unsatisfactory way of making provision. I would have the provincial Government placed in possession of such funds as would enable it to deal with reforms without having to call for special assignments to carry them out; that is to say we might increase the funds available to the Local Government, so as to give us the control of something over 6 crores instead of something under five as at present, and within such a limit as that we should be able out of expanding revenue to provide for the increased expenditure due to these reforms.

32286. Do you mean that each time a case of that sort arises the *quasi*-permanent settlement should be adjusted rather than that an additional dole should be given?—No, that would mean possibly a perpetual revision of the settlement, and I do not mean that at all; the settlement should be practically permanent.

32287. For the sake of argument let us suppose that, backed up by strong opinion all over the country, it was decided by the Government of India to institute free education, would you at once say, "I have not the money," and suggest that the permanent settlement should be re-adjusted, or would you suggest a dole?—The question would really turn on the amount required.

32288. Let us take a small amount?—Taking a small amount we should probably provide it ourselves and say nothing more about it.

32289. Take, for instance, the case of reorganization of the police?—That would involve a large amount. If we had such a settlement as has been sketched here and we found that we could not raise the funds ourselves, and that it was so urgent to introduce the reform that we could not wait, then the procedure, in my opinion, would be to ask for a reduction of the assignment from provincial to imperial up to the extent required to finance the reform; it would be a reduction of the amount payable by us instead of a grant from India to us.

32290. It would amount to an alteration of the permanent settlement?—It would amount to an alteration so far that the assignment from provincial to imperial would be reduced.

32291. Assuming existing circumstances, would it meet your case if the Government of India simply allocated to you a definite sum and said the reason they did so was that certain matters might be carried out, but they did not ask for an account of it?—Under the existing settlement the only way is for them to allocate to us, and if they said, "Here is the money," and allowed us to carry the matter through without asking for definite information as to the exact expenditure, there would be no particular difficulty.

32292. Do you think a Local Government should be allowed to spend its own money on new works without reference to the Government of India up to an unlimited sum?—Yes.

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32293. With regard to appointments, would you be satisfied if you got the same treatment from the Government of India as the Government of India gets from the Secretary of State?—As regards creating or making appointments it has been suggested in respect only to provincial funds that we should have as much power as the Government of India has now, or may hereafter have, when any changes are introduced.

32294. Assuming that there were no restrictions by the Secretary of State on the Government of India with regard to local appointments, do you think that you should have the same power?—Certainly, whatever power the Government of India has in respect of its Imperial Departments, the provincial Government may well have in respect of the departments which are purely provincial.

32295. In other words, practically you ought to be allowed to appoint the whole of your provincial staff?—Exactly, and the provincial staff only—not as regards any imperial sections of that staff.

32296. Supposing powers somewhat on those lines were given you, would you still desire to have your revenue separated from that of the Government of India?—It seems to me that it would not be practicable to give us powers of dealing with provincial affairs unless the revenues were separated; so long as there is any head of revenue divided between imperial and provincial, the Imperial Government is necessarily entitled to have a say in the disposition of that revenue.

32297. Do they give you to-day the same powers with regard to divided heads as they do with regard to entirely provincial heads?—I think that is so.

32298. Do you see any reason why they should not continue to do that?—The difference seems to me that so long as they have to divide the revenue and expenditure their reason for interference is justified by the fact that they are interested to an equal extent with us.

32299. Would it be an unreasonable policy for them to assume that you could be entrusted to carry out the works properly and efficiently?—I think certain departments which are imperial ought always to remain imperial, and they ought to regard us as their agents and confide in us and allow us to behave to the best of our ability, but that in provincial matters they should leave us to act for ourselves.

32300. Do you think it would be a useful principle to lay down, having regard to divided heads, that the provincial Government might be trusted to do the work efficiently and well without any interference on the part of the Government of India?—It would be a very good thing if it could be laid down, but I do not think it would ever work because the fact of their being interested would lead to their desiring to know about what was going on, or desiring to do this, that, and the other.

32301. Would it be impossible to secure freedom of action unless you are entirely separate?—That would be my opinion.

32302. Are there not drawbacks with regard to separate revenues?—Yes, some have been suggested, but I do not think it would be unworkable.

32303. If your revenues were materially diminished would you come forward and ask for a new settlement?—Certainly, it would be necessary to have a new settlement if the revenues were so diminished beyond hope of recovery that we could not meet expenditure.

32304. It has been suggested that the allocations when once arrived at should be sanctioned by the Secretary of State and should not be altered without his concurrence—does othat meet with your views?—That seems to me to be a good idea.

32305. Would that be preferable to the greater elasticity which would otherwise be possible in the way of an amendment of the settlement?—Unless there were any order of the kind the amendment of the settlement would necessarily be carried out by negotiation between the Local Government and the Government of India.

32306. Would you prefer it to be made more formally?—It might very well be, but I do not think myself it would be necessary; I believe the two Governments here would arrive at a settlement without referring to the Secretary of State.

32307. In the Government Case a reference is made to the method of distributing the surplus; how would you suggest that that should be altered?—At present, when the Government of India are in possession of a surplus, they decide themselves as to whether there ought, or ought not, to be any remission of taxation, and they also write informally to the Heads of Local Governments, saying that such and such sums are available and "We can, if you like, give you a lakh or two for such and such an object and then two or three lakhs for another object; would you like to have them?" There is thus an informal consultation of the Heads of the Local Governments and, apparently, when the replies from the various Heads of the Local Governments are received, they are compared, and it is not clear, at any rate to any one in the Secretariat, what the deciding point may be as to the relative value or importance of the objects to which funds out of the surplus may be given by the Government of India. It would seem to me to be more in accordance with utility to allot whatever may be available simply to the balance of the provincial Government, so that it might spend it at its own discretion on whatever object it might think advisable.

32308. Would you dole it out *pro rata* to the different Governments?—Very likely *pro rata* would be a very good way, but I have not thought exactly how it should be, but it would not seem to be unreasonable.

32309. In your opinion would it be better than that the Government of India should decide what should be the works to be carried out?—It would in my opinion be distinctly better that the Local Government should be able to decide. They are better able to decide what it would be best to spend the money on.

32310. In that case would you allow the Government of India discretion to decide whether the claims of one Government were more pressing than the claims of another?—When I said just now that it might be proportioned, the Government of India would certainly use its discretion as to whether one Government should get more than another. If the Government of India saw that one Government was distinctly hard up and that its balances were exhausted, it might well give a bigger share to that Government than to a Government which had closed its year with a substantial balances to its credit.

32311. So that you get to the position, that the Government of India would discriminate between the requirements of the different Local Governments, which is what they do to-day?—I do not think they do it at all; they simply enquire whether a Government would like to have a couple of lakhs of rupees to spend on a specified object; the grant is made for that specified object and that object only, and an account has to be given as to its being spent on that object and no other.

32312. (*Mr. Meyer.*) There is a historical *resumé* in the statement by the Local Government. Were not the former powers of the Bombay Government all practically taken away by the Government of India Act of 1833?—I have not any knowledge outside of what is stated in the statement referred to.

32313. I put it to you that the Act of 1883 took away from the Bombay Government all their powers of making fresh appointments and all their powers of legislation?—That seems to be so.

32314. Consequently any subsequent powers in this and other respects are due to delegation from the Government of India?—From the Government of India under the Secretary of State.

32315. In the statement it is implied that it is a fallacy to suppose that the powers of the Local Government are derived from devolution. My

point is that, rightly or wrongly, those powers were taken away, and, since then, all the powers which the Local Government has got have been given by devolution from the Government of India with the sanction of the Secretary of State?—Yes; the phrase that "The Bombay Government once possessed very weighty powers which have been absorbed by the Government of India" means that they have been absorbed under the statute.

32316. And what you have got now has be devolved upon you?—That must have been so. You will see in the previous paragraph, "This is a fallacy similar in nature to the frequent assertion that the powers exercised by the Government of Bombay have been derived by devolution from the Government of India." The words "This is a fallacy" apply to the statement that all the revenues raised in India are the property of the Government of India. This seems to me to be a fallacy, because the revenues of India are not the property of the Goverment of India, but the property of the Secretary of State.

32317. As matters stand at present, the ultimate control of the Government of India vests in His Majesty's Government as represented by the Secretary of State in Council?—Yes.

32318. The Government of India itself is a subordinate Government?—It is a subordinate Government to the Secretary of State in Council.

32319. And the Bombay Government is therefore a subordinate administration in the second degree?—Yes.

32320. Do you think that the Bombay Government always sufficiently remembers that position?—I do not know whether they have always remembered the position; it is impossible for me to say what the Government has borne in mind and what it has not.

32321. I was referring to the correspondence between the Bombay Government and the Government of India; does the Bombay Government, to your mind, sufficiently recognise that it is, in matters relating to India, only a subordinate administration in the second degree?—I think it does.

32322. So far as financial matters are concerned, up to 1871, the Local Government had no powers at all so far as regards appointments; the whole budget was practically imperial?—I do not know about previous to 1871, except as may be stated in the Government Case.

32323. You know that under Lord Mayo's Settlement in 1871 they obtained the right to make appointments, more or less under present conditions, but in respect only of a few provincialised heads—police, jails, and so forth—and they only received fixed grants with which to meet the cost of those Services?—I cannot question that, because I do not know personally.

32324. Then under the settlement of 1877, expenditure under land revenue, excise, stamps, law and justice, was provincialised, giving the Local Government more power than they formerly possessed. They were also assigned some branches of growing revenues. In 1877 you got for the first time power to create appointments up to Rs. 250, and to deal with expenditure, generally under present rules, under the important heads of land revenue, excise, stamps, law and justice. On the other hand, your recipts and expenditure, which were formerly shown in lump as provincial, were put into the imperial budget, though in a separate provincial column, and your estimates came under review as they do now. I put it to you now that what you gained by the settlement of 1877 was far more than what you lost. You gained the large power of management and of making appointments, and you were *per contra* to a slight extent brought under budget control?—I am not prepared to dispute it.

32325. So that the implication that the year 1877 saw a considerable set back in the liberty of the Government of India is a little misleading?—The words in the statement are, "The provincial budget framed by the Accountant-General was sanctioned by the Local Government without reference to the Government of India."

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32326. There is not a word said as to the much greater measure of liberty that you got in the other measures of that year?—No, there is nothing said of what you have just been referring to.

32327. Then in 1882 you got a system of regularly divided heads of expenditure and revenue between imperial and provincial, and the Local Government got the same powers of sanction with regard to divided heads as they had previously possessed only in respect of heads wholly provincial?—Very well.

32328. In 1904 you got a *quasi*-permanent settlement on far more liberal terms than the previous settlement, and including a partial provincialisation of major irrigation works and a minimum guarantee of your land revenue?—That is so.

32329. Recently, again, arrangements have been made which fix the liability for ordinary famines largely upon imperial funds?—That is so.

32330. The Government of India moreover, have, from time to time, delegated powers under the Civil Service Regulations to your Government, and allowed it to make delegations to subordinate authorities. In 1904, for instance, you received authority to make a number of delegations?—I cannot dissent from that.

32331. It is said that "The steady absorption of the powers of this Government by the Government of India has now reached a point at which measures are required either to restore its authority in local matters or to replace it by a less costly form of administration." I put it to you that so far as finance is concerned, so far from there being a steady absorption of power, there has been a steady devolution of powers from the Government of India to the Local Government?—According to the account you have just given that does seem to be so.

32332. Now as regards budget alterations. Have not the alterations made by the Government of India in your estimates been made, speaking generally, in the interests of accurate estimating?—No doubt.

32333. Have they not been justified by the facts?—I believe that usually it was worked out that they have been closer than the original estimates.

32334. I find for instance that in 1906-07 the Local Government's figure of expenditure exceeded the actuals by over 30 lakhs?—That is possible.

32335. I put it to you, from the point of view of accurate estimating, the real fault of the Government of India, was not that they cut what they did, but that they did not cut enough—that they were too tender to the representations of the Local Government in the matter?—I do not think that that would be a complete and full account of the matter at all.

32336. In what way?—In this way. The Government of Bombay submits its budgets in the month of January on figures received from the departments and checked so far as may be by actuals up to that time available; the Government of India, when they make the alterations in the budget, have later figures than are available to the Government of Bombay, when they submit their proposals. The Accountant-General sends up the budget as it is passed by the Executive Council.

32337. The Government of India has not more recent figures than the Accountant-General sends up to it?—They have before finally settling the budget.

32338. On each edition the Local Government get full opportunity of justifying its figures. You have the opportunity, which you do as a matter of fact exercise, of showing cause against any alteration which you think undesirable?—That is so.

32339. The statement puts forward the desirability of more practical discussion of the budget in the local Legislative Council. Do you not get the figures of the budget as passed by the Government of India before the end of March?—I think so.

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32340. It is the penultimate Wednesday in March, and you then get the figures?—Yes.

32341. When is the budget discussed in your Legislative Council?—It is discussed in June.

32342. Is there any reason why it should not be discussed as soon as you get the figures?—The difficulty seems to be to get the figures of the Financial Statement ready in time for a discussion in April; so far it has not been practicable. I have been out of the Secretariat for some little time past; I am only back for a few months, and I cannot say with accuracy, but I think the difficulty is that they have not got the figures out in the form of a Financial Statement earlier than May.

32343. Are you aware that in Bengal the provincial Government brings out its budget directly after the Government of India budget is out, and has a discussion thereon?—I was not aware of that.

32344. What one Local Government can do, another Local Government can do, can it not?—I suppose so.

32345. Then if there is a delay in the discussion of the budget in the Legislative Council, it is largely due to the Local Government itself?—If there were any discussion on the budget, but of course as a matter of fact no one has a word to say on the budget at all; what is called the budget meeting does not result in any discussion of the budget at all, because is is a *fait accompli*; nothing is to be done.

32346. But is it not better that the discussion should take place sooner than later?—It does not seem to me to make a particle of difference when you discuss it, if the budget is settled already.

32347. Mention is made in the statement of the Local Government of the desirability of being able to transfer money from one head to another with reference to the wishes expressed in the Legislative Council. Suppose you put your budget before the Legislative Council at the beginning of the year, is there anything to prevent your Government from making a transfer from one head to another if the budget debate showed that there was a public wish for it?—It has not been so regarded hitherto. So far as I know it is regarded that the budget is settled, and that except for minor re-appropriations as they come along in the course of the year, the main figures have to be adhered to.

32348. You have explained that you have considerable powers of re-appropriation?—Yes, from one imperial minor head to another under the same major head, or one provincial head to another, or from one divided head to another, but not outside those three.

32349. The statement sets forth that the Local Government should not only be free to spend the whole amount of the budget grants, but that they should be able to order increased expenditure, drawing from their provincial balance, at discretion, subject to its being kept at a prescribed minimum figure; you do not agree with that?—That is not my personal view.

32350. As a matter of fact it would entirely destroy the ways and means of calculation of the Government of India?—That is why I do not think it is sound.

32351. It would have, amongst other serious consequences, the result that the Government of India would be entirely upset in their calculations of what could be given in the way of local loans?—It would interfere with their power to deal with them.

32352. There is a remark in the statement that there is no harm in a local body seeking loans up to 50 lakhs in the open market without reference to the Government of India; do you agree with that?—No, that is not my opinion.

32353. Would not a few loans of 50 lakhs by the great Corporations of Calcutta and Bombay sweep the market?—It would be likely to interfere considerably with the amount of money available, undoubtedly.

32354. If, as you were saying to another member of the Commission, the Local Government, instead of what are called doles, were allowed lump sums to do as they liked with, would not that result in serious inequalities of treatment of such Services as Police and Education in the different provinces; one Local Government might go ahead with education and leave the police inefficient; another might go ahead with police and leave education inefficient?—That is conceivable. On the other hand, one Local Government might have greater need for going ahead with police, and another might have greater need for going ahead with education. A Local Government ought to have the discretion of judging which head it should go upon after consulting its own Legislative Council.

32355. There is a note given as to the accounts the Local Government has to furnish in the matter of these doles. I put it to you that there are not any regular accounts. Take education; there was a grant for primary education; surely all you have to send up is a statement comparing the total grant for primary education the year before the grant was made with the total expenditure now?—I do not think that is so. I understand that the enquiries that come down from the Government of India are for a definite statement of the amount spent out of the special assignment made that year for that purpose. If for police re-organisation 6 lakhs have been granted in the year, they want to know exactly how much of that 6 lakhs has been spent.

32356. Take education; do you know of any special accounts in the matter of education?—No, I do not.

32357. Now as regards police; the position is that the Government of India have got a lump sum to distribute among the various Governments year by year; naturally they want to regulate that distribution by the expenditure which the Local Government is incurring. Suppose the Madras Government, for instance, has not been able to expend all the grant given to it last year, that would be a reason for not increasing the grant to Madras this year, but giving it to some other province that was going ahead faster?—Yes, that would be a reason.

32358. From that point of view, are not these accounts possibly justified?—If the Government of India has to make the distribution under particular heads to each Government there is a necessity for these accounts.

32359. As regards existing restrictions, is not the Secretary of State pretty strict over the Government of India, especially in the matter of pensions and appointments?—I have no direct information about the relations between the Government of India and the Secretary of State.

32360. Is there not a tendency sometimes for Governors and other administrators to impose their own ideas within their own limited tenure of office?—I have not observed it.

32361. Is there no necessity to check that by requiring reference to an outside authority?—It has not occurred to me.

32362. It is observed that the Bombay Government "should be subject to control not exceeding that exercised by the Secretary of State over the Government of India"; I suppose you are aware that the Secretary of State exercises a great deal of control over the Indian budget; that he has to be referred to in such matters as fresh taxation or the remission of taxation, or the disposal of the surplus, or anything that involves a new departure in policy?—The exact limits in which the consent of the Secretary of State is necessary are not known to me.

32363. Is it not necessary that the Government of India shall continue to exercise the same power over the Local Governments as the Secretary of State exercises over it. Under the system contemplated by the Bombay Government in this statement, do you take it to be intended that the Local Government shall be controlled by the Government of India in the same way that the Government of India is in its turn controlled by the Secretary of State?—That is what I understand to be the position of the Local Government.

32364. Then in any case the Government of India is bound to exercise a great deal of control?—Yes.

32365. You put forward a scheme of your own as to the way in which imperial and provincial revenues should be distributed, and you say that the Imperial Government under it would get its present total net revenue from Bombay, less one-sixth of a crore only which you regard as a matter not sufficently big to trouble about. Do you think that if other provinces took the same view, these one-sixths of crores would not mount up?—Of course, if you multiply one-sixth of a crore by six it becomes one crore, but I think this one-sixth of a crore would disappear. I do not want to put this forward by any means as a completed plan; this is merely a general basis for negotiation on which you might arrive at a conclusion; actually that one-sixth of a crore would, I think, be wiped out entirely when the Government of India completed making their special assignment for police; it would disappear altogether; the balance would be the other way.

32366. Then, apart from that, you substitute a fixed assignment for shares of growing revenue which the Government get?—Yes.

32367. That fixed assignment is to be diminished permanently in order to allow the Bombay Government a margin for borrowing?—If they exercised any power of borrowing it would be diminished.

32368. Is the borrowing to be for unproductive works; I take it it leaves the railways and the productive irrigation works in the hands of the Government of India?—The railways undoubtedly; I do not know about irrigation works; that would be a matter of negotiation; it would have to be settled whether, and if so to what extent, irrigation should become provincial.

32369. The borrowing would not be so lucrative as the Government of India's borrowing?—That I am unable to say.

32370. Then further, the share of the Government of India is to be subject to reduction in any year in which failure of crops necessitated famine relief. With these stipulations, do you think that the Government of India could effectually finance the defences of the country?—It seems to me that the Government of India would have a large number of growing revenues left to them, such as stamps, customs, assessed taxes, interest, railways, mint.

32371. They would lose a lot of their existing growing revenues?—Of course they part with their share in a certain number of expanding revenues which they at present have.

32372. Then the provincial heads under your scheme are to be independent of the Government of India budget, that is to say, to the extent that the Government of India is not to interfere with the budget?—That is so.

32373. Will not that interfere with the Government of India's calculation of cash balances, which depend on the difference between provincial revenue and provincial expenditure in any one year?—Yes.

32374. And if they are not accurately estimated, the cash balances and the ways and means which rest on them are disturbed?—Yes.

32375. You admit that the Government of India must be responsible for the ways and means of business of the country?—Undoubtedly.

32376. And yet you debar them from seeing that the calculations are as accurate as possible?—The Local Government being placed in a position of responsibility, and having more time to work up its budgets up to the end of March, would be in a position to estimate more accurately than now; it would be also more likely to estimate accurately if it were relieved from the necessity of referring every scheme to the Government of India. So much goes wrong with the local budget, in that they put in each year a provision for forthcoming reforms and re-organisation in anticipation that in the following year these will be introduced. What happens in a number of cases, for instance, police, is that they do not get introduced; the matter is referred back for further information, and therefore the expenditure stands over. But if we had the power to settle for ourselves, we should be able to estimate more closely what we were going to spend in the following year.

32377. Hope would still spring eternal?—But I think we might hope with some good ground.

32378. Is the Government of India Office not stronger than that of any Local Government?—It has got to be.

32379. And therefore has it not better opportunities for scrutinising the figures?—In this list of functions it is stated that all matters which are not specially assigned to the Central Government are to go to the Local Government; do you agree to that personally?—No, I think that is too wide.

32380. Then (possibly as a matter of unconscious satire) the list of functions of the Imperial Government is headed with the word "bankruptcy." What would happen if any province went bankrupt under this scheme?—I cannot answer for that entry exactly, but I understand that it is dealing with the Bankruptcy Act.

32381. Do you think that the Government of India could really allow a provincial Government to go bankrupt?—I have not thought that it was suggested anywhere that it could.

32382. Full freedom of financial responsibilities does include a possibility of entering into the Bankruptcy Court?—I suppose it is to be assumed that a Local Government will have some discretion in its finance.

32383. Still, the Government of India could not really afford to let a provincial Government become bankrupt, and therefore it must take steps to prevent such an unfortunate event occurring?—If the necessity arose it would have to.

32384. The Local Government claim a larger power of delegation in regard to Imperial Departments, that is to say, departments which under their scheme have to be imperial. Is the Government of India to be absolutely at the mercy of an agency that might possibly have caused justifiable distrust? Suppose in some particular province the estimates for Public Works had always been largely exceeded, or the engineers were not thought competent, is the Government of India nevertheless to accept without question the agency of this Local Government?—So far as the Local Government is the agent of the Government of India it must necessarily be under the control of that Government.

32385. Therefore if the statement in the Local Government's memorandum means that the Government of India is to absolutely surrender itself to the agency of the Local Government, you disagree?—I certainly do not think that it is suggested that the Government of India ought to surrender itself to the agency of the Local Government.

32386. It is suggested that the Local Government, as agent for the Central Government in imperial matters, should have larger powers of creation of appointments up to Rs. 250, provided budget provision is available; would that not be dangerous? The budget provision might accrue from temporary savings, and your power of making appointments would add a permanent liability?—A permanent liability on condition that provision has been made by the Imperial Government for such items. It says, "if budget provision is available for such items"; if the provision is there for an appointment, the Local Government might make it.

32387. But if provision has been made for such items, the Local Government gains nothing by sanctioning them?—Except that it saves a reference.

32388. Suppose there is a lump sum of Rs. 10,000; you mean the Local Government might exercise its discretion within the Rs. 10,000?—That would be one way of working it.

32389. Then it is claimed that they should have the right to spend for Public Works up to 10 lakhs without reference to the Government of India; is it not the fact that, with the best intentions, engineers' estimates are often largely exceeded?—That might happen.

32390. Therefore this power might land the Imperial Government for not merely the amount that was down in the budget, but perhaps twice that money?—That might happen.

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32391. Do you not think that that requires to be guarded against?—It might happen to the Imperial Government when it has sanctioned up to ten lakhs that the engineer's estimates were exceeded, and it would still find itself landed with the excess amount.

32392. But there is some difference in your having to pay the piper for your own mistake, and having to pay for the mistake of somebody else?—If the agent is so distinctly somebody else's that you cannot be expected to carry his mistakes, then of course that is so.

32393. The Government of India has nothing to say to the promotion or appointment of Bombay engineers?—I do not know for certain with whom it rests.

32394. Among the matters in which the Government of India is said to have blocked the Bombay Government for a series of years there are mentioned proposals as regards Commissioners. Did not the original letter from Bombay come up in 1895?—I think that is so.

32395. It was answered by the Government of India in March, 1896; they said they were not in favour of a general delegation, and they asked the Bombay Government to be kind enough to specify what powers they actually proposed to delegate. That letter was not replied to by the Government of Bombay until the end of 1906?—I think that is so.

32396. Then is it fair to say that the block rested with the Government of India? I put it to you that the block was by the Government of Bombay?—I do not know about that. I was thinking of the case in which the delegation was made to the Commissioner in Sind. In that case a recommendation was made to the Government of India; it was accepted without any reference back again; the thing was put through in a short Act in about one year. If a similar course had been adopted here, the ten years' delay would not have arisen at all.

32397. If the ten years' delay was unnecessary, was it the fault of the Government of India?—As to how it occurred I cannot give you any account at all.

32398. There is another case in which complaint is made that there was a block by the delay of the Government of India, namely, owing to the revision of the Subordinate Forest Service. Do you know anything about that case?—Yes. I cannot remember the exact dates without looking up the correspondence, but proposals went in from this Government to the Government of India in 1888. They came back again with suggestions from the Government of India; those were not accepted here, and a further statement was prepared by the Inspector-General of Forests; that took another three or four years; then it went on with correspondence, until we sent up a scheme in 1905.

32399. In August, 1892, the Government of India forwarded a scheme by the Inspector-General of Forests; in December, 1892, the Local Government expressed their inability to adopt it; then the matter slept until 1905 as far as the Government of India was concerned; the Local Government occupied these 13 years in discussing the case in its various aspects?—That is so, because other matters came under inquiry, partly under the impetus of the Government of India, partly on the motion of this Government. It was not until 1902, owing to plague and famine, that the matter was definitely taken up and submitted in 1905.

32400. But is it fair to blame the Government of India for the slow gestation of the Bombay Secretariat?—I do not think there was any slow gestation of the Bombay Secretariat; I think it might have been got through more quickly if it had not been thought necessary to give so much discussion to the original proposals of 1891; for instance, twice the Government of India thought it necessary to send down for further consideration what the Local Government were unable to accept. If they had been able more to meet the views of the Local Government that delay would have been avoided.

32401. (*Sir Steyning Edgerley.*) As regards the 30 lakhs excess in the budget for expenditure in 1906-07, was not the reason that great famine was feared and a large sum was provided, and fortunately the Bombay Government had not to expend it?—I think that was so; I was not here at the time, but I understand from the papers that that was so.

32402. Is one reason why the Bombay Government do not discuss the budget before June that they give the members the detailed civil estimates for consideration; the members are not asked to discuss the budgets until they can have the civil estimates in their hands and see the details?—Undoubtedly they always have them before the budget meeting.

32403. As regards the grants for police, of course the Government of India regulate the distribution of them, but would it surprise you to hear that Burma got the whole of its contribution as part of its new contract before it got its proposals passed?—Certainly it does surprise me to learn that that is the way in which one Government was treated.

32404. As regards your scheme for the separation of finances, you yourself do not propose that there should be actual separation, but that there should be a new settlement with the Government of India?—That is my idea.

32405. Why do you think that better than actual separation?—It seems to me so, because an actual separation would involve necessarily a separate balance. Our balances would have to be kept separate, and it would be a very complicated business to have separate provincial balances and Government of India balances.

32406. Would that be met if it were provided that the Local Government should bank with the Government of India?—That would amount to the same thing; it would work, practically speaking, in the same way.

32407. Also, just as the Local Government is the agent for the Government of India in managing certain heads of revenue and expenditure, it would be perfectly easy to work a system by which the Government of India should be the agent of the Local Government for the purpose of borrowing?—So it seems to me.

32408. Taking the average of past years just as a banker might do and the average of the accounts, there ought not to be any difficulty in the Government of India regulating their ways and means?—So far as I can judge I think not; I have had no particular means of judging.

32409. It is a possibility?—Yes.

32410. If the Local Government got a separate title to their revenues it would finally prevent that sort of suck-back which is the tendency of every controlling Secretariat—that sort of gradual re-absorption of authority?—Exactly; that is the idea—that if the Government of Bombay had control of its own separate heads of expenditure there would be much less cause for the Secretariat of the Government of India to interfere with the control and disposition of that expenditure.

32411. Looking back to the history that was given by Mr. Meyer, it was perhaps an unfortunate and retrograde change that in 1877 (though I quite admit that other particular powers were given) Lord Mayo's principle of separate heads of revenue and provincial budget freedom was departed from?—So it seems to me.

32412. I take it that all your figures are only intended to show that negotiation is possible?—That is so; they are not intended to be an absolute definite scheme at all.

32413. What is your view about major irrigation? I think you have put it all into provincial?—We have put it all into provincial in this outline on the idea that we would be able to undertake it all with borrowing powers.

32414. Do you consider that that is feasible in view of the very heavy protective works that are contemplated in this Presidency, the total of the

irrigation schemes of this class amounting to 10 or 15 crores; would you still be able to keep it in provincial?—If we had borrowing powers and exercised them, the possibilities of this Government with such a scheme as that, and undertaking its protective works even, have been worked out by the Public Works Department, and it appeared to show that we should be able to undertake the whole.

32415. Are the establishments of the Imperial Departments entirely distinct from those under divided heads, *e.g.*, salt and excise?—They are not entirely distinct.

32416. In any scheme of that sort how would you propose to deal with the control of such mixed establishments?—Something like we do now. Salt is an imperial head, excise is a divided head, and an agreement is come to as to the proportionate share of expenses which shall be debited to either head.

32417. But as to the control of expenditure on establishments?—Even at present, of course, so far as the establishment is described as salt, it is an imperial establishment entirely, and has to be treated under the rules applicable to imperial expenditure. Excise being a divided head, that also has to be treated practically under the same rules. If excise were an absolutely provincial head all establishments that were definitely placed as excise would have to be dealt with by the provincial department.

32418. It would be rather uneconomical to divide the establishments?—Undoubtedly.

32419. And that would have to be negotiated?—Yes.

32520. Take salt or opium; is it in your experience that Collectors or other officers who have to deal with the detail work make any difference in the amount of labour that they put into their work because a thing is an imperial head or a provincial head?—I have not observed any at all; it is all the work that one has to do, and one does it.

32421. There is no greater zeal, for instance, for land revenue than for opium or salt?—No.

32422. In a matter of expenditure, either as Secretary or as Collector, have you ever noticed that there has been a tendency to say, "This does not matter to us, it is Government of India expenditure, let us get as much as we can," or is there due economy?—It seems to me that we examine, in the Secretariat certainly, as closely what is imperial as what is provincial.

32423. That being so, do you see any particular reason, assuming that the Government of India can fix the principles of administration and also have an independent audit, why they should not trust the Local Governments as agents to the same extent as they trust them at present in the shared heads of revenue?—Under what conditions?

32424. As to imperial heads of revenue and expenditure. There is a very great difference as to powers of sanction under imperial and shared heads; the suggestion is that, if there is no difference as to the zeal of the agents, and if there is no difference as to the power of the Government of India to lay down principles and guiding rules, and if there is no difference as to the independent audit, there is no real practical reason for that distinction in the powers accorded to Local Governments?—I cannot see that there is.

32425. That is to say if you recognize the solidarity of the Government of India and the Local Government?—Yes.

32426. As to the tendency towards uniformity and rigidity, is there not a tendency of that sort in the Government of India?—No doubt.

32427. Did not the Bombay Government have an instance lately; when they sent up a scheme of regrading the *mamlatdars*?—The proposal was to abolish the existing magisterial allowance given to *mamlatdars*, Rs. 40 a month, and institute a new grade of *mamlatdars* on Rs. 275 a month.

32428. What was the answer?—The answer was that they agreed entirely with the abolition of the magisterial allowance of Rs. 40 a month, but they could not agree with the creation of a new grade of *mamlatdars* at Rs. 275 a month on the ground that no such grade existed in any other province and that the creation of such a grade would cause an embarrassing precedent. *The Hon. Mr. R. A. Lamb.* 5 *Mar.*, 1908.

32429. Is there any other province where a *mamlatdar* or a tahsildar or a *myook* is a First Class Magistrate?—I do not know what they do in other provinces.

32430. The answer, to all intents and purposes, was simply that "uniformity must be observed whatever the local conditions might be"?—Absolutely no reason was given except the necessity of uniformity in every province as to officers of that class.

32431. Are not *mamlatdars* extremely heavily worked and utilized in all branches of the administrations?—Yes, practically every branch of the administration is referred to them; for the major part they are Graduates of Universities, men highly trained and educated.

32432. You suggest that Inspectors-General should be absolutely debarred from correspondence. Instances have come to notice of correspondence between officials of the Bombay Government and of the Government of India; how did those come to notice?—I cannot say how they came to notice. In the instance that is referred to in the Government Case with regard to the inspection of salt, I think it was brought to notice by the recipient of the letter.

32433. It was found out in the course of the preparation of the materials for the Government Case for this Commission?—Yes, I could not say how each case was traced.

32434. As a matter of fact were not the correspondence files of some of these provincial officers sent for to see what was on record?—That may be so. I did not prepare the Case myself.

32435. Ordinarily there is no means by which such correspondence can come to notice?—Ordinarily there would not be.

32436. Do you consider that these Inspectors-General are usefully employed in the matter of research, as, for instance, the Director-General of Agriculture at Pusa, the Inspector-General of Forests at Dehra Dun, the Sanitary Commissioner at Kasauli and so forth?—So far as they are employed on research I should say they are usefully employed.

32437. The Government sent up these delegation proposals about which you have been questioned again in 1906; do you know what the answer was?—You mean the delegations to Commissioners; the answer was merely that they would be kept pending the result of the enquiries of this Commission.

32438. That means another two or three years' further delay?—I presume so.

32439. The last reference back about the forests establishments reorganization was a call for any amount of information about the beats?—We were required to send in full information as to every forest guard's beat in the Presidency; similarly in the case of the police, they also required to know where every police post was stationed and the strength of it.

32440. Could even Local Government with its greater local knowledge deal with that mass of detail?—I think not; I have not looked at the papers supplying that information.

32441. We were told in one province that one reason why the Government of India has to keep up the very large amount of information, and so on, was in order to keep the Secretary of State informed as to matters that were likely to come before him in Parliament; is it at all uncommon for the Secretary of State, if he wants information in order to answer a question, to come to the Local Government direct?—He comes to the Local Government direct. While I have been in the

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Secretariat there have been three or four direct references to the Secretary of State to answer questions in Parliament.

32442. There is no apparent inconvenience in that procedure so far as you know?—None at all; the information required has been supplied and the answer has been given.

32443. Are there not Standing Orders that copies of all communications to the Secretary of State go to the Government of India?—I believe there are.

32444. So that they have complete opportunity of control or comment if anything is said as to which they wish to exercise control?—Yes, the full information is supplied to them equally with the Secretary of State.

32445. So that, so far as one can see from here, there is no particular reason why the Government of India should endeavour to keep themselves armed at all points and with the result of increasing work, to provide information which could be obtained direct without diminishing their control?—There does not seem to me to be any reason.

32446. There is a witness coming before us who urges the appointment of a Chief Conservator of Forests in this Presidency; what is your view as to that?—My own view is that it would be a useful thing to have a Chief Conservator of Forests.

32447. Do you know what the view of the Government is?—Hitherto they have not accepted that view; they thought it would be an unnecessary increase of expenditure in the higher grades of the department.

32448. He also suggests that the opinion of a Conservator who has no power to visit localities, where working plans are being prepared is worthless as to such plans; do you share that view?—I do not; I think the review by the Senior Conservator of working-plans submitted to him is useful. A case occurred within my own knowledge in which a working-plan was submitted to the Inspector-General of Forests in India, who gave his opinion without having seen the forest; it was a very useful opinion, and settled the question.

32449. Should you describe the attempt to utilise the first grade Conservator to formulate and coordinate recommendations on technical matters as "futile"?—No, that is not my view at all.

32450. With regard to those proposals scheduled to the second part of the Case, I understand that the Government will dispose of them in due course on the principle that power should be placed as low down in the administration scale as is safe?—That is the intention indicated in the Government Case, that it should be put down as low as possible, and that even the risk of the officer to whom the power is given making a mistake should not be given undue weight; that is to say that the risk of his making a mistake will be taken, in order that he may have the power.

32451. I suppose that will take a considerable time to work through?—Undoubtedly a considerable time.

32452. It will probably also involve the amendment of a good many Acts?—Yes; wherever there is a specific enactment requiring the sanction of Government, it will require amendment by law.

32453. Would you propose to put in the Act a schedule of everything you wanted to do, or would you propose to pass a succession of Acts year after year as you found out by experience what delegations were needed in preference to having a sort of general delegation Act which would enable you to delegate as each case came up?—If one could find out at once what all the Acts are which require the sanction of Government, and could amend them all in one Act now, it would be a good thing to do; then the thing would be done with.

32454. And next year as you absorb these powers you suddenly find there are a great many more powers which you have overlooked in preparing the amending Act, or powers which may not have been overlooked, but which may not have been ripe for devolution?—That might occur; it might be decided that delegation was not desirable, and a year or two afterwards it might be decided that it would be desirable to delegate.

32455. Would you go on passing these special Acts with precise schedules?—Unless there were any general delegation Act passed it would be necessary.

32456. Have you ever in the course of your general service in this Presidency heard any complaint as to the operation of the Sind Act?—I think not. I looked up the Secretariat records recently to see whether I could find any trace of any trouble in connection with that Act, and I was not able to find any.

32457. If you had an Act of that sort coupled but supplemented by provisions regarding the notification of proposed delegations and invitation of objections, you would really give everybody exactly the same notice as you would give by bringing forward specific Acts in Council?—Certainly, if you had notification and called for objections.

32458. You would further not have to wait for delegation in a particular instance until you were satisfied that you had looked round every corner and swept up everything as to which legislation was necessary?—That is so.

32459. So that with reference to a phrase you use in your statement the general Act would be the speedier means?—That I think would be so on the whole.

32460. (*Chairman.*) Are you of opinion that it is desirable to have a permanent Settlement Commissioner?—I think so; he was abolished altogether and had to be re-instituted.

32461. When was he abolished?—When the old Settlement Department came to an end. For a time there was no Settlement Commissioner at all, and the Director of Land Records was put in charge of the old Survey Department, and it was left somewhat indefinite as to who should do the work previously done by the Settlement Commissioner; ultimately it was decided that the director of Land Records must do it, and, if he had to do it, he had better be called Settlement Commissioner also.

32462. Then in this case the Director of Land Records and the Settlement Commissioner are one and the same person?—Yes.

32463. He submits nothing to Government without consultation with the Commissioner?—Yes.

32464. Who is the final judge in settlement appeals, the Settlement Commissioner or the Commissioner?—I do not think that settlement appeals come into question at all in this Presidency. The officer gives final form to and submits proposals for a settlement of a particular district for the proposed period of guarantee, ordinarily 30 years; then the thing comes up, orders are passed and the assessment is generally guaranteed for 30 years, and it remains.

32465. But who has the deciding voice?—The Government. It comes up to them.

32466. It does not stay with the Settlement Commissioner?—No.

32467. Does the Divisional Commissioner interfere in any way with settlement?—Yes, he records his opinions.

32468. It first of all goes through the Settlement Commissioner, then through the Divisional Commissioner, and then comes up to Government?—Yes, to the Revenue Secretary.

32469. In this case the Revenue and Financial Secretary are the same?—Yes.

32470. It comes up to you and then goes from you to members of the Government as a whole?—Yes.

32471. That is to say, four different persons have to decide upon the question of settlement appeals?—There are even more than that concerned; it is usually prepared by an Assistant Collector, or it may be according to convenience by one of the Assistant Superintendents of Land Records; he

submits it to the Collector; the Settlement Commissioner then deals with it, and it then comes through the Commissioner to the Secretary. Of course the Secretary merely submits for orders; he records his own opinion, but he merely submits for the orders of Government.

32472. Are all those various stages necessary?—They are very necessary, because it is a matter of taxation to be imposed on a tract of country for a period of generally 30 years, and it is very necessary that it should be considered by everybody who has to administer the tract during that coming period.

32473. With regard to the remission of revenue, the Collector cannot now remit revenue up to a certain extent?—He can remit without limit.

32474. Speaking generally, there are both what are known as wet and dry assessment and revenue?—We do not speak of them exactly in those terms; there is the dry crop and the irrigated or garden crop.

32475. Can the Collector remit revenue on both those kinds of crops?—Yes.

32476. Up to the same extent?—I think so; I think there is no differentiation.

32477. You have not found either in your experience as District Officer, or as Revenue and Financial Secretary, any harm resulting to the revenue from the power of the District Officer to remit revenue of both kinds?—I think not generally. I do remember one case in which there was a remission made by a Collector on irrigated crops in which it was questionable whether he had exercised his discretion wisely.

32478. But there has been no general harm follow upon his general power?—I think not.

32479. Is there any rule in the Government of Bombay as to the length of employment of officers in the Secretariat; would they pass through your offices?—No, not necessarily; in fact, I do not think I should have anything to do with any appointment of a Secretary except only the Under-Secretary in my own department.

32480. What department deals with the selection of officers for the Secretariat?—The Private Secretary.

32481. You do not know whether there is any rule which governs his selection?—No, I cannot say that I know of any rule.

32482. Are there any rules governing the transaction of business between department and department?—Yes, there is a set of Standing Orders governing the Secretariat.

32483. Suppose a question, as must often be the case, is referred from one department to another, in what form must the communication pass; you are all more or less in the same building I take it?—We are all in the same building except the Public Works Secretaries. It is laid down in the Standing Orders that when a department is dealing with a case it must make an unofficial reference to every other department which is even indirectly concerned in the case; if on unofficial reference it appears that a case can more reasonably be disposed of in another department, then an official reference is made, and it is transferred to the other department.

32484. When you say that an unofficial reference is made to another department is that orally or by writing?—In writing; the papers are sent across with a sheet detailing what the facts are and the words are "Unofficial Reference."

32485. Does that run into two or three pages of foolscap?—No, just two or three entries on the sheet covering the papers in the case.

32486. Are the whole of the Secretariat housed in the same building?—Except the Public Works Department.

32487. Has the Governor got an office in the Secretariat?—He has his own room.

32488. Does he attend at the Secretariat offices?—He comes twice a week for the transaction of business.

32489. Do you find that that facilitates the transaction of business?—Certainly it does.

32490. Do Members of the Council attend at the Secretariat?—That is largely in their own discretion; a room is provided for each of them.

32491. Do they as a matter of fact attend at the Secretariat?—Personally I have been here just three months; I notice that one Member is here daily and the other occasionally.

32492. Do you find that the presence of Members of the Council in the Secretariat building facilitates the transaction of business?—In urgent cases one gets through the work just the same, because things are sent by special messenger, but in ordinary work it results in a case coming back rather more quickly than if a Member were in his own house; it comes back the same day or the next morning, instead of on the following morning or the following evening.

32493. When cases are put up by the Heads of Departments, such as the Director of Public Instruction or corresponding officials, does the Head of the Department consult with the Secretary of the Department before he puts up the case officially?—I do not quite understand what you mean by putting up the case; the Director of Public Instruction sends in a case addressed to the Secretary to Government in the Educational Department.

32494. He has some proposal in his head; does he before he sits down and writes a long official memorandum explaining the proposal come and speak to the Secretary in the appropriate department and say, "My plan is so-and-so; what do you think of it?"?—It depends very much on the personal equation. Some officers are fond of personal discussion before putting pen to paper; others prefer to work it out for themselves and then put it on paper.

32495. We were told that the Secretary to Government in a particular department refused practically to allow the Head of a Department, like the Director of Public Instruction, to deal with him except upon paper; is such a procedure wise?—No, I do not think any Secretary here would ever think of doing that.

32496. In the instance which is mentioned in the Government of Bombay statement as to the advising of the Collector of Salt Revenue by the Inspector-General of Salt and Excise to do certain things, what has been the result of that?—There has been no result that has been arrived at; the only thing I have received from the Secretariat through the Commissioner of Salt is a proposal for the strengthening of that particular frontier line.

32497. Was the advice of such a character as to take almost the aspect of orders?—I do not know. I have not seen the actual papers.

32498. Therefore you do not know whether the advice was legitimate advice or whether it was advice of such a peremptory character as to interfere with the administration of the Government of Bombay?—No, I know nothing more than that he did address him on the subject; in what terms I do not know.

32499. You are the Secretary in the Department of the Government to which all excise matters come. If anything improper in the action of the Inspector-General had arisen, your department would have been cognisant of it?—It would have been cognisant if it had been reported.

32500. If anything had gone wrong, your department must have known; what other department could have known?—It would not go to any other department.

32501. You as Secretary must have known the details of the case?—If they were reported, not otherwise.

32502. This case is mentioned by the Government of Bombay; it must have come through your office; can you give me the details?—All I can say is that it has not come up departmentally at all.

32503. Then how did this come to the light of the Government of Bombay?—It came to light by the Government being informed by personal communication from those who knew of it.

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32504. But you officially know nothing of this case?—It has not come into the Secretariat officially; I happen to know it personally.

32505. Therefore, may it be taken that officially no harm has been done to the Government of Bombay?—No harm has been done to the Government of Bombay, except, as the Government of Bombay say, that the officers of the Local Government were placed in an awkward position.

32506. But you, as Secretary, know nothing about the awkward position?—Not *qua* Secretary.

32507. Do you know it as an individual?—I do know it as an individual, certainly.

32508. Then will you tell us, as an individual, what you do know, because it seems to be a case on which the Government of Bombay lay stress?—What I know as an individual is that the Collector of Salt Revenue received a letter from the Inspector-General of Salt and Excise stating his opinion that measures should be taken for the abolition of this line, because it was as useless as the Great Wall of China.

32509. Was that an improper expression of opinion? May it not be quite true?—It may be in the Inspector-General's opinion advisable that the line should be removed as useless; the point that is sought to be made here is that it is an improper way of bringing it up for discussion at all.

32510. You object to that expression of opinion to one of your Government officers?—That I understand is the Government case.

32511. Do you agree with the view put forward by the Government of Bombay that there should not be this informal correspondence?—It is desirable that there should not be this informal correspondence suggesting the removal of a method of administration which has been adopted by the Government.

32512. But there was nothing more than expression of opinion?—The suggestion was that he should take measures for the abolition of this measure of Government.

32513. Now about vernacular correspondence; you say that a good deal of discussion, or it may be correspondence, in the vernacular takes place between a Collector and his assistants?—They do a great deal of their work in the vernacular.

32514. Is that in writing as well as by oral communication?—I was particularly thinking of writing; they do not write in their own hands of course; each Assistant Collector and each Collector and Commissioner has a vernacular branch to his office in which all minor things that have to be dealt with are written out by the vernacular clerks. and the assistant in the office brings up the papers to the Assistant Collector, Collector or Commissioner; he reads out as much as is necessary, reads out a draft of the order that is desired, and asks for an order.

32515. Can the Collector as a rule read this correspondence?—I think so, provided he has been long enough in the district.

32516. Is it essential in the correspondence of the office that the Collector should be qualified in the vernacular?—I do not say that it is essential; that is rather a strong word, but it is the quickest way to dispose of the work.

32517. And the most sensible?—I think so; they all start on vernacular papers to begin with, and it is best that they should be carried through in the vernacular.

32518. (*Mr. Meyer.*) I gather that this rather stern denunciation of Inspectors-General by the Local Government does not meet with your agreement as a private individual?—No; my own views are as stated; the Government statement is not my own at all, nor do I go all the way with it.

32519. You think that, in their sphere, Inspectors-General are useful?—I think so.

32520. May I put it that one of the reasons is that they enable the Government of India to know more about the circumstances of the province than a Secretary or Member of Council sitting at Simla or Calcutta can know?—I think that is so probably.

32521. And they would save perhaps the long official correspondence referred to in the statement—"Every reference to the Government of India has to be explained at full length and on paper to a distant official." Might not an Inspector-General abridge those lengthy documents?—The Inspector-General would be able to supply the Government of India with the information that he himself had collected on his tours, no doubt.

32522. If as the Government of Bombay admit salt is to be an imperial item of receipt, it is a matter of reason, is it not, that the Government of India should have an Inspector-General for Salt?—If they find it necessary, certainly.

32523. As regards excise, you sat on a Committee which unanimously made a recommendation that there should be an Inspector-General of Excise?—Yes; it was not a matter definitely referred to the Committee, and therefore they did not make any very strongly expressed recommendation on the subject; they adverted to it, and there was not any very strong feeling; there was a general feeling, that was all, that it might be desirable.

32524. And as a Committee you also adverted rather strongly on the way in which the different provinces had got into compartments in the matter of excise?—That is so.

32525. And you pointed out that in present day conditions you wanted freer communication between the provinces and a greater amount of co-ordination than could be obtained by purely provincial departments?—That was the view of the Committee.

32526. Then as regards printing and stationery, is it not the fact that the Bombay Government have periodically referred to the Comptroller of Printing and Stationery and asked him to sit on committees dealing with the Government presses?—I do not know.

32527. If that is so, it can hardly be said that he is useless?—Of course if you make use of an official you can hardly say that he is useless.

32528. You said in your statement that the Bombay Government were never rigid unless they were obliged to be rigid by the Government of India?—I do not know that I used those words.

32529. That is the gist of it; may I take it that that is qualified by your answer in which you admitted that the Bombay Government had been a little rigid in the matter of land revenue?—Formerly the policy was one of collection of land revenue with very little of remission.

(*The witness withdrew.*)

Mr. H. MURRAY was called and examined.

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32530. (*Chairman.*) You are a Conservator of Forests?—Yes, I am officiating in the first grade, but I am permanently in the second grade.

In regard to the Forest Act there are two restrictions imposed by law on the Bombay Government which might be relaxed with advantage. (1) Under Section 26 the sanction of the Government of India is necessary in the case of all disforestments, necessitating a very large number of references every year. In most cases the area in question is of very trifling extent, the land being generally required for purposes of cultivation, burial grounds, house-building, etc. Where larger areas are concerned it is generally a question of railway or canal extension. It is believed that sanction has in no case been refused, and the necessity of applying for it may very well be dispensed with.

(2) Section 77 requires the sanction of the Government of India in the case of all rules made under Sections 27, 31, or 41 of the Forest Act. As all such rules are made to meet purely local requirements, of which the Government of India cannot possibly have proper cognizance, and their scope is limited by the sections of the Act under which they are made, there would appear to be no reason why the matters should not be left to the Local Government.

In the event of anything really effective in the shape of decentralization being carried out whereby the Government of Bombay is given full, or at any rate largely extended, powers of control, there will be little or no scope in that province for the active exercise of functions by the Directors and Inspectors-General appointed under the Government of India. Under any circumstances it is difficult to understand in what way these officials can justify their existence in so far as concerns their relations with Local Governments like those of Bombay and Madras. In the case of Local Governments more immediately under the control of the Government of India, it is probable that their influence is more apparent than real in so far as it may be found expedient by the Local Heads of Departments in those provinces to allow the Director or Inspector-General to voice their own opinions in order to acquire for them greater weight. On the one hand it is hardly likely that these officials, appointed, as they are, late in their service, are capable of acquiring sufficient knowledge of local conditions obtaining in any of the various provinces in which they have not already served to enable them to give advice of any real value to men who have spent the best portion of their lives in studying and adapting their methods to these same conditions; while, on the other hand, there is no reason to suppose that at least some of the local officers are not quite as capable as the Director or Inspector-General himself. Moreover, a local officer has ample facilities for learning what is taking place in other provinces by reading the administration reports and the Service magazines. From a purely departmental point of view, these appointments are not regarded with entire disfavour as it is a distinct advantage to have at the head of the department an experienced officer in close touch with the Central Government who can make known the grievances and wishes of the Service as a whole. No doubt there is plenty of scope for at least some of these appointments, but the officials should remain at headquarters surveying the work of their respective departments throughout India, collating and distributing information, advising the Government of India as to the broad lines of policy, and giving advice to the Local Governments when asked for.

So far as the Forest Department is concerned, there has been a distinct tendency towards administrative reform within the last few years, more particularly in the further delegation of powers to Conservators and Divisional Officers. The suggestions apparently all emanated from the Government of India. This, however, is merely an example of the evils of centralization, under which there is always a tendency to leave the initiative to the controlling power.

Provincial Governments should certainly be allowed to develop their administration on their own lines as far as is compatible with the general policy of the Imperial Government. They must surely know what is best adapted to the needs of the province in which they have spent the best portion of their lives. On the other hand, the Government of India by means of annual administration reports, and those of their Inspectors and Directors-General, is in a position to know the details of administration in each and every province, and no doubt would be able to offer useful suggestions and advice to the Government of any particular province, but these should not be given in the form of mandates.

There does not appear to be any good reason for curtailing the right of appeal to the Government of India now granted to officers of Government against orders applying them personally, except in the case of supersession in the matter of higher appointments for which selection is exercised by the Local Governments. If the Local Government is not in a position to decide whether an officer is suitable or otherwise for a certain appointment, it is extremely unlikely that the Government of India will be in a better position.

The right of appeal allowed under section 35 of the Land Revenue Code is unnecessarily liberal and its exercise leads unduly to increase work and to weaken authority.

No appeal should lie against a Collector or an officer of corresponding position in any other department in the case of fine, suspension or reduction inflicted upon an officer whose monthly salary does not exceed Rs. 35 per mensem, and similarly no appeal should lie against an order passed by an authority superior to the Collector or by an officer of corresponding position in any other department in the case of an officer whose monthly salary does not exceed Rs. 99 per mensem. In regard to an order of dismissal one appeal should always lie against such order passed by any authority on his own motion.

So far as the Forest Department is concerned there have been no undue demands for returns and information in recent years.

Without doubt the influence of the Bombay Government has in more recent years been in the direction away from rigidity and uniformity, though further decentralization of power is indicated in the interests of efficiency and sympathetic administration. Secretariat rule has become much less pronounced, and there appears to be greater inclination to trust in the judgment of the man on the spot. Much good in this direction is brought about by the frequent tours of His Excellency the Governor which bring him into contact with the local officials, as well as with the people and the actual state of affairs in the *mufussal*. The influence of the Governor is consequently almost always opposed to undue rigidity and uniformity. Both these defects, when they exist, are due more than anything else to the existence of a too powerful Secretariat composed of men who have spent most of their service there, and who, in consequence, are out of touch with the District Officers and the march of events outside the headquarters of Government, with the result that they tend to become more and more machine-like in their methods subordinating every other consideration to form and precedent. The remedy lies (1) in delegating further powers to officials outside the immediate governing body, trusting more to their discretion in disposing of matters falling within their jurisdiction, and in giving due weight to their opinions on subjects which come before the Local Government for disposal, and (2) in selecting as Members of Council men who have spent a considerable portion of their service in administrative appointments, and in preventing undue rigidity on the part of the Secretariat by constant changes amongst the Secretaries. It would be a good thing too if Members of Council made tours of inspection whenever possible.

The Forest Department has no complaint against the Bombay Secretariat. There was a time when the department was harassed, not to say bullied, but the fault was as much on one side as the other, and those days are past. Nor does it appear that the Bombay Government is too much dominated by considerations of revenue. The introduction of working-plans constitutes a guarantee against over-exploitation of the forests, and no difficulty is experienced in obtaining as much money as can reasonably be expected for expenditure on capital outlay or on works of improvement.

The influence of the Commissioners might with advantage be increased in matters appertaining to forest administration. In questions of technical interest it would be difficult for the Commissioners to do more than record a pious opinion, passing the papers on to Government, who in the absence of a Chief Conservator whose advice they might seek, would be in no better position for adjudicating upon them. But in matters affecting the relations of the Forest Department with the general revenue administration the Commissioner's authority might be greatly increased, reserving, however, the right of the Conservator of Forests to appeal against any decision of the Commissioner on matters of general policy.

In the case of District Officers the opportunities for seeing the people personally exist, but there are obstacles in the way of their being fully utilised. One is early marriage, early that is from the point of view of service. It is impossible for a young married man to devote as much time to personal intercourse with the people, to be on

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such friendly terms with them, or to get about his charge so readily, as a bachelor. It would be sound policy to rule that young officers in all branches of the Service should not marry until they had completed at least 5 years' service. A young, healthy-minded, able-bodied officer, fond of riding, shooting, and being generally on the move, is much more likely to fraternise with the people and learn sympathy with them than one who suffers from mental or physical anæmia. More attention should be paid to physique in the selection of candidates, especially in the case of the Civil Service.

The answer to the question as to whether Executive Officers possess sufficient knowledge of the vernaculars is to a certain extent bound up with the considerations above referred to, but to these may be added a third in the shape of frequency of transfers. An officer who is frequently transferred during the early portion of his service to districts possessing different vernaculars has very little chance of learning any one of them really well, while on the other hand, if he is given a chance of learning one vernacular really well he is in a much better position for acquiring others subsequently. An officer can hardly be expected to be able to converse in any of the vernaculars with fluency and idiomatic freedom with less than 3 years of constant practice, so that it would be highly advisable to afford him the necessary opportunity. Moreover, more attention should be paid to colloquial proficiency than is at present displayed in the departmental examination of officers in the vernaculars. Experience shows that as a general rule members of the Civil Service and the Forest Department in this Presidency possess a very fair knowledge of the vernaculars.

In regard to the Forest Department in this Presidency an increase in the administration staff is distinctly necessary. At present there are 4 administrative charges or circles, but only 3 Conservators, the 4th charge, that of Sind, being held by a Deputy Conservator. The Sind circle is an important one with a large and increasing revenue, and there is no valid reason why the officer administering it should not be a Conservator. At present the officer in charge exercises all the powers of a Conservator while drawing the pay of a Deputy Conservator supplemented by a charge allowance of Rs. 100 per mensem. The difference in pay, including the allowance, between the pay of a first grade Deputy Conservator and that of a Conservator is only Rs. 150 per mensem, and in all fairness the change of rank should be sanctioned.

Further, there is urgent need for the appointment of a Chief Conservator as recognised Head of the Forest Department in Bombay. Similar appointments have clearly been made in Burma and the Central Provinces with excellent results. It is a fact worthy of notice that the Forest Department is the only department in this Presidency which does not possess a recognised Head. In Bombay there are 4 circles against 3 each in Madras and the Central Provinces, and 4 in Burma. The Government of India has already recognised the necessity of appointing a Chief Conservator in all provinces where there are 3 or more circles, but so far the Governments of Bombay and Madras have not taken advantage of the proposal. The arguments in favour of a Chief Conservator in Bombay are overwhelming. In the purely technical working of the forests the present arrangement under which 4 Conservators are working independently of each other with no attempt at co-ordination or correlation of effort results in much waste of energy and to a very distinct loss of efficiency, while in the most important branch of all, *viz.*, the organization of the forests under working-plans, the absence of an expert adviser with general control over their preparation and working leads to want of continuity, lack of system and general chaos. In financial matters Government has no means of deciding whether the expenditure budgeted for is legitimately necessary or wisely expended. In matters of establishment Government is equally in the dark, each Conservator rolling his own log regardless of the others. There is great need of a recognised authority who can advise Government impartially on the many questions of privileges and general policy which are constantly arising in a province where forest conservancy is so intimately bound up with the interests of the public. As a matter of fact there is full-time work for a Chief Conservator in respect of working-plans alone.

An attempt to remedy the lack of an administrative Head has been made by appointing the first grade Conservator as Superintendent of Working-plans, and consulting him occasionally on the subject of appointments and other matters. The attempt has proved futile in both respects, in regard to working-plans because an officer in charge of an important circle has no time to visit the localities where the plans are being prepared and without local knowledge his opinion is worthless, and in regard to consultation a Conservator with a territorial charge cannot detach himself sufficiently to be able to give an independent and unbiassed opinion.

The grant of larger powers to Commissioners of divisions would certainly entail greater care in their selection, though this should present no insuperable difficulty. In the case of Collectors the difficulty is much greater, owing to the comparatively large number of men required and to the fact that so many of the best men are taken away for special duties. The danger of selection is that those who are superseded lose interest in their work and they cannot all be retired without unduly increasing the charges of the pension list. Selection is certainly necessary in the case of Heads of other Departments, though there is no need to go out of the way to select only the very best, thereby causing discontent and alarm throughout the whole Service.

In the Forest Department frequent changes of officers are to be deprecated, especially in the more important districts of Kanara, Thana and Khandesh, and more particularly in Kanara, which is the principal forest district of the Presidency. It is impossible for an officer to acquire a thorough knowledge of the forest requirements of these districts in less than two or three years, and he is of comparatively little use without such knowledge. Assuming that a Forest Officer will serve for 20 years before he is appointed as Conservator, this period might be distributed as follows:—Seven years in the Southern Circle, five each in the Northern and Central Circles, and three years in Sind. In Kanara, Thana and Khandesh an officer should serve for at least five consecutive years though not necessarily in the same forest division. In other districts a period of two or three years would be sufficient. In far too many cases transfers are necessitated by domestic reasons which could be obviated by bringing in the rule about early marriage.

The panchayat system for centuries past has played a very important part in local administration, and if properly worked is so thoroughly sound in principle that it should be encouraged as far as possible to exercise its influence and control in all matters affecting the interests of the village community. In forest matters a well regulated panchayat system might find ample scope for its authority in dealing with forest offences and general control over the exercise of privileges. Under present rules in the event of privileges being abused or forest fires too frequent, the Collector is authorised to stop the exercise of all privileges and levy double grazing fees during a fixed period. In such cases the village panchayat could be called upon to submit an explanation and if possible to trace the actual offenders. In fact there are many ways in which the regularly constituted panchayat could be utilized with advantage in dealing with forest matters. The great danger would, of course, lie in the tendency of these bodies to maintain an attitude of constant opposition to the department, though possibly this might be overcome by generous treatment in the matters of privileges and by insistence on communal responsibility in the event of their abuse.

32531. Who is the official adviser to the Government of the Presidency of Bombay in forest matters?—As a rule all the Conservators express their own opinions, but occasionally the first

grade, or Senior Conservator, is asked his opinion. Sometimes he collects the opinions of the other Conservators and expresses his opinion upon them.

32532. So that at all events he is treated from time to time as a first grade Conservator?—Yes. But there is no real distinction except as regards the pay.

32533. Is there any advantage in having a Chief Conservator?—Yes, I think so. There are at present four circles, and all the men are working independently. There is no co-ordination. Every man is working according to his own ideas, which may be good, bad, or indifferent; but a Chief Conservator would be able to go and inspect and advise Government as to what should be done regarding any questions arising in any of the circles, and also as to the control of working plans.

32534. Is there any selection of officers in the Forest Department?—Yes—or Conservators. It commences there now.

32535. Do all forest working-plans have to go to the Government of India?—No, copies are sent for information, but not for criticism.

32536. So that Bombay, which has not a Chief Conservator, is free from that control in the preparation of plans, which other provinces that have a Chief Conservator are not free from?—Yes.

32537. Is it necessary that forest working-plans should go up for the consideration of the Local Government, and of the Conservator, and of the Inspector-General of Forests?—No.

32538. However large the forest?—No. The size would not affect the plan.

32539. Has the Conservator experience enough and skill enough to prepare a forest working-plan?—He does not prepare the plan; he approves it.

32540. Is his experience sufficient in all cases to deal with such plans?—No. I think it would be much better to have another authority who has experience.

32541. In this Presidency, is there a schedule A and B classifying correspondence between the Collector and forest officers?—More or less; but it is not very well defined.

32542. Is it defined at all. Yes. The headings are roughly defined in Government orders, but not in the rules. The original rule was that all correspondence was to go through the Collector. Then the Collector objected, because of the extra work, and the Government altered the rule.

32543. What are control forms?—They are to show whether the provisions of the working-plans are carried out, and to what extent, and the results of the working.

32544. Do they go through the District Officer?—No. The forest officer sends them direct to the Conservator, as they are purely technical matters.

32545. Have you served in any other Presidency?—No. Always in Bombay.

32546. You have no knowledge, therefore, of what happens outside Bombay?—No, except what one hears and reads.

32547. Do you agree with the proposals of the Local Government with reference to Sections 36 an 77 of the Forest Act?—Yes.

32548. You tell us that of late years there has been a considerable delegation of powers to Conservators and District Officers; was that from the Local Government?—No, it emanated from the Government of India.

32549. Are there any powers which the Local Government could delegate?—A great number.

32550. Have they been delegated so far?—No, but it has been suggested that they are to be.

32551. (*Sir Steyning Edgerley.*) Is the Inspector-General of Forests likely to be able to acquire very much useful knowledge of Presidencies other than those in which he has served?—No, I do not think so.

32552. Do you think that the powers deputed to him cover the extent up to which he can be of service to the Presidency?—There may be cases where local opinions may differ, or in which the Government may be doubtful; and in these the Inspector-General might be asked to come and give his advice.

32553. But, generally, looking at the time of his service, at which he is appointed, can he be so well acquainted with Bombay as to give more than technical advice?—No.

32554. At the same time you think there is a certain advantage in having an officer with the Central Government to make known the wishes of the Service as a whole?—Yes, but the advantage is a selfish one entirely.

32555. Do you think that you ought to be allowed to correspond with him on departmental subjects?—No, it would not be good for discipline.

32556. Then he would only be of use when some recommendation came up from the Local Government?—Yes, unless we were allowed to ask his advice through Government on matters regarding which we were in doubt ourselves.

32557. You do not think you could use him as a lever on Service questions?—I think we could.

32558. Have you derived very great benefit from the Dehra Dun Institution as regards research, and inquiry, and the collection of results?—No. I do not think there are any results apparent so far.

32559. Is not the "Indian Forester" of service?—Does it not give you a good deal of useful technical information; is it not used as a vehicle to disseminate information from Dehra Dun?—It is used universally.

32560. So that so far as the Inspector-General can assist in bringing information together from the different provinces he is a distinct advantage?—In that sense, yes.

32561. Are you satisfied with your relations with the Revenue Department?—Yes.

32562. You suggest that the powers of the Revenue Commissioner should be extended. You mean that instead of a question going up to Government he might dispose of it?—Yes.

32563. You do not propose he might have more authority inside the department?—No.

32564. You say you think you could get considerable help in various matters from a village system?—I am afraid I have rather exaggerated that, because the forest villages are generally the most backward.

32565. (*Mr. Meyer.*) Suppose the Inspector-General came down here and did not have much local knowledge, could he not help you a great deal in the matter of technical forestry? For instance, he has seen teak forests in Burma?—I think we could learn all that by reading.

32566. You think you can read as much?—I cannot imagine how a man who comes and spends a week or so in the Bombay Presidency can give you information of much value as to how to work teak forest which you have been working 25 years yourself.

32567. You think you could not get much benefit from him?—I think yes, in many ways. Take the question of fire conservancy; but such information could be just as effectively given in the form of pamphlets describing the procedure in the various provinces.

32568. You say he might give you some useful tips about fire conservancy possibly?—Yes, but I am not quite sure that he could about revenue. My own opinion is that the local Forest Department should know how to deal with their own special questions.

32569. You say that if Inspectors-General exist they might remain at their headquarters. Is that as useful as travelling around?—No. I mean that they could come when they are asked.

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32570. Are you satisfied with the training of your men at Dehra Dun?—Yes.

32571. Should that be kept as an Imperial Institution?—I think so.

32572. Have you a separate Forest Code in Bombay?—The Government of India Code holds good in most cases, but not the whole Code. Some parts do not apply to Bombay, which has its own special rules.

32573. You cannot alter it without reference to the Government of India, therefore?—No. We cannot alter the Code, but the Bombay Government can alter its own rules.

32574. Is not the Revenue Commissioner recognised as Head of the Forest Department in his division?—Yes, that is, of the forest administration within his division.

32575. And yet you say that the Commissioner's decision should be subject to appeal to the Conservator in matters of general policy. What are the matters to which you refer?—There are questions that arise about grazing rules and privileges.

32576. Matters which really affect the people?—Yes.

32577. Then you say that the Commissioner is not legally to be Head of the Forest Department, because the appeal should go to the Conservator rather than the Government?—The Bombay Government is competent to deal with some things and the Government of India with others.

32578. Yes, but no officer of the Bombay Government can require an appeal to the Government of India?—No.

32579. Then I take it that you hold that you are not subordinate to the Commissioner, but are independent?—No. I do not say we are independent, but we should have an appeal.

32580. It is then that you would obey him when you wished to obey him, but that when you do not want to obey him you should be able to go to the Government?—Yes, I consider that the advice of the department ought to be heard by Government.

32581. Was not a system tried of giving the villages communal rights and did it not fail? Do you know about that?—No, I do not unless it was tried as regards the grazing.

32582. (*Mr. Dutt.*) You have reserved forests and also unreserved forests?—We have reserved and protected forests.

32583. What are these reserved forests? Are they tracts growing valuable timber?—Yes, taking the Southern Circle. The whole of the Canara forest is reserved, except a few square miles. The only remaining protected forest in the Southern Circle is in what we call garden assignments, where the gardeners have the right to lop the trees in fixed areas.

32584. Your protected forests do not include any lands for the growing of valuable timber?—No.

32585. Would there be any objection to making over the management of all the protected forests to the Revenue Department?—We have what we call pasture reserves which are practically the same, and these have all been handed over to the Revenue Department.

32586. But, still, you have some control over protected forests which cannot grow valuable timber; might the management of these be handed over to the Revenue Department?—Yes, but I think you refer to what we call here in the Bombay Presidency "pasture reserves." These are all in the hands of the Revenue Department, and we have no control over them at all.

32587. What are those pasture reserves?—They are large areas of low grade forest situated in almost all the districts, and principally used for grazing and the production of small firewood.

32588. Apart from pasture reserves, would there be any objection to transferring the control of the protected areas altogether to the Revenue Department?—No.

32589. You have spoken in the first part of your note to the effect that the disforesting of any area would require the sanction of the Government of India. Would you suggest that within certain limits—say when the area is within 100 acres or less—the Local Government should have power to disforest without going to the Government of India?—Yes. I see no reason why the Local Government should not be entrusted altogether.

32592. Who is the district forest officer? Of what rank is he?—There may be more than one forest officer in each district. There is no head district officer.

32591. Are these district forest officers in any way subordinate to the Collector in so far as the interests generally of the people are concerned?—Yes, and they have to carry out his orders in these matters.

32592. What do you mean when you speak of village panchayats being responsible for village privileges?—I refer to grazing privileges, the collecting of dead leaves, etc.

32593. And in the reserved forests you have no objection to the panchayats being entrusted with these?—I have qualified that because the villages are more backward there than in other places.

32594. But would you like to see the principle tried in villages where the people are more advanced?—Yes.

32595. (*Sir Frederic Lely.*) Are the people content with the Forest Department?—Yes.

32596. Do they appreciate its methods more than before?—I think there is less opposition than there used to be.

32597. Are there many grievances outstanding?—No.

32598. Much grumbling?—No—not very much—a little; but on the whole the relations between the department and the people have improved. There is no question about that.

32599. Are you satisfied with the staff?—I think that the class of men we get now is very good. They are trained at Dehra Dun.

32600. Are you speaking of the round guards?—No; they are not satisfactory at all. It is very hard to get men for that work.

32601. Are the higher class sufficient in number?—No.

32602. Nor in qualification?—No. And the pay is not sufficient.

32603. Is that the main reason why there is not so much supervision as there should be?—No. I would not say that. I think the reason is that the establishment has not been sufficient and that the rangers and forest officers have not been good.

32604. Then they are attaining satisfaction?—They are improving.

32605. Then how about the round guards? What is necessary to bring them up to the proper pitch?—I think increasing their pay and prospects and their training, which we are doing now.

32606. But the main thing is money?—Unquestionably.

32607. If you had your choice would you rather spend money on improving your subordinate staff than on Directors of the Government of India?—Certainly.

32608. It has been said that in Bombay the principle is not thoroughly recognised that the forest officer should have control in technical matters and the Collector in all those matters affecting the people. As a matter of fact is that recognised in Bombay?—Yes.

32609. No less a person than the Director-General thought that you did not recognise it

sufficiently?—The system is not in accordance with the rules in Bombay—a good system and bad rules.

32610. Have you any suggestion to make on that score?—No.

32611. Is the influence of the Commissioner useful to your department?—Yes, I think so.

32612. In what way?—There must be some authority over the Forest Department whether it be the Commissioner or the Local Government.

32613. And you think that the Commissioner, from his experience, his wider views, his knowledge of the people, etc., is likely to exercise a salutary influence?—Yes.

Mr. H. Murray.
5 *Mar.*, 1908.

32614. He exercises something more than a pious personal influence—he has real authority?—Yes.

(*The witness withdrew.*)

Adjourned.

FIFTY-SECOND DAY.

BOMBAY, *Friday*, 6*th March*, 1908.

PRESENT:

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

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

Mr. R. C. ARTAL was called and examined.

Mr. R. C. Artal.
6 *Mar.*, 1908.

32615. (*Chairman.*) You are Deputy Collector of Belgaum?—Yes. I have been a Deputy Collector since 1888.

Subject to the general lines of policy laid down by the Government of India, the provincial Governments should be entirely independent of the Imperial Government in preparing their budgets and regulating expenditure accordingly. Copies of budgets should only be sent to the Government of India for information. If any changes are subsequently required and supplementary budgets become necessary, they should be issued on the responsibility of the provincial Government itself. The budgets should be placed before the Legislative Councils at least a month before the commencement of the financial year in order to allow the public sufficient time for criticism on them. Even in the assigned shares of heads of revenue the management and financial control should be left entirely in the hands of the provincial Governments, except in cases where uniformity is deemed necessary, such as salt, customs, stamps, &c.

I am not in favour of granting borrowing powers to provincial Governments, because the grant of such powers would create competition against each other for raising loans which, it seems necessary, should be avoided. They should, if necessary, borrow money from the Government of India.

Full powers should be given to Local Government to lay down general conditions as to the recruitment, pension, leave, &c., of the Provincial Service. In fact, the provincial Governments should have an independent Civil Account Code and a Code of provincial Civil Service Regulations. The Local Governments should have Accountants-General of their own.

Secretaries to Government should be appointed from amongst the Collectors who have put in at least 10 years' total service as First Assistant Collector and Collector. The Under-Secretaryships either in the Revenue or Judicial Department should be available only to Assistant Collectors of at least 6 years' experience of district work in the Revenue Department. The Assistant Secretaries and the Superintendents in the Secretariat should be men who have actually served in the Revenue Department for at least 6 or 7 years, and should be recruited from different districts. Secretaries and Under-Secretaries should not be allowed to serve in the Secretariat for more than 5 years in all.

A Revenue Board in place of the present Commissioners' offices would work better. It should consist of the Divisional Commissioners of the Presidency proper and the Commissioner of Customs, &c., who should deal with different branches of the administration. The joint work of the Board will be more sound and command more weight. Poona should be the headquarters of the Board, as it is a convenient and central place, and also the seat of the Government during the monsoon; and the members of the Board will be in touch with the Government, at any rate during the four months of a year. The Local Government can delegate to the Board safely, and with the greatest advantage, all the powers now exercised by them under different Acts and rules having the force of law. It should have one or two Secretaries of the First Assistant or Junior Collectors' rank assisted by three Native Assistants (belonging to three different parts of the Presidency). The Board should have a touring of four months to inspect the Collectors' and Assistant and Deputy Collectors' offices. This will secure great uniformity in the working of the Presidency. The members of the Executive Council should also pay visits to districts and their tours should extend over two or three months.

Administration reports should not be submitted annually as at present. I would limit the submission of reports to triennial periods, which will save an amount of unnecessary labour of all from Secretaries to Government down to village officers.

The Collector should have power to transfer *mamlatdars* in his own district and to punish them by fine or suspension after recording in writing his full reasons for doing so. The appointments, promotions and dismissals of *mamlatdars* would rest with the Revenue Board.

When references are received from the Board or higher authorities for opinion, instead of circulating them for opinion, the Collector should hold conferences of his Assistants and Deputy Collectors in the monsoon and personally discuss all important matters so as to dispose of them quickly. This was tried in my district and worked with success.

Mr. R. C. Artal.

6 Mar., 1908.

The Collector should have an Advisory Council consisting of able native gentlemen. They should be selected by him. He should hold durbars of his councils whenever he deems necessary, but he need not be bound by their opinions. The members, when called away from their *taluka*, should be paid conveyance charges, &c. The selection of the Collector's Council should be regulated on the principle of admixture of castes and creeds representing various interests. When on tour he may convene a meeting of the members of the Advisory Council from the *taluka* to consult them on important matters.

An Assistant Collector should be first put in charge of a sub-treasury at a *taluka* station (where there is good accommodation for Europeans) for about six weeks. He should afterwards be asked to study carefully the accounts and other details of about 10 villages of the *taluka*. He should go about in villages especially at the time of revenue collections and spend a few hours in the village *chávri*. As Magistrate and Assistant he will at the same time dispose of short criminal cases and heirship inquiries.

A Sub-Divisional Officer should have a light charge consisting of two or three *talukas* only. The lighter the charge, the greater the chances of understanding the needs of the sub-division.

The work in every district has, of late, increased to an enormous extent. Even the ablest Collector cannot finish his work without working many hours in excess of office time. Much less can he find time to discuss patiently important subjects, concerning the needs and improvements to be introduced, with native gentlemen of influence and education. The Collector should therefore be given a personal assistant of the rank of a First Assistant Collector having local knowledge. In addition to the personal assistant, the Collector should have a trained staff especially intended for the thorough inspection of the *mamlatdars'* and *mahalkaris'* offices and a certain percentage of the village records in succession of each *taluka*. The inspecting staff should go ahead of the Collector and complete the inspection work. The Collector will, on his tour, see to the irregularities detected and satisfy himself as to whether the inspection done is complete and thorough.

The present system of examination of the vernacular languages is more or less formal. A higher standard of proficiency should be required in the case of all Civilians. At present the vocabulary of Civilians is indeed very small, although they manage to pass the Higher Standard Examination in vernacular. There is a deep-rooted impression in the minds of the masses that the Sahib knows nothing, and that everything is managed by the *munshis* and *karkuns* under him. This misunderstanding is, in a great measure, due to the ignorance of the vernacular language on the part of the Civilians. If they mix with the people and are able to talk freely and on equal terms with them in their own language, the general administration will be very popular. Civilians also should try as much as possible to attend public festivals on Hindu holidays, marriage ceremonies, etc. This course will, to a great extent, tend to enlist the sympathies of the officer, bring the rulers and the ruled in close touch with each other and also add much to their knowledge about the customs and manners of the natives. The Sahib's visit to a poor man's dwelling on such occasions will be hailed with great rejoicings and talked over with the highest satisfaction and pride.

I believe that Directors and Inspectors-General to the Government of India are the instruments of centralization. The creation of these offices has undoubtedly tended to bring every department under the domination of that Government. They had better be done away with, if meant to interfere with anything in the executive work of the Local Government.

There should be only one appeal against the original order passed by the Local Government. It should also be a rule that appeals should not be entertained without a certificate, from the authority passing the order appealed against, that reasonable grounds of appeal exist. I am not in favour of curtailing the right of appeal as a policy in the case of officers of Government against orders affecting them personally. I, however, think that officers, whose pay is less than Rs. 250, should not in any case be allowed to appeal beyond the Local Government.

All powers, regarding matters relating to Court of Wards which can be conferred by law, should be given to the Board of Revenue and Collector.

The Board of Revenue and the Collector should have full control over the contract grants allotted to them.

I am in favour of allowing the delegation of powers, now vested in Local Governments by the Civil Service Regulations, to the Revenue Board or a Divisional Commissioner. The Revenue Board may, if it chooses, delegate some of its powers to Collectors. But no class of officers should as a whole be included in the scheme of delegation. Entire freedom of selection of the best men should be left to the Board. Certain powers might be delegated to one officer which might be denied to another in the same class. The Board should also be free in withdrawing powers from any individual officer, who proves unfit to exercise them.

There should be two appeals in administrative matters against the *mamlatdars*, *mahalkaris* and Sub-Divisional Officers' original orders. There should be only one appeal against the orders passed by the Collector or Commissioner. Revision applications should not be accepted unless the officer passing the order grants a certificate, that there are reasonable grounds for a review, just as the High Court does in the case of an appeal against its decision to the Privy Council. These restrictions will reduce the appellate work to an appreciable extent.

I would suggest that the pay of the last grade *karkun* should not be less than Rs. 30 a month; otherwise we shall have to connive at the secret gains of the Subordinate Service. With a general increase in the staff, there will be no need for the reduction in the area of districts.

I do not consider that larger powers can be granted to municipalities and Local Boards with advantage, as those bodies are not even now able to manage their affairs satisfactorily without the aid and advice of officials.

The only village union found in this part of the Presidency is the Sanitary Board or Committee. Sanitary Committees often find it difficult to raise the requisite voluntary popular contribution. Instead of being placed at the mercy of the subscribers, the Sanitary Board should have the power of levying a light house-tax or other cess without restrictions as to the amount to be raised. It could then take the place of the expensive municipalities in towns of under 10,000. The functions of municipalities and Local Boards are already far more than they can perform efficiently. So far as my experience goes, a very few of the non-official members take any real interest in their work. The Sanitary Boards, when invested with the power of raising small taxes, might be required to take up the lighting of streets and some other duties acceptable to the people.

I do not think that anything is to be gained by investing the District Boards with powers of supervision and control over the smaller municipalities. The control should be exercised by the Government officers as at present, because these Boards will go astray without the guidance of the official shepherds.

It is desirable to see the experiment of reviving the old panchayat system in a few selected villages of one of two *talukas* of every district. At the beginning it would be necessary for the Collector to nominate members and after some experience to allow the people the right of electing the members by common consent. The panchayat might, with the officiating police *patel* as its President, be invested with police and revenue powers, the officiating *kulkarni* acting as their secretary. The offences of petty assaults and abuses under section 14 of the Village Police Act as well as under sections 15 and 16 and petty thefts up to Rs. 10 might be safely entrusted to them for disposal by fines or other punishments, and the petty civil suits up to Rs. 25 might be disposed of by them. I should

certainly prefer the panchayat to the institution of Conciliators and Village Munsifs under the Deccan Agriculturists' Relief Act. Although the villages have lost the habit of joint action due to factious tendencies, they had better be taught and initiated into administrative details. The repairs of tanks and wells, the care of the village school and grazing land might be entrusted to them in all villages where there are no Sanitary Committees.

32616. Have you been in Belgaum sufficiently long to know the district well?—Yes. I have been in Belgaum 10 years.

32617. What is the area of your charge?—I have four *talukas*, but I do not know what the area is.

32618. Have you charge of the whole of the work in these four *talukas*?—Yes. I have *mamlatdars* subordinate to me.

32619. Is there a *mamlatdar* over each *taluka*?—Yes.

32620. Does he control the whole of the work in his *taluka*?—Yes, he is responsible for everything.

32621. Who is there below the *mamlatdar*?—A head *karkun*. They are in charge of the treasury and I have two extra head *karkuns*, and they have to do the work which is given them by the *mamlatdar*.

32622. They have not charge of a part of the *taluka*, but they have charge of some of the work?—Yes.

32623. Who are the officers below the *mamlatdar* in charge of territorial area?—There are none.

32624. Is there any grouping of villages for revenue purposes, or are there any revenue inspectors?—There are circle inspectors in charge of groups of villages.

32625. Are there any village headmen?—Yes; the *patels*.

32626. Is there anybody below a *patel* in charge of a village?—There is a *kulkarni*.

32627. Are all these people responsible to you as Deputy Collector?—Yes.

32628. Do you tour about your four *talukas*?—Yes; I am on tour for about seven months.

32629. Can you transfer any of the *mamlatdars* or the *mahalkaris* or any of your officers?—No.

32630. Do you appoint your own office staff?—No. That is done by the Collector.

32631. Can you remit revenue?—No, I have no power to do that.

32632. Have you any power with regard to agricultural loans?—Yes. I can make advances up to Rs. 1,000.

32633. You are President of three *taluka* Local Boards and four municipalities?—Yes.

32634. Can you find time to take the Chair at the meetings of all these Boards?—No; it is only once or twice in the year that I can find time; when I am on tour I visit them about twice or thrice.

32635. Who does the work for you at other times?—The Vice-President. He is generally the *mamlatdar*.

32636. Are the Vice-Presidents official or non-official?—They are official, but there is one who is a non-official.

32637. Does the Vice-President prepare the budget of the *taluka* Boards?—Yes.

32638. Does he work with the aid of committees?—Yes, and the budget has to be approved by the general body.

32639. Is there more than one committee on a *taluka* Board?—Generally there is only one, the Managing Committee.

32640. In a municipality how many committees are there?—Generally four. There is a Managing Committee, a Schools Committee, a Sanitary Committee, and a Dispensary Committee.

32641. Is the Sanitary Committee separate from the Managing Committee?—Yes, different members are appointed.

32642. In the case of municipalities is the Vice-President Chairman of the committees?—No, the Chairmen are different.

32643. What is the practice on *taluka* Boards?—The Chairman of the Works Committee is different and the Vice-President is different.

32644. The work therefore of the Boards is done through committees; does that system work satisfactorily?—Yes, provided that the members take an interest in their work. As a rule they do not; most of the work is done by the official members. The *mamlatdar* is a member of the Board.

32645. Then, although there are committees which nominally do the work of the municipalities and the *taluka* Board practically it all comes back to the work of the Vice-President?—Yes.

32646. (*Sir Frederic Lely.*) Do the touring rules apply not only to yourself, but to a large number of the subordinates of other departments?—Yes.

32647. Every year there are a large number of subordinates and others going out on tour; do they require carriage for their kit and provisions for themselves and servants?—Yes.

32648. Are those things always paid for?—No. They are not fully paid for.

32649. They are supposed to be paid for?—Yes, the standing orders state that they should be.

32650. At certain times of the year is it not highly inconvenient to the cultivators to part with their carts?—Yes, at the time of sowing or that kind of thing.

32651. Do the people consider touring a burden upon them, or not?—They do sometimes. They are on the whole satisfied, but there are sometimes complaints.

32652. Do they recognise the advantages connected with touring?—Yes, because at headquarters I get very few complaints, but when I go to the villages I have many.

32653. Are they genuine complaints?—Some of them are genuine and some of them are not.

32654. It is said that one advantage of touring is that it enables an officer to make local inquiries; do you agree with that?—Yes, and it enables him also to inspect the village officers' work and to detect faults. Sometimes the village officers do not write up their receipt books.

32655. Is not one result of constant touring that people never know where the officer is?—Of late we have altered that. I send a programme ahead to all the *talukas*.

32656. Is it found possible to stick to that programme?—Generally, but sometimes we are called away on some other duty and it has to be modified.

32657. Then in that case the programme would be worse than useless?—But if it is modified we always send an amended programme.

32658. If a raiyat in a village wishes to go to the Collector, or Deputy Collector, has he any means of knowing where he has to go to?—Yes, he can go to the *mamlatdar* and find out, but I have known cases where people have gone to the wrong camp.

32659. So that, so far, that is a disadvantage?—Yes, but it is very convenient for the pleaders to be able to attend the camp, and we send programmes to the headquarters which the pleaders see and attend to.

32660. Do the people as a rule consider it much inconvenience to have to come to headquarters in these days of railway facilities?—At some out-of-the-way places they do find it rather inconvenient, but on the railway line they find it rather convenient.

32661. Has any change taken place in recent years, and with the advent of railways is it less necessary for the Deputy Collector to penetrate into every part of his district?—No. I think out-of-the-way villages must be visited.

32662. Certainly; but is it well to keep the Deputy Collector constantly on the move?—Yes, I think so.

32663. Is it a good thing for him to camp at out-of-the-way small villages, bearing in mind what you say as to the burden that it is upon the people?—Yes, although it is rather troublesome sometimes to supply carts and bullocks.

32664. Would it not be sufficient if he made three or four or even five central camps each year in each *taluka* so as to bring himself within reach, or, at any rate within 10 miles, of every village?—Yes.

32665. Then it would not be necessary to insist on keeping him on the move?—No; we generally do make central camps in four or five places in a *taluka*, and that, I think, is enough.

32666. Do you so distribute your camps as to bring every part of your charge within 10 or 12 miles of you?—We appoint convenient centres and make camps there.

32667. Would you not approve of that practice rather than of the general rule that the Deputy Collector must be on the move throughout the year up to June?—That would not be required if he makes five or six camps and spends about a month or six weeks in each *taluka*. I make more than five or six camps in each *taluka*.

32668. Is it necessary to make them?—Yes.

32669. Then on the whole do you consider that in spite of its being a burden upon the people you do not tour too much?—We tour for about seven months, and we make central camps convenient to the places, and the people know where they are.

32670. Do you not think that it is a hardship on the people?—I do not think so except when they have to supply the carriage, and in some cases to look after subordinates.

32671. Is there any complaint that the local funds in your district are not equally distributed, and that some villages which pay the local cess never get any benefit from it?—Every village thinks that.

32672. Are the complaints in many cases just?—No doubt they are in some cases.

32673. Does the Government make any assignment to the Local Board except for education?—No.

32674. Is the system of *taluka* Boards a good system?—Yes, provided the members take an interest in the work.

32675. In some places it has been said they could do without a District Board, what is your opinion as to that?—That is not my experience.

32676. Do you employ overseers for small works?—Yes.

32677. Could you entrust those small works to the villagers themselves and do away with overseers altogether?—Yes.

32678. Would it be better to do without an overseer and give the money to the villagers and tell them to execute their own works, as, for instance, making a well?—That could only be done in a few selected villages.

32679. Would you recommend trying it in some villages?—Yes.

32680. If it succeeded in some villages other villages might follow the example?—Yes.

32681. Is the village work well done at present?—No, because the *kulkarnis* are a very bad class and not honest.

32682. Can you suggest any means of improving them as a class?—Only by strict supervision—nothing else.

32683. Are they hereditary?—Yes.

32684. Does the root of the trouble lie in that?—Yes—they are very troublesome people.

82685. (*Mr. Dutt.*) Did you enter the Government Service as a Deputy Collector?—No, I entered the service as a *patel* first of all and was promoted to be a Deputy Collector.

32686. Generally speaking, are Deputy Collectors appointed as Deputy Collectors, or are they selected from the lower ranks of the Service?—They are generally selected from the ranks of the *mamlatdars*.

32687. In what proportion are they selected or appointed direct?—Mostly they are selected from the ranks of the *mamlatdars*.

32688. You are a Sub-Divisional Officer. Who forms the four *talukas* into a sub-division?—The Collector does it generally and submits his proposal to the Commissioner for sanction.

32689. Can the Collector change the limits?—Yes.

32690. In Bengal and Madras the limits are fixed by Government, and the Sub-Divisional Officer has always to remain in his sub-division; what would be your opinion as regards such a scheme?—The Sub-Divisional Officer should always remain in his sub-division.

32691. On the whole is the scheme which you have here preferable to the scheme which I have mentioned?—The Sub-Divisional Officer would be more in touch with the people if he remained in his sub-division during the monsoon.

32692. What is your opinion with regard to appointing *mamlatdars* Presidents of *taluka* Boards so as to avoid the necessity of your going to all *talukas* to preside?—I do not know that they would be able to carry the same amount of influence with the Boards.

32693. Would not a *mamlatdar*, as President of a *taluka* Board, be able to discharge the duties as well as a Sub-Divisional Officer?—I do not think so.

32694. Would not the fact of his being always on the spot be a compensating advantage?—He is at present Vice-President, and I would not change that system.

32695. Do parties who have cases suffer inconvenience from the Sub-Divisional Officer moving about from place to place on tour?—Yes, to some extent they do.

32696. The inconvenience would be removed if the Sub-Divisional Officer permanently resided within his own sub-division?—That would be convenient only with regard to one *taluka* and not to all, and, besides, the Government have now appointed First Class Magistrates and the cases go to them.

32697. In one *taluka* you have a First Class Magistrate, but in the other *talukas* under your charge all cases to be tried by a First Class Magistrate have to come to you?—Yes, but lately another First Class Magistrate has been appointed.

32698. Is it possible to find local men who might perform the duties of Presidents of municipalities?—No.

32699. In not one of your four municipalities?—No; we have tried it and we could not find any one.

32700. Are the Vice-Presidents of those municipalities officials or non-officials?—Out of four, three are non-officials and one is an official, but I must say the work is done very badly where there are non-official Vice-Presidents.

32701. Do they not take sufficient care over it?—No.

32702. Have you sufficient control over them?—No, I am touring, but I know of a case in which a fraud was committed by the Secretary of a municipality, and the matter was left without inquiry because the Vice-President was non-official. When I went on tour and took my camp there and ascertained what had happened, I said, "Why did you not report the matter to me?" and he said that he thought he would wait and try to recover the money, but that in the meantime the man who had committed the fraud was dead.

32703. That sort of thing could not have happened if the Vice President had been an official?—No.

32704. You say that it is desirable to allow provincial Governments to develop their administration on their own lines. Taking for instance certain matters which have been initiated by the Government of India such as the new rules for remission of land revenue in cases of scarcity and famine, would you not allow the Government of India to impose such rules on the provincial Governments?—No; the provincial Governments should have full authority in these matters because they know the circumstances better than the Government of India do.

32705. I am asking you about a particular case in which the Government of India prescribed certain rules for the remission of land revenue; do you think that the Government of India should have the power to impose such rules or not?—I think they should not.

32706. Should provincial Governments have a free hand as regards remitting or not remitting as they think best?—Yes.

32707. You say that you are in favour of allowing a delegation of powers now vested in the Government. There are numerous classes of powers in the Civil Service Regulations; do you refer to them all?—No; I refer to those powers only which can be satisfactorily delegated.

32708. Are the Sanitary Boards elected in important villages?—Yes.

32709. Are they termed Sanitary Boards?—They are Sanitary Committees.

32710. Are they dependent for funds on local subscriptions?—Yes; the Local Government should make some contribution and the District Local Board should make some contribution.

32711. Instead of that do you want an unlimited power to raise a house tax?—Yes, but simply sufficient to pay the expenses.

32712. Would that not make the Sanitary Committees unpopular?—I cannot say.

32713. (*Mr. Hichens.*) What are the heads of revenue that make up the local fund?—The one-anna cess—8 pies go to the Public Works and 4 pies to education, and there are also sand and *kankar* fees, tolls, cattle pound receipts, etc.

32714. Does all of that go to the District Board, or does the *taluka* Board get some of it?—A portion of that is granted to the *taluka* Board.

32715. Has the *taluka* Board a right to a definite proportion of the money collected in its own area?—No. Properly speaking it should have, but in that case the District Board would have no funds to carry on their work.

32716. They might get a half, for example, of the money collected as of right, and give the rest over to the District Board?—The distribution is now made by the District Board.

32717. Is there a sort of scramble for the money?—Yes, but it is a very small amount as a rule.

32718. If it could be managed, would it be desirable that each *taluka* should have a definite sum of its own which it would count upon?—Yes, but in that case the District Board would not be in a position to carry out any work of its own.

32719. Have District Boards enough money to enable them to carry out their work properly now?—Even now they think they have not sufficient funds; they are always applying for assistance.

32720. But is the work which they carry out seriously hampered for lack of funds?—To some extent they are not able to carry out good work and can only do current repairs to roads and drinking wells in the villages.

32721. What is the revenue of your District Board?—About a lakh and a half.

32722. Can you suggest any way whereby the revenue of the District Board could be increased?—No. They cannot increase the tax, as the people would object.

32723. Should the Government make some further contribution? If so, on what basis?—Say 10 or 20 per cent. on the total revenue.

32724. Does the same thing apply to municipalities?—They are very badly off—all municipalities are so. Their money is almost solely spent on education.

32725. Is that compulsory?—Yes. The Government makes them a grant and they have to find the rest.

32726. But if a municipality said, "We would rather not have so many schools," what would happen?—Education would suffer, but the great burden is the education item; in one municipality, nearly the whole amount of the revenue is spent on education.

32727. Have they no money with which to make improvements?—No, not even to light the streets.

32728. Does the Government make any contribution to them?—Yes, for their education and dispensaries—nothing else.

32729. What is the basis on which the education contribution is made?—I do not know.

32730. Ought their funds to be increased?—Certainly, if the work is to be done.

32731. Do the people of the district take an interest in local work?—No.

32732. Would they take more interest in public matters if they had more money to spend?—I doubt it very much.

32733. In what language are the records of the different local authorities kept?—In some municipalities in Marathi and in some in both Marathi and Canarese. Important correspondence is carried on in English.

32734. Taking the Presidency as a whole, is the Sub-Divisional Officer usually the President of the municipalities in his sub-division?—Yes, the Sub-Divisional Officers are the Presidents of the municipalities and also of the *taluka* Boards.

32735. Are they *ex-officio* or are they elected?—In some districts they are *ex-officio*. As to most of the districts Government have passed a resolution appointing the officers *ex-officio* Presidents of the *taluka* Boards.

32736. But in some cases they are elected?—Yes.

32737. Are they *ex-officio*, Presidents of municipalities, or are they elected?—They are *ex-officio* in my district. Sub-Divisional Officers are *ex-officio* as a rule.

32738. Are the Vice-Presidents on both *taluka* Boards and municipalities generally elected?—Yes.

32739. Do they generally elect the *mamlatdar*?—Yes.

32740. You spoke of the Land Cess as being divided and two-thirds devoted to works and one-third to education; for the last three years has there not been an addition of a quarter of the Land Cess, given to the District Boards?—Yes, that was done.

32741. Is that sum distributed rateably among the District Boards?—Yes.

32742. Each District Board gets 25 per cent. extra?—That amount is distributed by the Divisional Commissioner to each district. It was to be spent by the District Board and was left entirely to their discretion as to how they spent it.

32743. Do municipalities have to spend a fixed proportion of their income on education?—No, but they have to maintain the schools.

32744. In addition to the grant to District Boards does Government make any other grant?—Yes, there is a grant made to the schools.

32745. How is that calculated; does the Government say to the District Boards, "If you will give so much we will give so much"?—So far as I know, fixed grants are made by the Educational Department.

32746. Direct for the schools?—They are made to the Boards for the purposes of education.

32747. Your Boards as a matter of fact have not very much to say as to school management?—No.

32748. Schools under the Local Board are managed by the Education Department?—Yes.

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32749. Do the Boards really have anything to say with regard to them?—Nothing; the schoolmasters are appointed by the deputy inspector, but under the recommendation of the Board, that is to say, if they want a master transferred the inspector is written to.

32750. Does the inspector generally do what you want?—Yes.

32751. Do your President and Vice-President take much interest in education work?—It is only the official Presidents and Vice-Presidents who take any interest.

32752. The deputy inspector is an officer, not of the Board, but of the Government?—Yes.

32753. Would it be better if he was an officer of the Board?—They would not be able to pay him.

32754. But supposing the Boards could pay him?—It would be a good thing.

32755. Do the Boards control the vaccinators now?—The vaccinators act under the orders of the Deputy Sanitary Commissioners and the Boards provide funds.

32756. Are the metalled roads under the District Engineer?—Some of them are under the Public Works Department, and some of them are under the District Board.

32757. Is there any line of division?—Yes, we have a list of so many roads which are made over to the Board.

32758. In some provinces they draw the line according to whether the roads are metalled, or not metalled—is that your rule here?—No, that is not the rule; some of the big roads are made over to the Public Works Department, but we pay for them.

32759. Do you also pay a contribution amounting to 12½ per cent. on the value of the works done for you?—Yes.

32760. So that the system of local self-government here is that the District Boards have the privilege of paying for roads, education, dispensaries, and vaccination, and have no say in the management of them?—Some of the roads are managed by the District Board, but they are not properly managed.

32761. Do you think that accounts perhaps for the want of interest on the part of the public in local self-government?—Yes, it is entirely due to that, I think.

32762. Is there any system of publishing the proceedings of your Boards and municipalities?—The proceedings are entered in a book kept for that purpose, and can be inspected by anybody.

32763. But they are not published in any newspaper—you have no Gazette?—No.

32764. Who dismisses a *mamlatdar*?—The Commissioner.

32765. Are *mamlatdars* generally promoted clerks?—They are usually men who have passed the Higher Standard examination. A list is kept in the Commissioner's office, and the Commissioner makes recommendations every half-year saying whether a man is fit or not.

32766. Are the people who have passed examinations and become *mamlatdars* generally clerks?—Yes.

32767. Is that a good system?—My opinion is that the *mamlatdars* should be appointed by selection. They should be men of good family generally and men who have done good work, and as a rule we do not find that the young graduates make very good *mamlatdars*.

32768. But still it is necessary that they should have some educational qualification?—Yes, but the young graduates who are educated are not always competent *mamlatdars*.

32769. As a Sub-Divisional Officer do you take criminal appeals from your Second and Third Class Magistrates?—Yes, I have appellate powers.

32770. Is there anything of the nature of a *jamabandi*, an annual settlement, at which the Collector attends and settles the remissions, and so forth?—Yes, we do have a *jamabandi*. The Collector does the *jamabandi* of one *taluka* in each sub-division every year, and the Sub-Divisional Officer deals with the remaining *talukas*.

32771. You have spoken of the desirability of replacing Commissioners by the Board of Revenue; have you much experience of the work of a Commissioner?—Yes, I was personal assistant to a Commissioner for about two years.

32772. And you think that a collective Board would be better because they could confer and stand up more against the Government?—If course they would have more weight and the work would be done more satisfactorily; now only one man decides.

32773. (*Sir Steyning Edgerley.*) Are not your four municipalities very small?—Yes, except Nepani.

32774. What is their population?—The largest is about 12,000.

32775. Are the establishments in the *mamlatdars'* offices adequate?—No, they require strengthening.

32776. Are the *mamlatdars* very seriously overworked?—They have a good deal of work to do.

32777. Are you yourself much overworked?—I am very heavily worked; one requires to work from morning till night.

32778. Even on your proposal that no appeals from persons in receipt of over Rs. 250 should go to the Government of India, the *mamlatdar* would still have an appeal from the Commissioner to the Local Government?—Yes.

32779. Who has authority to dismiss a *mamlatdar*?—The Commissioner.

32780. Do the mass of the raiyats want to see Local Boards and municipalities and panchayats, and so forth, developed, or do they prefer direct personal Government?—They would like to have the panchayat system in small villages.

32781. You think they do not care for Local Boards and municipalities, but that they would like panchayats?—Yes.

32782. Do you think the establishment of panchayats is a feasible reform?—It might be tried with a few selected villages.

32783. Would you try the scheme in a single village or in an area of more than one village?—You might try it with four or five villages in one *taluka*.

32784. How would you make your selection?—I would select the places where there are the more intelligent and influential people.

32785. It was suggested that a good unit to try would be the collection of villages which attended the same market town; is there any unit of that sort in your part of the country?—Yes.

32786. Might such a collection of villages be made a good unit?—I could hardly say that, but it is in the villages where there are respectable people that the selection should be made.

(*The witness withdrew.*)

Mr. K. J. AGASHE was called and examined.

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32787. (*Chairman.*) You are the personal assistant to the Collector at Satara?—I am not at present, but I was for some time. I am now a Deputy Collector in charge of a sub-division.

The Collector should ordinarily be the Court of Wards if the property of the ward wholly lies in his district and should exercise all the powers at present vested in the Divisional Commissioner, section 3 of the Court of Wards Act.

No general curtailment of the right of appeal is desirable. There should be no appeal to the Commssioner under section 77 of the Watan Act

against the decision passed in appeal by the Collector in respect of an order made by the Assistant Collector, and the power to appeal under the Land Revenue Code, sanction 203, obviously requires curtailment. Appeals in *madat* cases are very common. In order to restrict the right of appeal it is proposed that there should be no appeal to the Collector if the dues in question do not exceed Rs. 25 in value. In such petty cases one appeal from the *mamlatdar* to the Assistant Collector is amply sufficient, and the aggrieved party has his remedy in a Civil Court. Also there should be no appeal whatever from the Collector's decision to the Commissioner in "assistance cases."

The Executive Officers and especially the Assistant Collectors and Collectors have no sufficient opportunities for personal contact with the people. The chief reason is the pressure of work.

It cannot be said that, except in rare cases, no Executive Officers possess sufficient knowledge of the vernaculars.

An increase in the clerical staff and that of the superior village officers is quite necessary and is preferable to general reduction in the area of a district or other charges.

Larger powers should not be granted to the district municipalities, District or *taluka* Local Boards. The present functions of these bodies cannot be suitably extended.

I am in favour of Advisory Councils to assist the Divisional or District Officers. This would bring the district administration into closer touch with the people. The Collector should be at full liberty to select members, restriction of caste, education, &c., being not desirable. The Collector should, as he likes, consult any of the members on any matter. The Collector should, while on tour, invite the members in the surrounding *talukas* and ask and discuss with them matters of public and general interest. The number of the members should not be limited. No responsibilities should be given to these Councils in any subjects.

It is true that there is no local body corresponding to the District Local Board to supervise the actions of smaller municipalities as it does the *taluka* Local Board, and the supervision practically rests with Government Officers alone; and these officers have got very little time at their disposal to do this additional work. It is thus desirable that some body should be appointed to supervise *taluka* headquarter municipalities, but this measure should first be introduced in a few selected cases.

It is not desirable and possible to give the village communities greater powers in the disposal of local affairs relating to revenue, police, &c.

32788. How did you arrive at your position of Deputy Collector?—By promotion from the rank of *mamlatdar*.

32789. Who appointed you as a *mamlatdar*?—The Commissioner.

32790. While you were a *mamlatdar* were you liable only to serve in that Commissioner's division, or were you liable to be posted all over the Presidency?—Only in that division.

32791. Is that a satisfactory system?—Yes.

32792. While you were a *mamlatdar*, could the Collector transfer you from district to district?—No, the Commissioner only within the division; the Collector could not transfer.

32793. As Deputy Collector can you transfer any of your subordinates?—No.

32794. Would it be a good thing that you should have the power to do so?—Yes.

32795. Would there be much disposition on the part of the officers transferred to go to the Collector and say they did not wish to be transferred?—Yes, I think there would.

32796. Where do you reside?—At the headquarters of the district.

32797. You do not go and reside in one or other of the *talukas* under your charge?—No.

32798. Do the people have to come in from the *talukas* to headquarters?—Yes, during the monsoon.

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32799. And during other parts of the year you go out to them?—Yes.

32800. Does that system work well?—Yes, so far as regards magisterial work, because in my sub-division there are four *mamlatdars*, all of whom are Second Class Magistrates, so that the parties are required to come to me to deal with the first class cases.

32801. Do the people in all the *talukas* speak the same language?—Yes, Marathi.

32802. What part are you a native of?—Satara.

32803. Do you know any of the other languages spoken in the Presidency?—No.

32804. You say that you are opposed to any appeals being carried past the Commissioner under the *Watan* Act?—Yes.

32805. You say that under the Land Revenue Code you would like to see the power of appeal curtailed; are there many of these appeals at present?—There were 61 appeals in *watan* cases in one year, of which 52 were rejected and 9 allowed—there are three other cases remaining to be decided.

32806. Do those figures point to the undesirability of carrying most of these cases to appeal?—I think they are unnecessary.

32807. Would you curtail the right of appeal in cases of officers ordered to be punished?—No, I would leave that alone.

32808. Then it is only in the land revenue and *watan* cases that you would curtail the right of appeal?—Yes.

32809. Are you Chairman of each of the *taluka* Boards?—I am President.

32810. Of how many municipalities are you President?—Three.

32811. Do you work those yourself, or through Vice-Presidents?—Through Vice-Presidents; I am not always in a municipal town because I am touring in the district, and the Vice-Presidents carry on the business in my absence.

32812. You are nominally the Chairman with the right of intervention, but practically the work is done by Vice-Presidents?—Yes.

32813. Are the Vice-Presidents in each of the *taluka* Boards officials or non-officials?—Two are non-officials.

32814. In which of those *taluka* Boards is the work best done?—I am sorry to say that no *taluka* Board work is good.

32815. Whether it is done by an official or a non-official?—Yes. The reason is that the non-officials take very little interest in it.

32816. What is the reason that it is not well done where the Vice-President is an official?—It is only the *mamlatdar* who takes an interest in it, but he has so much work to do that he cannot devote much time to Board work.

32817. What remedy would you propose for that state of things?—I cannot suggest any remedy under the existing system.

32818. Would there be any other system which would work better?—I would leave things to the *mamlatdar*.

32819. Would you like to see him put in charge of the whole thing and made responsible?—Yes.

32820. How long were you, as a *mamlatdar*, kept in your district?—For nearly five years.

32821. Was that too long a time or too short a time?—I think five years should be the maximum, and three years the minimum.

32822. Is there any difficulty amongst the District Officers here in speaking the language?—No.

32823. Do they all know Marathi pretty well?—Yes, sufficient for their purposes; of course they have no scholarly knowledge and are not able to

converse in the vernacular as well as native gentlemen.

32824. You mean that they cannot talk with native gentlemen on general topics?—They cannot.

32825. Is it very desirable that they should be able to do so?—Yes, but in that case officers must be kept in the same district for a long time.

32826. And you think they ought to be kept five years in their districts?—I should think for ten years.

32827. Are you referring now to Collectors?—Yes, and Deputy Collectors.

32828. Is there any intercourse between Deputy Collectors and native gentleen?—No, not in general—not sufficient.

32829. Is it desirable that there should be?—Yes.

32830. What is your remedy—a better knowledge of the language?—Yes, a better knowledge of the language and the formation of Advisory Councils.

32831. Does a Collector, as a matter of fact, consult the leading gentlemen in his Collectorate?—No.

32832. Does he not talk to the local gentry?—Very rarely.

32833. Are you speaking only of the Collectorate in which you are now?—Yes, and generally Collectors have very little opportunity of mixing with the people; they have too much desk work to do and have not sufficient time.

32834. (*Sir Steyning Edgerley.*) You have a social club at Satara, have you not?—Yes.

32835. Do the officers never go there?—No; it is not a purely social club; it is considered a political club.

32836. What is the attitude of the cultivators towards local self-government institutions?—They are indifferent.

32837. Do they prefer an endeavour to govern in that way, or do they prefer personal government?—They prefer the present mode of government.

32838. Are you speaking now of the masses outside in the villages?—Yes.

32839. Why do you think so?—Because the District Board members take very little interest in Local Board affairs, and are not friends with the people.

32840. Supposing you had efficient Boards, would the people prefer that form of Government?—Yes.

32841. We are told sometimes that great love of personal rule is a native sentiment; do you consider that is true?—Yes, it is true.

32842. But still you think that if you could get efficient members they would prefer District Board rule?—An efficient Board means an efficient Chairman or President.

32843. (*Mr. Meyer.*) You are against giving larger powers to village communities?—Yes, because in the first place it is very difficult to find suitable persons and straightforward men to sit formerly when the panchayat system was in vogue the *patel* had very large powers, but now he has lost them. He used to be able to settle petty disputes amicably, and exercised a great deal of influence over the people.

32844. And do they not care very much about him now?—No.

32845. Supposing you could have a *patel* with larger powers and a panchayat, would they not take more interest?—Yes, if we could find good straightforward men, but it is extremely difficult to find them.

32846. Are there no just men in the Deccan?—There may be.

32847. Supposing you could find the men, would you be in favour of giving them larger powers and doing something towards reviving village autonomy?—Yes.

32848. You have Conciliators and village munsiffs under the Deccan Agriculturists' Act; what are the functions?—To settle disputes amicably as arbitrators.

32849. Can they dispose of any petty suits otherwise than by the agreement of the parties?—No.

32850. To how many districts does the Deccan Agriculturists' Act extend?—Four.

32851. In the Deccan generally are your village officers hereditary?—Yes.

32852. At present they cannot be removed without the sanction of Government; might Collectors be entrusted to remove an inefficient village officer?—Yes.

32853. Are your municipalities small?—Yes; about 10,000 population.

32854. Are there many municipalities that you know of in this Presidency of under 10,000 inhabitants?—There are only three municipalities in my charge, and I know very little of municipalities outside.

32855. Are you elected President of these municipalities, or are you *ex-officio*?—I am *ex-officio*.

32856. What happens in the case of the budgets when you want to make any re-appropriation; have you to go up to the Commissioner?—No.

32857. Suppose you find in the course of a year you want to re-appropriate something, say from education to sanitation, or *vice versâ*, what would you do?—We place the subject before the general body and get their sanction.

32858. Have you to get any outside sanction?—No.

32859. What do you do in the case of Local Boards?—The sanction of the District Board is required.

32860. Are you a member of the District Board *ex officio*?—Yes.

32861. Do they know what the District Board do if they want to make a re-appropriation?—They do not require to get the sanction of a higher authority in any case.

32862. Who manages schools in your Local Board?—The Government Education Department manages the schools.

32863. Do you give grants-in-aid?—Yes.

32864. Can you decide what schools you will aid and what grants you will make, or is it all decided for you by the deputy inspectors?—Yes.

32865. Do you have any control over the vaccinators?—No.

32866. Does the Deputy Sanitary Commissioner manage that for you?—Yes.

32867. Have you anything to say about dispensaries?—They are managed by the Civil Surgeon.

32868. And the larger roads the Executive Engineer manages for you?—Yes.

32869. Is that a good system?—Yes, I think it is.

32870. Have you many village Sanitary Boards in your area?—Only one.

32871. Who appoints the members?—The Commissioner.

32872. Is that necessary?—No. I do not think it is.

32873. Have you inspectors carrying out their works?—Yes.

32874. Who appoints them?—The Commissioner.

32875. Do you desire that the Collector should have that authority?—Yes.

32876. Might you not go a step further and give the power to the Sub-Divisional Officer?—I think the Head of the district should do it.

32877. You are in camp for seven months in the year. During that time have the people to follow you about from one camp to another?—Yes.

32878. Is that a good system?—No.

32879. And in the monsoon time they have to come to the district headquarters if they want to see you; is that a good system?—No. I would recommend that *mamlatdars* should be vested with

first class powers, as it is only with regard to first class and appellate cases that the people are compelled to follow the Magistrate from place to place.

32880. In revenue matters have they to come up to you?—That cannot be helped.

32881. Could it not be helped by your travelling a little less and living in your sub-division?—Yes, a central town might be selected.

32882. Would you be in favour of that?—Yes.

32883. Have many of your *mamlatdars* first class powers now?—None, in my sub-division.

32884. Have they in the province generally?—Many of them in the province have.

32885. A large number?—Not a very large number.

32886. Do they hear appeals?—No.

32887. Are *mamlatdars* generally clerks who have been promoted?—Yes.

32888. Is that a good system?—Yes.

32889. Do you prefer that to direct nomination?—Yes.

32890. The Collector, I think, cannot transfer a *mamlatdar* within his district; would you allow him to do so?—Yes.

32891. (*Mr. Hichens.*) What does the staff of a District Local Board consist of?—An accountant with two clerks.

32892. Are there any road overseers?—Not on the District Board, but the *taluka* Local Boards have them.

32893. Is there any District Engineer?—No.

32894. Is the supervision of the road work done by Government?—Yes, by the Public Works Department.

32895. Would it be a good thing if District Boards had their own engineers and carried out the work connected with the bigger roads themselves?—Yes.

32896. In that way might people take a little more interest in the proceedings?—Yes.

32897. Are the District Boards allowed to decide what roads they will make out of their own money, or does the Government decide that for them?—The District Boards decide that.

32898. Is that a matter that attracts any interest?—Yes.

32899. Because it is a matter that it is really within their power to decide?—Yes.

32900. What is the income of your District Board?—About a lakh and a half.

32901. How much of that money goes to the *taluka* Boards?—Taking it roughly, about Rs. 3,000 per *taluka* Board.

32902. And the balance goes either to the Government, or is kept by the District Board?—Yes.

32903. How many *taluka* Boards are there?—Eleven.

32904. Is their income adequate to carry on the work?—No, it is not.

32905. Should their income be substantially increased?—Yes.

32906. Should they have a larger contribution from the Government?—Yes.

32907. Would it be practical politics to increase the one-anna cess?—No.

32908. Would it be a good thing to give each *taluka* Board a definite income of its own instead of whatever crumbs fall from the District Board's table?—Yes, I think it would.

32909. Might you give them a definite proportion of the cess?—Yes.

32910. In that way might they take a little more interest in the work?—Yes; at present Boards do not know what they are going to get.

32911. Do the officials in the districts ever try to stimulate the interest of the villagers of these districts in their work?—No.

32912. Do you not think they might?—Yes.

32913. Might they explain more fully what is being done and thereby induce the members to put their backs into the work and encourage them?—Yes.

32914. (*Mr. Dutt.*) Does the sum of Rs. 3,000 which you mentioned include education within each *taluka*?—No.

32915. Does the whole of the money for education and dispensaries come from the District Board?—Yes.

32916. What is the average size of your *talukas*?—About 100 villages—about 500 square miles, with a population of about 100,000.

32917. Generally speaking, how many meetings do you hold of a *taluka* Board in the year?—Six.

32918. What is generally done at those meetings?—Usually some petty works are passed and sanctioned. Some are given out to contract, and some are departmentally done.

32919. Would it be a better plan if each *taluka* Board undertook the whole work of inspection of schools within its limits?—No.

32920. If they aided village schools paying a certain monthly sum to each, and tried to induce the villagers themselves to maintain them, would the scheme have a chance of success?—I think it might succeed.

32921. At present the whole curriculum of the village schools is fixed by the Education Department?—Yes.

32922. Should the District Board have power to modify the curriculum so as to make it suitable to the village populations?—Yes.

32923. Are the hours of attendance and holidays fixed by the Education Department?—Yes.

32924. Should the District Board have more power in settling these matters, and would it be possible to get a little more sympathy and help from the people?—Yes.

32925. (*Sir Frederic Lely.*) Is it a common subject of complaint amongst the villagers that they do not get anything in return for the money which they pay as local cess?—Yes.

32926. Is it a well founded complaint?—Yes.

32927. In your charge are there many villages where you may say nothing has been done out of the local funds during the present generation?—Yes.

32928. How many—one half?—There might be.

32929. What is the reason of that?—Because the whole of the money is in the hands of the District Boards and they have the allotting of it. The *taluka* Board has very little money.

32930. Would you say that is the fault of the District Boards?—I cannot say actually that it is the fault of the District Boards because they have no money.

32931. Are not the funds at the disposal of the District Boards sufficient to go round?—That is it.

32932. Are not small works such as wells and tanks much appreciated by the villagers?—Yes.

32933. Have you an overseer in each *taluka*?—Yes. These small works are entrusted to him.

32934. Would it be feasible to abolish overseers altogether and to give the execution of those works into the hands of the villagers themselves?—In a few large villages, not in many.

32935. Supposing a village well needed repair, for instance, why should not you say to the villagers, "Here are Rs. 150 or 200—take the money and repair your well"?—I do not think men would be found in a village to do that.

32936. But surely men who build their own houses and make their own field wells could be trusted with repairing an ordinary village well?—No, because they have lost all their co-operative power.

32937. But they have all a common interest in a well?—Yes, in some villages they may have, but not in all.

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32938. Would you advocate trying the experiment in the best villages?—Yes.

32939. Is the proportion that is paid to the *taluka* Board fixed in each district, or is it settled from year to year?—It is settled from year to year.

32940. The District Board gives each year what it can afford; would it not be much better to fix a proportion?—Yes.

32941. Do you think the village staff are efficient?—In most cases they are inefficient, because they have not got education enough and their pay is very low.

32942. Are they hereditary?—Yes, they are paid in cash.

32943. What is the average pay of a *kulkarni*?—The average pay is Rs. 6 a month.

32944. And you think that Rs. 6 is not enough to command an educated and efficient man?—It is not.

32945. When a *kulkarni* dies, is his heir appointed as a matter of course in his place?—No. If his heir is a fit man, he is appointed for a certain number of years.

32946. At the end of that number of years, even though he may be thoroughly efficient, is he ousted and another man put in his place?—Yes.

32947. Does that plan work well?—No.

32948. As a matter of fact does the heir of a *kulkarni* generally qualify himself?—Yes.

32949. What is the average term of years for which he is appointed?—Five years. At the end of the five years he has to vacate, and the next man on the roster is put on.

32950. Is not that system absolutely incompatible with efficiency?—It is.

32951. What remedy would you suggest?—More severe tests should be imposed and some increase made in the salary.

32952. Would not that often have the effect of excluding a man altogether?—It might.

32953. If he did not reach a certain degree of efficiency, would you refuse to accept him and appoint a deputy?—Yes, on behalf of Government.

32954. As to the village system generally, is it a good thing that the village headman or *patel* should have actual control over the villages?—Yes, if he had much influence it would be a good thing.

32955. Has he lost that influence?—Yes.

32956. Do Government officers, for instance, pay him sufficient respect?—Yes.

32957. Is a *patel* allowed to absent himself from his village without leave?—No.

32958. If he has to go to the nearest town to buy something for himself he cannot go without the leave of the *mamlatdar*?—Yes.

32959. If he does is he subject to a fine?—Yes.

32960. Does not that alone detract a great deal from his position?—Yes.

32961. Would you give the panchayat any criminal power?—No.

32962. Would you give them power to manage the schools?—If they are competent.

32963. Would you approve, if a village wanted a school, of telling them that if they supplied the house and made themselves responsible for keeping it in repair, they should receive some assistance?—Yes, it might be done.

32964. Would you give them charge of the cattle pound?—The *patel* already has charge of the cattle pound.

32965. You would not suggest giving any other power beyond power as to schools and the execution of small works?—I would not.

(*The witness withdrew.*)

Mr. DAYARAM GIDUMAL was called and examined.

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32966. (*Chairman.*) You are the Sessions Judge at Ahmedabad?—Yes. I entered the Service as a Sharishtadar. I would organise panchayats and make every village a real administrative unit, and give it a part of the local cess for its needs. As regards the question of investing village communities with power to dispose of petty criminal and civil cases, a beginning may well be made by entrusting to panchayats all such judicial work as can be done by village munsiffs and conciliators under the Deccan Agriculturists' Relief Act, 1879, and by police *patels* under the Bombay Village Police Act. I would also authorise the Courts to consult panchayats (*e.g.*, in cases under section 539, Civil Precedure Code, and cases under Act VIII. of 1890) and treat their opinion as evidence. I would also authorise the District Judge to allow Sub-Judges to use panchayats as *juries* for the trial of cases in which personal local investigation is desirable, *e.g.*, in easement cases in which injunctions are sought. Panchayats found efficient should be invested with higher powers. Their procedure should be as simple as possible. To reduce the number of appeals the District Judge should have power to require two or more Judges to sit as a Bench in particular cases, when all the parties concerned or the really interested majority desire this to be done, in order that a *final* decision may be arrived at (*cf.* section 10 of Act IX. of 1887). The District Judge should also be authorised to invest selected clerks of the Courts with the power of a Registrar under section 12 of Act IX. of 1887 and section 646, Civil Procedure Code, and with such other judicial and *quasi*-judicial powers as may be approved by the High Court. Devolution of this kind will enable the higher officers to concentrate their attention upon important cases.

32967. How many grades of District Judges are there?—There is the first grade of Rs. 2,500, the second grade of Rs. 2,325 and the third grade of Rs. 1,800.

32968. Who appoints these Judges?—The Government.

32969. You recommend that the District Judges should have certain powers with a view of reducing the number of appeals. Where does the final decision lie now?—In the High Court in all suits the amount of which exceeds Rs. 500.

32970. With regard to appeals generally, are those which come up frivolous?—There are a large number of frivolous appeals, but unfortunately we have no power to inflict fines; under the old Regulations we had that power. Under the old Elphinstone Regulations, if a Judge found that a civil appeal was frivolous or vexatious, or groundless, he could fine the person who brought it and send him into custody until the fine was paid.

32971. When was that power taken away?—Under an old Regulation of 1799 and during Elphinstone's Governorship up to the passing of the Code of 1859, we had that power, but thereafter it was taken away.

32972. Was that peculiar to Bombay?—I think so; probably the same system had been in use in the Bengal Presidency, as most of our Regulations were copies of the Bengal Regulations.

32973. Since the abolition of the power, has the number of frivolous appeals increased?—Yes, not only the number of appeals, but frivolous suits have increased; the Courts are simply inundated with frivolous matters, and we have no power to punish the men who bring them, or the people who commit perjury; we can only send them to a Magistrate.

32974. You say that you wish to organise panchayats and to make every village an administrative community; as a matter of fact, is there any village organisation at the present moment?—Yes, there is a kind of village organisation for social purposes. The castes carry on their social work, and some do it very well indeed, and then again

there are temples managed by them very well, and sometimes they manage charitable works.

32975. When you speak of a village, do you mean simply one collection of houses, or a group of different villages? Take the case of panchayats. Is their authority exercised over several villages, or is it confined to one village simply?—That depends upon the distribution of the caste; if the caste is distributed over very many villages, then they have what they call a *rawna*; and if, for example, they think there is going to be a breach of their rules they will send for their people and get them together and their jurisdiction in such a case would extend over many villages.

32976. In your scheme of reviving some village autonomy, would you desire to see the small villages grouped together, or to give every village power for the purposes of Local Government?—I would distribute them in different classes. I would find out whether a particular village was prepared for autonomy and give it autonomy. I would begin by giving them some powers, the powers of a munsiff, for example, and certain powers which are now being exercised by village *patels* in revenue matters. At present a person cannot remove a little sand or gravel without the permission of the *patel*, and in some cases he has to refer to the *mamlatdars*. I would give some revenue powers and civil and criminal powers as well, which might be exercised within the villages, but there should be some gradation and the scheme should be elastic.

32977. Should the gradation of powers depend in any way upon the size of the population?—I should say to a certain extent upon the public spirit shown. If I found in certain places the villages had power of co-operating and were willing to come forward with a little money for public purposes, I do not see why they should not be entrusted to take them up and carry them out.

32978. Would you make your grant of power depend upon the voluntary undertaking by the people of certain public burdens, such as the provision of wells, or the keeping up of the village roads?—I would lay down no rules. I would not say to them, "Unless you do this we will not give you that power," because local self-government schemes, especially in connection with sanitation, have failed on that very ground. If you tax the people they will not take any interest in such matters, but if you give them a part of the taxes levied, they will.

32979. How are you going to ascertain whether a particular village is, or is not, ripe for using power?—The Revenue Officers, the Commissioners and the Collectors should take a little interest in the business and they could easily organise. We have in this Presidency a Registrar of Co-operative Credit Societies, and I would make it part of his work to organise these old panchayats and he should have the powers of a Collector and the right of communicating direct with the Commissioner; then I would give power to the Commissioner to organise, and I do not think any law is needed. The whole thing can be done departmentally under the Criminal Procedure Code and the Civil Courts Act as well as under an old Regulation under which Honorary Munsiffs can be appointed. Powers could be given under the Criminal Procedure Code and powers could be given under the Land Revenue Code, section 214, which gives power to the Government to frame rules for the purpose of carrying out different objects contained in the Act. The powers are very wide, and Government could easily frame a few rules authorising the Commissioner to delegate certain powers to these village panchayats or Councils or Boards. The whole thing could be done departmentally without the least difficulty so far as legislation is concerned. I think the experiment should be tried on as elastic lines as possible. I would give a share of the local cess to the village because they have been deprived of it for a very long time. I have known of cases where the people were not able to repair a well in consequence of the want of funds with the result that accidents have occurred. What is everybody's business is nobody's business. The difficulty is that there are so many Acts bristling with penal provisions. Even the Land Revenue Code contains some penal enactments and the Police Act contains penal enactments.

32980. (*Mr. Hichens.*) What is to be the criterion as to whether a village is ripe for such powers or not?—I would ask the *mamlatdars* or other officers appointed to report whether there were any good men and public spirited men in a village who could be trusted, and as soon as I had found them I would give them definite duties to perform and a definite sum of money and tell them to do this, that, and the other for the village.

32981. Would education, for instance, be one of the matters?—Yes, if it were in my power I would give to every village a school, a garden, a library and a dispensary, in all which matters they are starved at present; the roads are in a bad condition; the trunk roads have been made by the Government out of the cess, which comes to about 30 lakhs, and the villages get very little. All the disposable money goes to the roads, dispensaries, and so on, and the districts and the villages are utterly starved.

32982. Is the population of the villages more or less homogeneous?—In some places the population is very homogeneous, but in others it is not, but usually there would be very little difficulty; there are a large number of villages in this Presidency which are homogeneous.

32983. Would it be easier to support a panchayat in a village which was homogeneous than in one which was not?—Certainly.

32984. Would that be another test?—Yes.

32985. Would you have five members of that panchayat?—Yes, a panch formerly consisted of five.

32986. Would the *patel* be the Chairman?—I would not make him Chairman in every case unless he was a good man.

32987. Would the members be nominated or elected?—In some places I would have election. Under the old system sometimes the people would meet together and choose their headman and by common consent would appoint him, but sometimes there were factions, and even now there would be a great deal of difficulty, so that I would not fetter the hands of the Government. I would say have nomination in some, introduce election in others, introduce if you like, even manhood suffrage, because formerly that was the test—even women used to appear before the panchayats in former days and make their complaints—but nowadays it is not done at all. I would make the whole scheme as elastic as possible, and I would not fetter the hands of the Government.

32988. Where these panchayats are started would it be necessary to continue the *taluka* Local Boards?—Yes, because the panchayats will be the natural feeders for such Boards. I would make them the base of administration. At present the administration is top-heavy.

32989. Where do you propose that they would get their funds from—from the *taluka* Board or the District Board?—I should think, direct from the District Board.

32990. The last witness said that in his opinion the officials in the district in which he served took very little pains to promote the interests of the general public as regards district work; would you endorse that?—No, I think it is a sweeping assertion. It all depends; he might be possibly acquainted with a few officers who do not take interest, but there are any number who do.

32991. His point was that the officers did not concern themselves very much to try to promote a feeling of interest on the part of the people in District Board work, but rather did the work themselves?—Administration has fallen into a groove and very little time is available to District Officers to do much because of the reports and statistical work which they have to do. It may be the fact that they have not been trying to promote interest, but it all depends on the officers.

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32992. Broadly, would you say that officers are so busy that they have not time to take the trouble to educate the people?—Yes, every District Officer is overworked so far as I am aware.

32993. (*Mr. Dutt.*) Have you any other suggestion to make for bringing the district administration more into touch with the people?—I have been thinking mainly about villages because I believe in the politics of the poor.

32994. That is the ground work?—I should say that it has been neglected too long and very little has been done for them. I have travelled in villages myself, and I have seen how they have been neglected.

32995. Do you think if the villages were more looked after and improved it would be a good ground-work for improving the whole local self-government?—Certainly, because 90 per cent. of the population is agricultural, and we have been mainly looking after the articulate classes, while the voiceless millions we have neglected.

32996. At present all the Board Schools are practically managed by the Education Department?—Yes.

32997. What would be your opinion as to entrusting those schools to village panchayats after they have ben organised, the District Board, or the *taluka* Board, simply giving a monthly stipend to the teacher and asking the villagers to look after their own institutions?—I think it would be a very good idea, but it cannot be carried out everywhere. It all depends on the public spirit shown. If they did take any interest it would be worth while trying the experiment in villages, and I would do it, because it is very necessary that they should feel some interest in their affairs. I would go so far as to say, unless you give them power even to mismanage they would take very little interest, but if you are going to sit on them, saying continually "This is wrong," and "That is wrong," they will take no interest.

32998. Generally speaking, are you in favour of the idea of villagers managing their own village schools?—Certainly.

32999. Which would be supported by some monthly aid from the *taluka* Board, or the District Board?—Yes, the *taluka* Board itself gets very little and is actually dependent on the bounty of the District Board; and when I had fixed the panchayats' representatives I would say to the District Board: "Give to the village if you like half or a third of the cess which it contributes."

33000. Would you leave the supervision of the schools with the District Boards or would you hand it over to the *taluka* Boards?—I should say they ought to be left to the District Boards, because these being the central authority, the expenditure would be smaller; if you left it to the *taluka* Board, you would find that its resources were not adequate. The District Board could easily arrange for supervision.

33001. So that you would not trust the *taluka* Boards?—I would in some cases, if I found that the *taluka* Board was well managed and had funds. I would lay down no hard and fast rule. I would make the whole scheme as elastic as possible because the conditions vary.

33002. Have you had any experience in Sind?—Yes.

33003. Is not the system in Sind somewhat different from the system in the Presidency proper as regards the powers of Revenue Officers?—Yes, it is somewhat different.

33004. Generally in Sind do not the Revenue Officers enjoy larger powers than they do elsewhere?—I believe that is so to some extent.

33005. Would the Sind system be conducive to progress in the more advanced divisions of this province?—I should say so; I think the officers, if they are worth their salt, should be entrusted with higher powers. The Land Revenue Code which we have at present says that subject to the control of Government or of the Commissioner, certain powers may be exercised by the Collector, and so on. I would make out a regular schedule classifying all the powers, just as in the Criminal Procedure Code, there is a schedule of powers. I would lay down a certain scale of powers which might be exercised by the Collector, by the Assistant Collector, and so on, the Government having the right of investing any particular officer with certain powers, and the difficulty would be solved.

33006. As you have seen service in both divisions I want to know generally whether the system you have seen in Sind would be conducive to the public good in the more advanced districts of the Bombay Presidency?—I should say so.

33007. Do you know that in Sind the Commissioner has extraordinary powers?—Yes, he has.

33008. Would you be in favour of investing the Commissioners of the other divisions of this province with powers under a general Act of delegation, like Act V. of 1868, which obtains only in Sind?—Yes.

33009. Supposing it was thought desirable to extend some of the powers which the Bombay Government now possesses to Commissioners in the other divisions, would you do that by passing a general Act of delegation, or would you do it by amending Acts?—No, I think Act V. of 1868 is a very good Act, and all that would be necessary would be to take out the words "in Sind" and the Act would fit then, and would be quite enough. I would even go further, and say that there should be a general Act in which the Government of India should take power to delegate all their powers to the Government of Bombay or to any Local Government.

33010. My question referred to the smaller sphere of this province?—That could easily be done by deleting two words.

33011. Would such a general Act be popular?—It all depends on the meaning attached to the word "popular." So far as the voiceless millions are concerned they care very little, but so far as the articulate classes are concerned it would not be popular.

33012. Supposing the Bombay Government under a general Act of delegation empowered Collectors and Commissioners by Gazette notification to impose taxes on municipalities, would that be popular?—It would be extremely unpopular.

33013. (*Sir Frederic Lely.*) It has been suggested that in administrative appeals only one appeal should be allowed, but that if the appellant consented to waive his subsequent right to go into the Civil Court he should be allowed to go up to Government itself; what would you say to that suggestion?—I think there is a particular section in the Land Revenue Code, section 86, which has given rise to all this trouble, but the appeals under other sections to Government or the Commissioners are very few, so that as far as section 86 is concerned I would limit appeals to a single appeal absolutely, because the appellants have the right of going to the Civil Court at once, and as a matter of fact they do go. It is all waste of time.

33014. You would not give the option of waiving the right?—I think they would not waive it at all; it would be a useless provision.

33015. The question of the management of villages, especially schools, is a very practical one. What would be the effect on the master of giving the village absolute management of the school and control over him; would he like it?—No, not the master himself; he would like to have more chance of promotion. But the difficulty could be easily solved because even at present the Education Department has masters who are getting only Rs. 4, 6 or 8. In the villages there are a large number of mosque or temple schools, and the tradition of the country is that education shall not be paid for. As a matter of fact in many temples and mosques nothing is paid except that once a month in some of them each boy pays two pice.

33016. But has not that tradition disappeared?—No, I was settling the scheme of a trust the other day in connection with a mosque, and I was told that they were only charging two pice a month for each boy. If the village authorities could manage to get some men who would be willing to

teach without charging anything it would be a good thing; and another good thing would be to lend men to the village authorities, just as we now lend men to Foreign Services, and charge them a pension allowance.

33017. Would not the position of such a man lent to a village under the thumb, so to speak, of the village panchayat, be exceedingly unpleasant?—Yes, but the question is, which is the lesser evil; if you want to give the people a little interest in the matter, you must place the school under them.

33018. As a matter of fact in many villages would not that system make the schoolmasters the servitors of the dominant faction?—I am afraid in some cases it would, but we should have to be careful to pick out good men and true.

33019. Do you consider the Village Sanitary Boards Act would be any basis for new village administration?—No; the Village Sanitary Boards Act is very unpopular, because you call upon the people to come with a contribution first of all, and if they come with Rs. 100 the Government gives another Rs. 100. But if they do not come forward with any contribution at all, then there is no Sanitary Board, and moreover the work is all done by the *mamlatdars* and not by the people.

33020. Then you consider it an essential to success that whatever new departure there may be, it must not be accompanied by extra taxation, to begin with at any rate?—Exactly.

33021. Would you not lay almost, if not quite as much, stress on the freedom of the village staff, and leave them to themselves?—I would make the council free, but the staff ought to be under the control of the panchayat.

33022. If a Sanitary Board is introduced into a village, is not one of the first steps to appoint a *chaprassi*?—Yes.

33023. Is that not rather disliked by the villagers?—Yes, I would try to do without it; in fact, what the villagers suffer from now is the little petty tyrannies under the Village Police Act, two sections of which have not been repealed, and if you look at the last statistics you will find that there were 8,000 convictions under that Act. The most surprising thing is that out of the men who were being tried 78 actually died before their cases were dealt with; they are dragged from one place to another and then only fined a few rupees.

33024. You say then there should be no taxation, and would you also add that there should be no interference on the part of the subordinate official staff of any kind, such as overseers and *chaprassis*?—Exactly.

33025. Are those two essentials?—Yes.

33026. (*Sir Steyning Edgerley.*) As regards panchayats, is your real position that we ought to use our best endeavours towards creating them, but that it is no use discussing details until we get to deal with particular districts?—Yes, exactly.

33027. As to the Act V. of 1868, is it not drafted in very old fashioned style, and all modern Acts would need to be safeguarded by provisions for notice and notification of objections and so on?—Yes.

33028. Subject to such safeguards, do you see any objection to such an Act?—No, I think the power should be exercised by Government after notifying objections, and finding out whether there are any.

33029. The question of the popularity of delegating to Commissioners and Collectors powers to tax municipalities would be ascertained by a notification inviting objections?—Yes.

33030. Can you imagine any responsible Government proposing such a delegation as that?—I cannot say that it cannot be done, because when the Plague Act was passed there were certain powers delegated, and as I unfortunately have had a great deal to do with the criminal side of it, I know the powers delegated to Collectors were not wisely delegated, so that one cannot be sure.

33031. If you had prior notification and reference to the Government, do you think you would be reasonably safe with an Act of that sort?—No, the difficulty is that there are many Acts under which objections are invited, and if the Chambers of Commerce or some of the articulate classes are really interested you do get objections, otherwise you get none at all, because we have such a large number of people who do not know how to read and write, and the men affected hardly ever know there is any notification in the Gazette concerning them. There are three defects in the administration, unintelligibility, uncertainty, and delay.

33032. The point is that so many Acts are at the moment tied up with the sanction of the Government of India and the sanction of the Local Government and what are the best means from time to time of passing powers down, so that they should be nearer the people? For purposes of that sort, do you not think the kind of Act I suggest would be desirable?—So far as the general principle is concerned I agree, and if the Government were also to revert to the old custom of proclaiming their intentions in the villages there would be no objection then; if you had safeguards of that kind there would be very little objection.

33033. You are a native of Hyderabad and a zamindar?—Yes.

33034. And you served for years in Sind?—Yes.

33035. And ultimately as Judicial Commissioner?—Yes.

33036. Have you ever heard what you consider to be any well-founded objection as to the use of Act V. of 1868?—No, never.

33037. (*Mr. Meyer.*) Would it surprise you to learn that among the proposals which the Bombay Government consider as *primâ facie* suitable for consideration is delegation to the Collector of the power of sanctioning, modifying and imposing conditions as regards taxes in town municipalities?—So far as municipalities are concerned, they have to deal with the articulate classes, and they can really make their opinion felt, but the general question was put to me, and I was mainly concerning myself with the inarticulate classes. So far as municipalities are concerned, they know how to use their voices.

33038. Do you consider it a proper delegation to grant to Collectors power to impose or alter taxation?—I would not go at once so far; I would be very cautious in those matters.

33039. Then again, it is said that the Local Government should receive objections and consider them; supposing a Local Government was rather anxious to delegate powers, is it not possible that the objections might receive scant consideration?—It is quite possible; there is nothing impossible.

33040. Would you apply the same principle to the criminal law, so that every power might be delegated at the discretion of the Government subject to previous notice? Would you be in favour of allowing Government, by notification and calling for objection, to delegate the powers of superior Courts to Courts below them?—No, that would depend on qualification.

33041. You would differentiate between criminal and revenue law?—To a certain extent I would.

33042. Anything which affects the life and liberty of the subject you consider requires great care and should not be the subject of delegation by executive order?—Yes.

33043. You know something of the work done by village munsiffs and conciliators under the Deccan Agriculturists Act. Do you agree with a witness who said he did not think they did much good?—He is mistaken. I wrote to the Government myself to introduce the Act in Khándesh. It was in force in four districts originally, and that made the fifth into which it was introduced, and, as far as I know, the Conciliators have worked very well, and the official reports of the Special Judge bear testimony to the good work done by them. Of course you will find black sheep in every flock, but that does not condemn the system. One excellent result was that in a very few months the Courts' arrears were gone, and the work diminished considerably, and they were able to devote their attention to more important cases.

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33044. Have these people only got powers as arbitrators?—The village munsiffs have power to decide suits themselves up to Rs. 10. They have a very simple procedure; they keep a register in which they write a few particulars and the decisions and up to Rs. 10 they have power to decide finally, but as far as the Conciliators are concerned, they try to bring the parties together. There is a special section under which they can be invested with power to compel the attendance of defendants who are cited before them, and they try to act as mediators and peace-makers. If they succeed in making peace there is a reference drawn up, or the Conciliator himself writes out the award, it is filed in Court, and then a decree follows in accordance with it.

33045. Can a party withdraw by saying that his assent was obtained to the arbitration under a misapprehension?—Yes. The Court, after it is in possession of the case, inquires into all these things and any party has power to object to the award. Ten days are given for objections and the parties can always come in and say they never referred or that a man is acting *ultra vires*; all objections can be raised.

33046. The village munsiff has power to deal with suits up to Rs. 10; is that only under the Deccan Agriculturists Act?—Yes.

33047. Therefore it is only with reference to agricultural matters?—Yes.

33048. Supposing two men have a squabble as to the ownership of some wood, could the village munsiff deal with that?—I am not quite sure. My own idea is that all suits up to the sum of Rs. 10 can be tried by him.

33049. If he cannot at present, would you allow him that power?—Yes.

33050. What are the cases under section 539 of the Civil Procedure Code of which you speak? What is Act VIII. of 1890?—It is called the Guardians and Wards Act and section 539 is the section which authorizes the District Courts to deal with cases of public trusts, whether religious or charitable.

33051. But they would have to be very petty cases which the panchayats could deal with?—I said their reports might be sent for; I would not give them any power.

33052. Do you consider, generally speaking, that the villages in Bombay, or in those parts which you are familiar with, are factions or not?—I am sorry to say that the villages are growing factious, mainly on account of caste disputes; they know they can always apply to the Courts and fight it out, and their combative instincts are fostered and aggravated by the knowledge that they are able to do so, and in part by pleaders.

33053. In such villages would the panchayats be very much handicapped?—Certainly.

33054. It has also been stated that the villagers in Bombay were allowed to undertake the communal management of grazing grounds, but that they had failed; do you know anything about that?—A great deal. I remember one case which I think is reported in the Indian Law Reports, in which the villagers filed a suit to establish their right to pasturage and fought it up to the High Court and failed, while another case, almost precisely identical, went up to the Privy Council and was successful.

33055. My question was rather directed to the question of management, in which it was stated the villagers had failed?—It does not follow because they have failed in one village therefore they would fail in every village.

33056. You mention section 86 of the Land Revenue Code as a section which aids appeals; what is the section?—Supposing a zamindar has a tenant who owes him rent, he may go to the *mamlatdar* and ask him to get the amount; the *mamlatdar* then sends notice to the other party, hears him, takes evidence and passes a decree.

33057. But why are there so many appeals?—Because the Land Revenue Code itself says an appeal may lie from the decision of the *mamlatdar* to the Assistant Collector, and from the Assistant Collector to the Collector, so that they go on because the Code and the Rules allow it.

33058. May I take it from your experience of the Land Revenue Code that it encourages appeals unnecessarily?—On that point, yes.

33059. And on other points as well?—On other points I do not think it has done much harm; in fact, I believe in the Government case itself, it is said it is mainly under section 86, that they arise.

33060. Do the Government, under the Watan Act, keep in their own hands all dismissals of hereditary village officials?—Yes.

33061. Is that necessary?—I do not think it is necessary in the case of *kulkarnis*; the Collector may well be authorized to dismiss them; at present the Commissioner has the power, but it could be delegated to Collectors.

33062. And as regards the *patel*?—So also with regard to the *patel*.

(*The witness withdrew.*)

Mr. J. GHOSAL, I.C.S., was called and examined.

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33063. (*Chairman.*) You are Officiating Collector of West Khándesh?—Yes.

Delegation is certainly desirable in every grade of revenue administration. Taking the Land Revenue Code and the rules for instance. Under section 42 the *mamlatdar*, who is a responsible *taluka* officer, cannot even give orders as to whether a particular tree which has dried up can be cut, or an overhanging branch of a tree, which causes some inconvenience to traffic, can be lopped. The *mamlatdar* must formally get the Assistant Collector's sanction. Under section 43 the *mamlatdar*, who is actually on the spot and enquires into the matter, cannot be trusted to fix the value of a tree or a branch cut down, but a lengthy correspondence has to be carried on and his superior's orders received. Melon beds are quite common now-a-days. There are trained village officers everywhere, at least circle inspectors, and yet the Assistant Collector has to fix the assessment in each case (section 52). For every appropriation of a few square feet of land to non-agricultural purposes even for a week, the Collector's sanction is necessary and this power cannot be delegated. Annually in this district about 1,000 applications are received for such temporary occupation of small areas for kilns (section 65). Every case of exemption has to be formally sanctioned and notified by Government. There is a *patel* here with 1,000 acres of land, a regular zamindar whose fitness cannot be doubted, yet because he is not a Brahmin or a Baniya by caste, the Collector cannot issue any order himself but must refer the case to Government (section 73A, clause 2). Again for precautionary measures immediate steps are required in urgent cases. Yet the *mamlatdar* cannot give such orders and by the time the proposal is sanctioned by the Sub-Divisional Officer probably it is too late to attach the crop. Then in this district about 800 correspondences are received all at one time by the Sub-Divisional Officers for sanctioning the auction sales of "waste" lands for grazing. He cannot but accept the *mamlatdars* proposals, unless a re-sale be ordered, in which case the season will be over. Yet under the law the formal sanction must be obtained.

Next as to the Watan Act. The *mamlatdar* has to get sanction to the entry of even the eldest son's name as heir. Surely he can be allowed to enter names when there is no dispute, and even then there are sure to be appeals. The number of references under this head is very heavy. Then since the Collector can remove even *awal karkuns* he ought to be able to dismiss a *kulkarni*. There is no danger of the *kulkarni's* prestige suffering thereby; on the other hand the Collector's prestige suffers for want of this power.

As to the Abkári Act, the Collector is unable to sanction the change of site for shops for opium or liquor. Surely the Collector is the best judge. The Collector ought also to decide whether a temporary shop at a fair is to be opened or not.

The Commissioner ought to be given the power to sanction the execution of work costing between Rs. 500 to 2,000, to sanction all temporary appointments over three months, etc. But the question of Commissioners' powers is really above me. As to Collectors, once the budget is sanctioned they ought to be made the controlling authority and so sanction all the re-appropriations, etc.

Certain discretionary funds may be placed with the Collector for petty expenditure under all heads, *e.g.*, for temporary appointments for special purposes under three months (at present the only temporary appointment the Collector can sanction appears to be of a "*potdar*") and for the same purposes for which the discretionary grant is allowed to the Commissioner. Similarly Collectors may be allowed to sanction special allowances, increase of pay to inferior servants, and all unforeseen minor expenditure.

In all branches of administration there ought to be the right of one appeal only. No good purpose is served by the grant of right to too many appeals except weakening the administration. But as in Criminal Law the right after appeal to one revision only by a higher authority may be sanctioned on grounds of (*a*) question of legal interpretation; (*b*) facts discovered subsequent to the decision of the appeal. I am not in favour of requiring a preliminary certificate from the officer whose decision is appealed against, as this practically would mean the authority which decided the case doubting its own decision. Even when the order appealed against is a purely executive one no second revision need be allowed.

In this Presidency, Executive Officers cannot be accused of not having sufficient opportunities for personal contact with the people. Their knowledge of the vernacular is also generally adequate unless an officer who has spent more of his service in the Deccan is suddenly sent to Kanara for instance.

Every revenue office is undermanned. From the Collector's to the *mamlatdar's* office every *karkun* has to work from morning till night, and even then the work would not have been done, if the many so-called *umedwárs* or candidates had not been attached to each office, who in hope of a future permanent appointment through long years of patient waiting worked as hard as any *karkun*, on no pay. The area of charges need not be reduced, but the staff ought surely to be increased.

I have no reason to think transfers too frequent at present.

I cannot suggest any extended powers to be granted at present to the District Local Boards municipalities except that, when to the mutual advantage, they may be allowed to spend funds beyond their jurisdiction. Though village unions at present have ceased to exist, they ought to be revived on the lines of the Local Boards and called Village Boards. Each village, or a group of villages, ought to have a Board of its own, and, say, a quarter of the Local Funds collected in that village or for the group ought to be allowed to each such Board for being spent on the same lines as a *taluka* Local Board. I think every village has a right to a small share for local use of the local funds subscribed by it. I have known of many villages where not a pie has been spent out of local funds yet in the village itself, and the people have a right to grumble. Such Village Boards are the best means of teaching self-administration as well as educating the people generally. A village union will improve the status of the Local Boards.

I do not think Advisory or Administrative Councils are necessary to assist Divisional or District Officers. They are already in close touch with the people, and they have ample means and opportunities of knowing the actual condition and needs of their charge.

Once the village union as suggested by me is thoroughly established a certain amount of petty criminal and civil jurisdiction may be allowed to it. A police *patel* nowadays often makes a very good Magistrate, so to speak, for petty cases, and a Board ought to be able to sit as a Bench. Sanitary matters can also be looked after by the Board. As to education, this is a question of money, and the funds at the disposal of each Board will be so small that education ought as at present to be left to the *taluka* Local Board to consider. Revenue and police matters, too, cannot as yet be entrusted to these village unions.

33064. In your printed notes you set out certain restrictions under which Collectors and acting Collectors work; are those restrictions imposed upon you by the rules of the Local Government?—Most of them are rules framed by the Local Government.

33065. With regard to the appropriation of land for non-agricultural purposes, you have a great number of cases under the Land Revenue Code coming to you?—Yes, because a Collector has to decide them.

33066. Is that again a restriction of the Local Government?—Yes, partly, but partly under the Act too.

33067. To what do you refer when you mention exemptions?—Under the Transfer Act you cannot part with land or sell it or lease it without sanction; you have to get the special sanction of the Government in every case if you want to exempt a person from that tenure.

33068. Do you mean that a man has to obtain leave from the Government in order to sell his land?—There are two kinds of tenure, and if he is regarded as holding land under the new tenure and not under the old, then he must get Government sanction.

33069. What if he holds it under the new tenure?—When a new survey is introduced the whole *taluka* may be notified of all the land being held under the new tenure.

33070. Then can a man sell his land freely?—Under the new tenure he cannot, under the old he can.

33071. Unless apparently he has permission?—Exemptions may be given to special classes under the Act. Government may exempt all classes, but in the district of Khandesh two classes only are exempted. The Collector can sanction a particular transaction, but canot exempt a man generally.

33072. Then you say a great deal of your time is taken up by sanctioning the auction sales of waste lands?—That is so in the Khandesh district.

33073. Is it the case in other districts?—It depends on whether there is much waste; in the Khandesh district there is any amount of waste.

33074. In other districts that you have served in, is much time taken up in dealing with cases regarding the auction sales of waste lands?—No.

33075. Under the Watan Act you mention the obligation of entering the latest owner's name; does that apply to one district or to several districts?—That is general.

33076. Is much of your time taken up by that?—Yes.

33077. How many cases do you get on an average?—The average will be about one thousand a year or something like that—600 to 1,000.

33078. What is a *kulkarni*?—He is the village accountant.

33079. Cannot the Collector remove him?—No, because he is an hereditary officer.

33080. Do all the people speak the same language in the five districts in which you served?—Yes, they are all Marathi.

33081. (*Mr. Meyer.*) There is a proposal of yours as regards making the pay in a Collector's office personal; what do you mean by that?—For all special establishments I suggest that pay should be personal, just as in every other establishment in the Collector's office.

33082. But in a Collector's office you have particular appointments, the pay being regulated by the appointments held?—I refer to the whole district; the pay of all the clerks in a district is practically non-personal.

33083. Was it a matter of Local Fund establishments?—Yes, and other establishments, *e.g.*, process *karkuns*.

33084. You say that the Commissioner now has only power to sanction minor works up to Rs. 500; is

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that really the case? I remember reading somewhere that he has power up to Rs. 2,500; which is the correct statement?—I cannot say definitely.

33085. Had you satisfied yourself when you wrote your statement, that your figure was correct? —I was of that opinion when I wrote it.

33086. Did you consult the codes and regulations, or did you write from your own personal impression?—I must have looked up the rule; if the figure is wrong, I will correct it. I thought he had power up to Rs. 500 only.

33087. You make a reference to the forbidding of transfer of land granted under the new conditions; have they been largely applied in your district?—Yes, a great deal in Khandesh.

33088. The cultivator you say is not allowed to transfer except with the sanction of the Commissioner or Collector; which is it?—He can get the Collector's sanction.

33089. Does not the present power of exemption rest with the Government?—Yes, for changing a tenure.

33090. Supposing a man wanted to sell his land to a Baniya, would he have to get the sanction of Government?—No, the Collector's sanction would be enough.

33091. What do you want relaxed?—If a notification is issued in a district, and a man says: "I have 500 survey numbers which I cannot manage; I want to hold these lands under the old tenure, so that I shall not be bothered in each case," it cannot be done by the Collector, because each case requires special sanction, so to speak.

33092. If you transfer from the new to the old tenure, are you not defeating the object of the law?—It depends on whether a man is capable of looking after his own interests; that is the whole thing.

33093. You propose giving power to the Collector to take action under the Land Acquisition Act; is that a power which can be safely left to a Collector?—Yes.

33094. Might there not be cases of people objecting to land being taken over?—Those objections will be heard by the Collector just the same as by anyone else.

33095. Is he to be the final authority? Suppose the case of land belonging to a *math*, or some religious body, might there not be some commotion if the Collector took it up?—The Collector would be the best person to judge whether it was desirable or not.

33096. Then you say the Collector should have power to remit irrecoverable arrears; but suppose a case of a Collector who had not worried about collecting money in his district and whose arrears were large, would it not be a convenient way of making them smaller if he had power to declare them irrecoverable?—Then he would not be fit to be a Collector.

33097. But there is that possible danger?—You might find such an exceptional officer certainly.

33098. Might it not be better in the case of arrears which have not been recovered that you should refer to a superior authority such as the Commissioner?—But after all, these arrears come for orders to the Collector after they have been through the Assistant Collector and the *mamlatdar*. They have thus been through two checks before.

33099. Are you President of any municipality? —Yes, of Dhulia, Khandesh.

33100. Is there any discrimination as to which municipalities are presided over by the Collector and which by the Sub-Divisional Officer? A Sub-Divisional Officer told us to-day that they were Presidents of a variety of municipalities?—They are generally Presidents only of the *taluka* municipalities; if there is a headquarter municipality and a large town, the Collector is Chairman.

33101. Is he Chairman by election or *ex-officio*? —*Ex-officio*.

33102. Then as a rule your municipalities are not allowed to elect their own Chairmen?—Yes, the Chairmen of the Managing Committees, but not Presidents.

33103. Might they be allowed to elect their own Presidents?—Yes, in individual cases, but a hard and fast rule cannot be laid down.

33104. Are they allowed to elect Vice-Presidents?—Yes.

33105. Do the Vice-Presidents as a matter of fact do the bulk of the work?—I think so, because if they find a man more or less suitable for it they elect him, otherwise some Government officer is appointed Vice-President, if no one else is keen on it.

33106. Is the Vice-President of your district a non-official?—Yes.

33107. Does he do much of the work?—Yes; the man before him, who has lately died, used to do a lot of work.

33108. You have heard the statements made by previous witnesses as to the way in which the District Boards paid for a lot of work which they did not really control in the matter of larger roads, education, dispensaries, and vaccination; do you think that is a good system?—I do not think District Boards mind at all. They must have a larger staff to do it all, and the question is whether they can get a staff of their own, or whether it is not better to have a staff for the whole Presidency.

33109. Supposing they had the money, would it be better if they had their own engineer to look after their roads for them?—Yes, if there is sufficient money to pay for an expert engineer.

33110. Might it not be a convenient form of assistance, possibly, for Government to give them a District Board Engineer as their own servant?—Yes, it is a question of finance only; their own engineers would do the work very well.

33111. Under the present system might not the Government possibly refrain from charging a percentage on all the works executed by the Public Works Engineer for them?—That again is a question of finance.

33112. Supposing the Government found it desirable to give some assistance to the District Boards, might that not be a convenient form in which to do it?—Yes, and it would be very welcome.

33113. Are you in accord with the other witnesses who say that these bodies do not take very much interest in their work?—My experience is that District Boards to a certain extent do, but Local Boards do not.

33114. Is not the reason for that that Local Boards have very little power and very little money?—It is a question of very little money, I think, because there are hardly any works going on in most places.

33115. Might you not give larger power to the Local Boards and give them a share of the Land Cess?—What would be the effect?—They would have more work; that is all.

33116. It might interest them more if they had something really to do?—I suppose if there are a large number of works to supervise and so on it would, but at present they do not take any interest because there are hardly any works to supervise.

33117. Because the District Board has not given them much power?—Yes. They have taken away education altogether, and the only works to be done are practically to look after a few roads and wells. I do not know very well how a District Board could give them larger powers.

33118. (*Sir Steyning Edgerley.*) When you said you were *ex-officio* President of the municipality, did you mean *ex-officio* or did you mean nominated? —Nominated by Government

33119. Would not the Act permit of a non-official Chairman if Government chose to authorise it?—Yes.

33120. You refer to contract contingencies, but are there not other contingencies?—Yes.

33121. Does the system of contingencies give very much trouble?—A certain amount.

33122. Would it be simpler to have the whole thing under contract and do away with the other two kinds?—Yes, it would.

33123. Then with regard to appeals you do not favour the suggestion that a certificate might be required in reference to them and you suggest that it would indicate that the authority which had decided a case doubted its own decision. Would it not depend on the nature of the certificate? Suppose a certificate was given by the first Appellate Court simply stating that the facts were quite clear, but that there was a principle involved, or that there was not, it would not suggest any such doubt?—No.

33124. In a great many cases there is no principle involved, but the question is a mere question of fact?—Yes.

33125. In such cases after one appeal would not a certificate by the first Appellate Court stop further appeals?—Yes; I think the smaller the number of appeals the better.

33126. Are the *mamlatdars'* offices very seriously undermanned?—Yes.

33127. You think that it is really practicable to try to resuscitate village institutions in Khandesh?—I think so, but there must be funds for the purpose. A special cess may be levied.

33128. It would cost a good deal of money and details would have to be considered?—Yes.

33129. (*Sir Frederic Lely.*) Have Assistant Collectors to examine boundary marks in every village they visit?—Yes, as many as they can. There are no hard and fast rules. An Assistant Collector has to inspect villages, and he has to check as many marks as he can.

33130. Is he employed on that work say every other day in the week, or can you give any idea as to what proportion of his time is occupied?—Lately his work is less in that direction, because every village is not done every year.

33131. Ordinarily does an Assistant Collector spend a morning every other day in the week in the work?—He had to till lately, but he does not spend quite so much time now.

33132. Could not that work be done just as well by a man at Rs. 200 a month?—It is a question of the principle of supervision.

33133. Is not touring becoming every year more difficult in consequence of the difficulty in getting carts and various wants supplied?—Yes, to a certain extent.

33134. During the last 10 years has it become more difficult to get carriage and supplies?—In each district the conditions are different.

33135. Can you make any general statement on the point?—No.

33136. Do the demands of the various touring officers bear hardly on the people?—I do not see why they should.

33137. If a man wants his cart for something else, is it not a hardship to have to send it to carry the District Officer's tent and so on?—There are only a few carts wanted, and there are plenty of them in villages as a rule, unless one carries a very large camp.

33138. Can a municipality close a school if it considers that it is in a quarter of the town where it is not wanted?—Yes, but they are generally threatened with a less subsidy in future.

33139. And it has a certain amount of power?—Yes, in educational matters generally.

33140. Does the subsidy depend on the expenditure of a municipality?—Yes.

33141. And it would follow, as a matter of course, if a school was closed the grant for it would cease. Is there any special compulsion?—There is no special compulsion on them to spend so much.

33142. Are the clerks in a *mamlatdar's* office efficient or inefficient as a rule?—Considering everything, they are very efficient.

33143. Are they fairly paid?—No, they are rather underpaid.

33144. In every *mamlatdar's* office is there a large number of candidates without whose assistance the work could not be done?—Yes.

33145. What is the number of candidates who would be attached to an ordinary *mamlatdar's* office?—About four.

33146. Who receive no pay at all?—No, except what they get from copying fees.

33147. Otherwise are they expected to assist in the work of the office?—Yes.

33148. What is the quality of the work of a *kulkarni*?—It is very good really, except that they shirk fieldwork.

33149. (*Mr. Dutt.*) Might District Boards also take primary education entirely into their own hands?—Yes, there is no harm in that.

33150. Is it possible that they might make primary education a little more popular and get a little more public co-operation if they took it into their own hands?—It is quite possible.

33151. You have supplied a list of something like 14 instances in which you think power could be delegated, under the Bombay Land Revenue Code; is it within the power of the Bombay Government to modify the Code and make delegations if these delegations are thought necessary. Could they not bring in an amending Act?—Yes, they could do that.

33152. And could they not themselves also amend the rules?—There is no sanction of any higher authority necessary to make these delegations, except in so far as all Acts passed have to be sanctioned by the Government of India?—Quite so.

33153. You say the power to sanction expenditure of funds outside the local area should be vested in the Collector. Are not such cases very rare?—They are not very common.

33154. Is it desirable, as a rule, that the funds of a District Board should be spent outside that district?—For District Boards it does not matter, but for *taluka* Boards I think it is necessary, because they more often have common objects on which to spend money.

33154. *Taluka* Boards within a district get their allotments from the District Board, so that in that case the District Board has complete power to grant to each *taluka* Board any amount it may think necessary, but when it comes to the rare question of spending the funds of one district outside the area of that district, what is the necessity of transferring that power to the Collector?—I suggested that because I had some correspondence at the time on the point.

33156. You think that the power to confer magisterial powers should be given to Commissioners; would it not maintain the prestige of the Judicial Officer himself if he got his powers from Government rather than from a Divisional Commissioner?—I do not know how the public would look upon it. I do not think it matters as long as he has the power.

33157. Have you ever thought of entrusting the management of village schools to the villagers themselves on the condition of their getting a stipend from the District Board or the *taluka* Board?—Special villages would have to be selected; I do not think it would work as a general rule.

33158. (*Mr. Hichens.*) Is the *taluka* Board area the same as the administrative *taluka* area?—Yes.

33159. So that there are the same number of *taluka* Boards as there are *talukas*?—Yes.

33160. Have you been President of a municipality?—Yes.

33161. What was the population of it?—About 40,000.

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33162. Would you call that a comparatively large municipality?—Yes.

33163. Is an assessment rate collected, or how do they get their funds?—There are taxes. The principal tax is the house tax. It is fixed according to each municipality; each municipality fixes its own rate. It has to be finally approved by Government.

33164. Is there no maximum laid down by the law?—I do not think so.

33165. Then can you collect as much as you please, subject to the approval of Government?—Yes, provided of course the municipality first proposes and approves.

33166. What does the contract allowance of a Collector include?—At present only minor things for contingencies such as clothing and things for the peons.

33167. In some cases the Collector cannot spend the budget provision with regard to certain items without getting first of all the sanction of a higher authority?—Yes, but only on restricted heads.

33168. And your suggestion is, that once provision has been made in the budget, he should be allowed to spend it at his own discretion?—Yes.

33169. (*Chairman.*) Are you a native of Bombay?—No, I come from Bengal.

33170. What language do you speak?—Marathi here.

33171. Did you have to pass an examination in Marathi when you came to Bombay?—Yes, in Marathi and Hindustani.

33172. If you were moved up to Sind, would you be conversant with the language spoken there?—I have just been transferred to Surat and I do not know the language at all.

33173. Do you then find any difficulty in getting into touch with the people of standing and position in Surat?—No, I do not think so.

33174. How are you able to converse with them?—I have met a lot of people up to the present who can understand Hindustani and I speak in that language to them.

33175. Have you difficulty in conversing with people except those who understand Hindustani?—I generally find that most of them understand Marathi, but I have sometimes to get an interpreter.

33176. Is there any insuperable difficulty on the part of officials like yourself in getting into intimate relationship with the people of a district?—I do not think so, it all depends on whether one has time.

33177. It does not depend on creed or race?—I do not think so, one can always get into touch with them, but it all depends on whether one has time.

33178. Are the social customs, and manners, and etiquette in Surat in any way different from those in Khandesh?—I am afraid as I have only just arrived there, I cannot say whether there is much difference or not.

33179. Do you expect to find any difference?—Yes, from what I have heard.

33180. Will it be a matter of some little difficulty, for you to master them?—It will take me some time I suppose.

(*The witness withdrew.*)

Mr. A. M. T. JACKSON, I.C.S., was called and examined.

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33181. (*Chairman.*) You have been in the Secretariat of the Bombay Government?—Yes. Roughly speaking, I was about six years in the Secretariat or on special duty out of my 20 years' service. I am now Collector of Násik.

Subject to the maintenance of a fixed minimum balance, the Local Governments should be free to prepare their budgets without reference to the Government of India. The budget should be brought before the Legislative Council before the beginning of the financial year, and public criticism would then take the place of the control now exercised by the Government of India and the Secretary of State. In the case of shared heads of revenue the management and financial control should be left to Local Governments, except in matters where uniformity is necessary, *e.g.*, exemptions from stamp duty, and the rate of income-tax. Even in the case of imperial receipts such as customs, opium (export) and salt, the management and financial control should be similarly left to Local Governments, who should hand over the net receipts, subject only to imperial control in such matters as exemptions from customs duty, the rate of opium pass-fee, and the rate of salt duty.

I am not in favour of giving borrowing powers to Local Governments. It would not be convenient for them to compete against each other for loans, and some of them could not borrow so cheaply as the Government of India.

I would give to the provincial Governments full powers as regards new appointments and enhancement of salaries, except in the case of Services recruited in Europe, for which the sanction of the Secretary of State should be obtained. The general conditions of service embodied in the Civil Service Regulations should continue to be laid down by the Government of India, but the sanction to special cases required by Articles 72, 74, 76, 79, 422, 423, 739 and 740 should be given in future by Local Governments and not by the Government of India. The Accountant-General's power to insist upon the reference of doubtful points to the Government of India under Article 291, Civil Account Code, is one great cause of the increased stringency of imperial control.

There are various matters in which restrictions imposed on Local Governments by law can be relaxed with advantage, but these restrictions are not so serious as those arising from financial or administrative interference. Delegation in the case of such legislative restrictions should be specific, because in many cases the sanction or control of the Government of India has been substituted for that of the Local Government during discussions in the Legislative Council, in order to satisfy Indian opinion by making the use of the power more difficult.

The influence of the departments of the Government of India tends very strongly to excessive rigidity and uniformity. This arises from the itch to interfere in details, and the remedy is that the burden of proof in any case of interference should rest upon the Government of India.

The Imperial Secretariat considers matters too much from a purely departmental standpoint, in so far as it prefers the course which makes its own work easier without regard to the needs and convenience of those outside the office. This is one reason for the attempt to enforce uniformity on Local Governments. For instance, a few years ago a revised form of the rules under the Arms Act was circulated. It was drawn up in a way to suit the work of the Simla Secretariat, while it made it more rather than less difficult for the District Officer or the trader at a Presidency Town to pick out the orders referring to his particular business. Similarly the new edition of the Imperial Gazetteer, which has thrown very heavy work on the Local Governments, will be of little use to anyone outside the Simla Secretariat or the India Office. The Government of India is in some respects too much dominated by considerations of revenue—for instance, in the orders recently passed on the report of the Excise Committee.

In departments administered by Local Governments, Imperial Inspectors or Directors-General do more harm than good.

In recent years the Government of India has been very active in pressing changes upon the Local Governments, but so far as this Presidency is concerned, many of these measures had either already been anticipated, or were not required by local

conditions. It is only by allowing provincial Governments to develop their administration on their own lines that real progress is possible. One great practical need of the administration is more frequent communication between Local Governments of the results of their experience, but if this takes place through the Government of India it should not take the form of orders from the latter.

It would be politically inexpedient to curtail in set terms the right of appeal to the Government of India, whether by the requirement of a certificate or otherwise. Papers or a report should not be called for unless a *primâ facie* case is made out, and the orders of a Local Government should not be modified except in cases where they are flagrantly wrong. The principle to be applied should be that followed by the High Courts when a Session Judge refuses to accept the verdict of a jury. As far as my experience goes, the number of appeals against orders affecting officers personally to the Government of India is not very large, and I see no need to curtail the right of appeal.

Since the reduction in reports and returns that was effected in 1901-02, a certain number of old returns have been revived and some new ones added, but in my experience the trouble arises not so much from the demands of the Government of India or the Secretary of State as from the right of interpellation in the Legislative Councils, and this cannot well be limited.

In most administrative matters the Collector should have final authority, because he is on the one hand in close touch with the local conditions, and on the other experienced enough to be trusted with wide powers. The control of Government should take the form of inspection and audit rather than, as now in many cases, of previous sanction. The function of the Commissioner should be to carry out this audit and inspection, both personally and with the aid of his office establishment. The present administrative functions of the Commissioner should be delegated to the Collector. Only the Commissioner's present control over the grant for minor works in his division should be maintained, and he should be given further a contract grant for the entertainment of temporary establishments in his division. These powers cannot be delegated to Collectors, because the needs of districts vary so much that it is hard to fix annual grants for so small a unit, whereas it is possible to strike an average for a division.

Rigidity, uniformity and departmentalism are not so marked in the provincial Secretariats, as in the case of the Government of India, but they undoubtedly do exist. There is specially a tendency to listen too readily to the specialist Heads of Departments as against the District Officer. This is particularly the case with Secretariat Officers who have no recent district experience. One remedy would be a limitation of the tenure of Secretariat offices such as has been adopted by the Government of India, but exists here only for Under-Secretaryships. There is certainly at times a tendency to regard questions too much from a narrow financial standpoint, but things are not so bad in this respect now as they were seven or eight years ago. It is largely a question of the *personnel* of the Financial Department.

Executive Officers have not sufficient opportunities for personal contact with the people, though the Bombay Presidency is better off than most provinces in having a touring season of seven months. The burden of office work is so heavy that a slow worker cannot find time for interviews as well. On the other hand, in many districts it is perfectly possible for a quick worker to get through his office work as well as to see a good deal of the people. So far as the quantity of work is an obstacle to intercourse, the remedy lies in an extension of the system of personal assistants. Apart from the burden of work, some officers are somewhat impatient of forms and ceremonies and do not show sufficient consideration for the feeling of visitors. This is a question partly of temperament and partly of training. Collectors do not always take sufficient trouble in the training of their junior Assistants.

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As regards knowledge of the vernaculars I think most men, except those few who are constitutionally incapable of learning languages acquire a good working knowledge of the language of the district in which they spend the first years of their service. But later in life it is not so easy to learn a new language thoroughly. I think sufficient heed is not always paid to this in arranging transfers of officers. I think also that the higher study of the vernacular could be encouraged by changing the books prescribed for the higher proficiency and Degree of Honour Standards, which at present really require a considerable knowledge of Sanskrit as well as of the vernacular.

Each Collector should, I think, have a personal assistant of Gazetted rank and some *talukas* require an extra head *karkun*, but no general increase of staff or reduction in area is required at present.

Both Collectors and Commissioners should be appointed by selection. This was laid down by the Bombay Government many years ago, but the rule is seldom acted upon. Government do not at present really know the men well enough to select the best. The Members of Council might well go on short tours every time the seat of Government is changed, in order to make themselves acquainted with the officers and non-officials of several districts each year.

Transfers of men in the junior grades are sometimes needlessly made; but this is not so often the case with senior men. There is a tendency to leave the filling of a vacancy till the last possible moment, and enough care is not taken to make one man's leave fit in with another's return to duty.

There is a tendency in the Police, Registration, Medical and other Departments to take the control of the district staff of these departments out of the hands of the District Officer. The effect of this on the *morale* of the departments is very bad, and it should be checked by restoring the District Officers' control.

I do not think any demand for greater powers is put forward by the local authorities of the Presidency Town. As to district municipalities and Local Boards I do not think it would be possible to transfer to them any of the services that are now performed by Government departments. The income of these bodies is inelastic, and many of them already have a hard struggle to meet the cost of their obligatory duties. If the principle of representation by communities were applied, it might be possible to allow all the members to be elected except those who are at present *ex officio*. The Commissioner's sanction to certain contracts might be dispensed with, and Government control in a few more details might be relaxed, but the Government audit of accounts and such of the provisions of Chapter XII. of the Bombay District Municipal Act as are based upon English precedent must be retained. As regards control the position of District Boards is much the same as that of municipalities, the only additional restriction in the case of the former being the obligation of having certain of their works carried out by the Government Engineer. As few Boards can afford to keep a competent engineering staff of their own, this restriction is rather an advantage than otherwise. *Taluka* Boards are subject to the same law as District Boards, and the same remarks apply to them.

I am in favour of Advisory but not of Administrative Councils, for districts but not for divisions. The Commissioner does not need an Advisory Council, and in any case a Divisional Council would be drawn from too wide an area to be really useful. Administrative Councils I should regard as a great mistake. The first condition of good government in India is that there should be no division of responsibility in the District Executive. For District Advisory Councils I favour as elastic a constitution as possible, without any fixed number of members, and any one whom the Collector summons should be entitled to attend. What I contemplate is the periodical meeting in public *darbar* of the notables of the district. I am carrying out an experiment on these lines in my own district at present with very satisfactory results. The Councils should have no formal

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constitution and should be consulted on any subject the Collector thinks fit, and should also be free to represent public grievances.

Nothing is to be gained by investing District Local Boards with powers of control over municipalities. So far as such bodies are controlled at all, the control should be exercised by Government.

There will be great difficulties in the way of reviving the village communities in this Presidency, because the habit of joint action has been lost for several generations and the villages are very commonly rent by factions. But I should like to see the experiment of revival tried by degrees in a few villages at a time. The village panch would have to be nominated by the Collector, and thereafter left to renew itself by co-optation. There is no room in our system for granting revenue or police powers to the panch, but such matters as grazing lands, repair of tanks, and the care of village schools and the well might be entrusted to them. The punishment of offences against both sanitary and other laws is better entrusted to the police *patel*. But the panch might have the care of minors' estates which are not important enough for the Collector to take charge of. For the settlement of civil suits it might be possible to make use of the panch as a Court of Arbitration, whose decision should be filed in the Civil Court. But it would be necessary to prohibit recourse to the Civil Court until a certificate from the panch be produced showing that they had failed to settle the case. Otherwise the panch will get little arbitration work to do.

33182. You have been Private Secretary to the Government of Bombay, and as such you had a good deal to do with the appointments and transference of officers to the Secretariat?—Yes, some vacancies occurred during my time.

33183. What are the rules, if any, which govern the existing appointments to the Secretariat?—The only rule that is actually laid down is that Under-Secretaries should not hold their appointments more than three years. At the end of three years Government may re-appoint them if it chooses to do so, or send them elsewhere.

33184. What is the practice?—The practice is in conformity with the rule so far as Under-Secretaries are concerned, but in some cases men have been allowed to retain a lien on the old appointment while holding another.

33185. Is there any rule about officers who are not Under-Secretaries returning to district work?—No.

33186. Was it practically the case that when a man got into the Secretariat he remained there for a considerable period?—It was generally the case.

33187. Is that a good arrangement?—No.

33188. Should a rule be laid down that a man after a certain number of years in the Secretariat, no matter what his position, should return to district work?—Yes, there should be a rule on the subject, but very minute rules might mean confusion. Government should have the opportunity of saying whether he returns or not.

33189. Has not Government got that at present?—Technically it has, but a man is never removed really unless he proves inefficient.

33190. Might it not be better to limit Government?—I would limit only to the extent that when the appointment is held for a definite period Government at the end of it might decide whether to retain a man or return him to his district. It might be that if the man had to return to the district after a certain number of years in the Secretariat inconvenience would be caused to the work.

33191. Does not the practice which you say is desirable obtain at the present moment?—No. There is no limitation in the Bombay Government except as regards the Under-Secretary.

33192. You would not say that after a man has filled his three years in the Secretariat he should *ipso facto* be returned to district work?—I would not make it an absolute rule, because in exceptional cases that might be inconvenient; but as a general rule that should be understood.

33193. What is the size of the Násik district?—About 8,000 square miles.

33194. Is that too large a charge for an officer in the position of a Collector?—No, I do not think so.

33195. How long would it take you to get round the whole district?—I shall have to be travelling round till the end of May.

33196. Practically it will take you six or eight months to travel round your district?—What causes the difficulty is that one has to come into headquarters periodically to hear appeals and so on. It is therefore a case of travelling for three weeks or so and coming in again.

33197. How long ought an officer to remain in a district?—It is difficult to lay down any general rule. I should say that the longer he remains, up to five years, the better.

33198. A witness suggested a minimum of three years and a maximum of five; do you agree?—It would be a mistake to lay down too strict rules of that sort. It might always cause difficulties in practice; but the principle is a sound one.

33199. Is there any practice by which officers are selected for the position of Collector?—Theoretically there is, but practically there is not.

33200. Is there any selection of Comissioners?—There again there is, theoretically, and to some extent practically also.

33201. Should there be selection either in the case of Collectors or Commissioners?—It is very necessary in both cases.

33202. Is there a period of probation for Civilians when first appointed to the Service after coming to this country?—A man's first year when he comes out here is generally spent in learning the law and the language and passing examinations, and you cannot really test his efficiency as an officer until he has an office of his own.

33203. Should the first five years of an officer's service be considered as probationary service?—That might be advantageous in giving Government an opportunity of getting rid of an unsuitable man at the end of that time.

33204. Then after that time selection should be enforced?—Selection should certainly be enforced.

33205. Can you as Collector post or transfer any of your subordinates?—I can transfer all clerks.

33206. But not post them?—I can post them in all the departments under me.

33207. Can you post Assistant or Deputy Collectors?—I can put them in charge of a particular division of the district.

33208. That is when they have once been posted to your Collectorate you can give them such territorial charge as you think fit?—Yes.

33209. Can you transfer a *mamlatdar* from one *taluka* to another *taluka*?—No.

33210. Can you transfer the *mamlatdar's* subordinates?—Yes.

33211. Would it be well to have the power to move your Deputy Collectors?—I have the power of moving them from one sub-division to another. I have three sub-divisions, and I can place any Deputy Collector or Assistant Collector who is put at my disposal in charge of any sub-division or move him from one to another.

33212. Is that worth while?—It is sometimes useful.

33213. The *mamlatdars* are appointed by the Commissioner, not for the province, but for the division; is that satisfactory?—My principle would be to put them on a time scale of pay and leave it to the Collector to say whether a man should get the increase to which he has a claim or not. I would do away with the Commissioner's control

over the appointment of *mamlatdars*. I would leave that to the Collector.

33214. Can you remit revenue?—I can remit small amounts in certain cases, but the main revenue remissions have to be submitted to Government as a rule.

33215. Does your decision extend to remission in the case of the failure of crops?—I have not power as regards the failure of crops. I have in cases of losses arising from floods and fire. That is in particular cases.

33216. Does the power work well on the whole?—Yes.

33217. (*Mr. Dutt.*) If delegations of powers are to be made, do you propose to accomplish them by amending Acts?—By specific Acts.

33218. You do not approve of the idea of a general Act of Delegation?—I do not regard it as desirable that the Commissioner should be an Administrative Officer at all so far as that can be obviated. I would make him purely an inspecting officer; and therefore the necessity for delegating general powers to him would hardly arise.

33219. You think that so far as this Government is concerned, the appointments of Directors and Inspectors-General have not been of any special good for this province?—That is my impression.

33220. Is there any need to restrict the existing rights of appeal either in personal or administrative matters?—I would not restrict in set terms the right of appeal.

33221. How many sub-divisions are there in your district?—Three.

33222. Can you vary those charges on your own authority?—Yes.

33223. In certain other provinces, in Bengal and Madras, for instance, the territorial limits of sub-divisions are fixed by Government permanently, and the Sub-Divisional Officer has to reside within his sub-division all through the year. What would be your opinion of that system as compared with the system in Bombay?—The limits of my sub-divisions are also fixed. That is to say certain *talukas* come together, and, if I wish to transfer one *taluka* from one sub-division to another, I would have to have it sanctioned by the Commissioner and have to go to Government, except so far as magisterial powers are concerned.

33224. But in Bengal the limits of the sub-division are fixed and they cannot be altered without the sanction of the Government. Would you recommend that system for this province?—I do not see any particular advantage in it. In practice the limits are fixed by us, only it is done with the Commissioner's sanction.

33225. Would you have the Sub-Divisional Officer reside within his sub-division?—I should not, because a man living by himself without anyone of his own rank to associate with is liable to become narrow. It is not good for him or for his work. These officers benefit by coming into headquarters.

33226. Do you not have here Subordinate Judges, Deputy Collectors and Munsifs in sub-divisions?—There are Subordinate Judges in a certain number of sub-divisions.

33227. Would a Deputy Collector feel lonely if he was living in his sub-division?—He gets a larger society in the headquarters; and if he was by himself in his sub-division he would be more or less above his associates. It would be better for him to see more of people who are more on a level with him.

33228. Is it no inconvenience to the people to have to come up to the district headquarters in the monsoon to present a petition to the Sub-Divisional Officer?—That depends upon the district communications. There are some districts in which it is very difficult: there are others, on the other hand, in which it is quite easy for a man to come in.

33229. And with regard to criminal cases which the Sub-Divisional Officer tries himself, is it any inconvenience for the parties to follow him about from place to place?—Undoubtedly in some cases. But if a Sub-Divisional Officer pays proper attention to the subject he will suit their convenience as much as possible. However, people often prefer to have their cases tried at headquarters, because they get better legal advice there.

33230. You are Chairman of the District Board; what is the income of the Board?—Approximately two lakhs. We give only about from Rs. 2,000 to Rs. 3,000 to each *taluka* Board in the year.

33231. So far as education is concerned, do you hand over the money to the Education Department?—It is handed over to the district deputy inspector and he administers it.

33232. Would it be an improvement if the District Board took over the management of education itself?—If it is a question of the District Board prescribing the curriculum and providing for the inspection, I doubt whether any District Board is equal to doing that. If it is only a matter of supervising the schoolmasters and transferring them, it might be.

33233. If they had their own inspectors to inspect, they might grant aids, or withdraw aids according to the result of such inspections, and generally they might seek the co-operation of the villages to support the schools on certain monthly aids given by them. Would that make education more popular?—My experience is that education is not unpopular, but that there is not enough money to provide all the schools that the people ask for.

33234. You practically pay the whole expenses of the village school?—The villagers very often provide a house.

33235. And you pay only the teacher's salary? Yes, and for the equipment of the school.

33236. You do not feel that it would be an improvement on the whole if the District Boards took over the management into their own hands?—I doubt whether it would be feasible for the District Boards to fix the curriculum. I do not think it is even possible in England.

33237. But it might be possible for the District Boards to introduce modifications to suit local requirements?—Yes, they might have a greater control.

33238. Would it be an improvement if you had a District Engineer paid by the District Board to carry out all your works?—At present the District Board cannot afford to keep a District Engineer. About 35 years ago the District Boards had Engineers of their own, but the system was given up because it was found too expensive.

33239. But with incomes such as you have of nearly two lakhs of rupees, would it be impossible to employ an Engineer on Rs. 500 a month?—We have trouble to make ends meet now.

33240. (*Mr. Hichens.*) Can you make any suggestion as to how the funds of District Boards can be increased?—I can think of no way except by assistance from Government.

33241. You could not do it by having the cess increased?—No.

33242. You could not do it by bazaar or market dues?—I do not think any appreciable revenue can be got from that.

33243. Why is it impossible to increase the cess?—It would be impossible without further legislation. The cess is imposed at present under an Act of the Bombay Government.

33244. Is sufficient attention paid to the training of the young officers in the Indian Civil Service?—There is room for improvement. At present the men are posted to districts and attached to particular Collectors. Some Collectors take more interest than others in training them, and in some cases they do not get sufficient attention.

33245. It depends very much upon the individuality of the Collector?—Yes. I do not know that I could suggest any actual change of system. Government might perhaps pay more attention to the idiosyncracies of the Collector than to the

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pleasantness of the station in choosing a place to send a young man to.

33246. Is the initial training sufficiently wide?—There again the Collector's taste comes in. There is room for a good deal more interest in the customs of the people, for instance. To make a study of those would be a very valuable addition to a young man's training.

33247. Matters of that sort can really only be learned quickly through conversation and discussion with the Collector and other officers?—It can also be learned to some extent from books and followed up afterwards by personal discussion.

33248. Are such books available?—The "Bombay District Gazetteers"—most of them—are very full on the subject of popular customs and castes.

33249. As soon as a junior officer has passed his examination is he put down to do magisterial work only for the next five years?—I have never met with such a case. With us he has always a revenue as well as a magisterial charge.

33250. Would you say it was desirable, sometimes, at any rate, to send junior officers to other provinces in order to get some experience there?—I do not know whether it would be worth while merely for that reason, because it would be very doubtful whether the experience so acquired would be of use to a man. It would be a matter of chance whether he would be in a position where that experience would be of use to him. I doubt whether that would be advantageous as a system.

33251. You think it would not be worth the expenditure, perhaps?—I do not know that it would be especially expensive. The thing might be done, although it might not prove satisfactory.

33252. At any rate, you would not favour a system of transferring officers from one province to another in order to widen their experience?—The idea never occurred to me. I do not feel in a position to give an opinion. I can see that it might be useful, and I can also see certain objections.

33253. You would go so far as to say that considerable attention should be paid to the earlier training of junior officials, and that their training should be a wide one?—Yes.

33254. You consider that Commissioners should be Inspecting and not Executive Officers?—Yes, principally.

33255. Is that on the ground that if a man is carrying out work himself it is very difficult for him to criticise other people?—No. It is not so much for that reason as that the devolution should be carried as far as possible, and the last possible is in the case of the Collector, except as regards some details. We should get public opinion to bear as much as possible on the Local Government Officers. People in the district can get at the Collector, but they cannot get at the Commissioner or the Government except on paper. What they want is personal contact.

33256. You do not think that the inspection could be better done from headquarters by a Board of Revenue or by an increased number of Members of Council?—It is desirable that the Members of Council should tour also, but of course it is impossible for them to tour for such a length of time or over such an area as the Commissioners can.

33257. (*Mr. Meyer.*) Would not a Board of Revenue give you what you desire? You would have Collectors bigger men than they are, and the members of the Board controlling and dealing each with his own particular subject?—I have no personal experience of the working of a Board of Revenue, but my impression is that a good deal of the work would be done twice over—once in the Board's office and again in the Secretariat. Another objection is that it is very important that the Commissioners, whether they are formed into a Board of Revenue or not, should not be allowed to become a barrier between Government and the Collectors.

33258. But would it not be desirable to have a body able to stand up to Government and say that it seemed to be going wrong?—I have known Commissioners to have the courage of their own opinions enough to do that. Personally, I should rely upon the careful selection of Commissioners to get over that difficulty.

33259. Then there has been another alternative suggested—that of converting the Commissioner into a sort of Sub-Governor?—To a limited extent, he is that already.

33260. The proposal includes the control of a portion of the Public Works budget, the posting of civilians within their divisions, the investing with magisterial powers, and the making Commissioners administrative entities of a higher character than they are now?—I should not be in favour of that except to some extent in Sind, because the divisions are much too large for the Commissioner to have an actual personal knowledge of the local conditions of the whole division.

33261. Is your division in Bombay larger than in Sind?—The area in Sind is larger, but the conditions are more homogeneous.

33262. Suppose you had more Commissioners, how would that do?—That, of course, is a possible solution, but it does not seem to be necessary. Devolution of powers to Collectors would be equally efficient and less expensive.

33263. In 1902-03 you submitted certain reports about devolution. Were these accepted?—A fair number of them were accepted, and a good many were rejected.

33264. One was that Government should not retain for itself all powers as to dismissing hereditary village officers?—Yes; Government rejected that.

33265. And did Government reject other measures of a like character which would have accomplished a substantial measure of devolution?—Yes; they rejected a good many of my proposals, but I cannot name specific items.

33266. The Government of 1902 did not work on the same lines as the Government of 1908 in putting power as low down as can be speedily exercised?—I can hardly in a general way describe the attitude of the Government of 1902. They accepted a certain number of my proposals and they rejected others. That is all I can say. I am not the judge of the policy they followed.

33267. You say that the Local Government should prepare their budgets without reference to the Government of India, and that they should also exercise a control over imperial heads. Do you mean that the items under "imperial expenditure" should not go up to the Government of India?—That is what I have suggested. It is done already on a smaller scale as regards various Local Fund items of revenue. There are, no doubt, objections to it, but it is a perfectly workable system. It is done now with the various items handed over to the District Boards.

33268. Customs revenue in this province is a very large matter; do you mean that the Indian Government should accept the Local Government's estimates?—They do it at present. They have only got local information to go upon.

33269. But, in general, if the Government know their surplus may be affected, is it not to their interest to get as accurate an examination of figures as they can?—Yes.

33270. Would you approve of powers to grant pensions being given to the Heads of Departments?—That was one of the proposals I made in 1902—that the power of sanctioning the pension on the certificate of the Accountant-General should be given to the man who appointed the employee.

33271. Regarding imperial control under Article 291 of the Civil Account Code, how is there to be an independent audit otherwise of doubtful points?—It would be a great saving of trouble if these matters were referred first to the Government of India before they were referred to the Local Government.

33272 The object of approaching the Local Government first is surely to give them a chance of

putting their own case in the event of the Accountant-General challenging their action?—The wording of the rule hardly suggests that to me. There are many cases where the reference is purely formal; still, it takes time and gives unnecessary work. And Accountants-General vary very much in their opinions as to the number of points it is necessary to refer to the Government of India.

33273. You say that the Local Government is not so rigid as the Government of India. It was admitted to us yesterday that in matters of remission the Local Government had been rather rigid?—Yes, that is a matter of ancient history.

33274. Was it not about 1900?—Yes.

33275. Well, in those dark times the Government of Bombay was sometimes a bit rigid?—Yes.

33276. (*Sir Steyning Edgerley.*) You say that uniformity is necessary in the rate of the income tax?—I mean as between different provinces.

33277. But why should income tax be the same in Calcutta as in Bombay? What is the necessity?—If the tax was higher in one part of the country than in the other, the capital would flow to that part where the tax was lower.

33278. Calcutta is not nearer Bombay than London is to Paris? Does the distance affect capital?—No; but the channels of communication between the two run very much more freely in this country.

33279. You were in the Secretariat for four or five years; did you ever hear any complaints as to the working of the Sind Delegation Act?—No; so far as I know there never has been any public complaint.

33280. What do you mean by saying that the Commissioner should be engaged in "audit"?—Not in a financial sense. My idea is that the Commissioner should go through a number of cases of all classes decided by each Collector when he visits a district, and form an opinion as to the Collector's efficiency in his work.

33281. You think that he should supervise by checking tendencies rather than by interfering in particular cases?—Yes.

33282. You are in favour of Advisory Councils for districts. Perhaps you mean rather that the Collector, whenever he likes, may call in whom he chooses to consult with?—Except when he makes the meetings public.

33283. And as anybody can at a *darbar*, a man can get up and state a grievance?—That is so.

33284. You say there is no room in our system for granting revenue and police powers to a panchayat. Do you mean you would have to modify the laws?—As regards the police it is a mistake to distribute the duties among a great many people. Even regarding magisterial powers a better decision would be arrived at by one man than by a committee.

33285. Would the decision of one man in a village give as much satisfaction as the decision of two or three if it were final?—It depends, of course, entirely on the man.

33286. Supposing you have a good man, would the people be content with the decision?—I think so.

33287. Then you refer here to an order recently issued as to an experiment in delegating powers. Have you had time to form an opinion as to how it will work?—I cannot say. I only received the list of powers about a fortnight ago from the Commissioner. It is quite possible we may get useful guidance from it.

33288. If you had your system of inspecting Commissioners while Collectors report direct to Government, would that not mean that Government would have to consider 23 or 24 reports instead of three or four? Would there not be some difficulty in considering so many?—If Government thought it necessary to take the opinion of every Collector on every question it might cause difficulty.

33289. There are certain questions on which you must consult every Collector, and through him the people of every district?—Yes; it is highly important that the Government should have the reports of every Collector in such cases.

33290. You do not consider that the Commissioner's summing up and balancing of the reports is of great assistance to the Secretariat, or that the absence of that would make the system unworkable?—I do not think it would be, because I would still allow Government to consult the Commissioners as a committee. I would make them resident in Poona in the rains.

33291. (*Sir Frederic Lely.*) As Private Secretary at one time to the Governor of Bombay you dealt with the appointment and promotion of District Officers?—Yes.

33292. Did a man's knowledge of the language of the district count to him for credit in any way in the eyes of Government?—It was taken account of very often in deciding questions of transfer when it was a matter between two men.

33293. I dare say you are aware there was a saying current some years ago, to the effect that if a man wanted to get from one province to another, it was better for him to sit down and study the language, and that then he was pretty sure to be transferred to a province where the language was not spoken. Was there no ground for that?—Not that I am aware of.

33294. Can you point to any advantage which a man gained in the eyes of Government by mastering the language of his district and becoming able to converse freely with the natives?—Rewards are given for the further study of the vernaculars.

33295. That is in the literary sense?—I cannot say that I know that any weight was given to a knowledge of the language *per se*, but that comes out later in the officer's efficiency.

33296. But was it ever known to Government which of its officers were able to communicate freely with the people and which were not?—There is no distinct record. I know myself as regards several men.

33297. As you might casually discover from your own experience?—Yes; there was no record kept.

33298. Was it a general rule when the head of a district went on three months' leave to put in his place the man on the spot, although he might not be the next on the list for appointment?—Practice in that respect has varied, but it would be generally desirable, especially if the man in question had worked as the Collector's personal assistant. I would not say that the Sub-Divisional Officer should not be put in, but the personal assistant would be often more useful than the Sub-Divisional Officer.

33299. Would you see any objection to extending such a period to six months?—By the time a man reaches Collector's rank he either takes three months' leave or longer than six months'. Taking six months' combined leave is a practice chiefly of junior men of six years' service or so. But if the senior was going away for only six months, I do not see why the man on the spot should not act for him.

33300. Would you see any objection when posting a man to a Collectorate to take from him an undertaking to stay in that district three years, barring any exceptional circumstances, of course—illness or anything of the like?—I doubt if that would work satisfactorily. There are so many contingencies which it is impossible to foresee.

33301. Suppose a six months' Collectorate falls vacant in February, and the next man on the list is intending to apply for leave in July or August, would you put him into that Collectorate or would it be fair to say to him, "You are going on leave so soon, you must wait for your Collectorate until you come back"?—I think that might be done, and, if it was once laid down and well known as a principle, there would be no grumbling; but if it was only applied in one or two cases casually, as a fad of the Government of the moment, it would arouse discontent.

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33302. Cases will sometimes occur where a man holds a special post requiring special experience. He gains that experience, and then a higher paid appointment falls vacant—say, a Collectorship—to which he is entitled to succeed. In exceptional cases such as that might he be retained in the special post and given a special allowance to make up for the loss of his promotion?—Yes; in special cases that might be done.

33303. Would you also lay down that no Acting Collector on returning from leave would have the right to eject another, even although junior to him, both being Acting?—As far as I know that does not happen at present.

33304. Supposing they were both Acting Collectors—that there is one Collectorate vacant, and that the man coming from leave is the senior man, he has no right to eject the other man, although he may be the junior?—I do not quite understand whether the junior man of the two would be entitled still to a district elsewhere.

33305. There is no vacant district elsewhere. One or the other must go out into the cold shade of an assistantship for some time?—I do not think it is possible to lay down a general rule.

33306. The question simply is whether familiarity with the district or seniority should be considered?—If, for instance, the position of the senior man of the two was such that he was likely to remain an Acting Collector for a long time, it would be unfair to keep him out. If it was only a matter of a few months the junior man could be kept on.

33307. You would say to the man who has just come from leave, "At present we cannot disturb this other man. You must wait"?—It is generally possible for the Government to make a fair calculation of the possibilities, especially in the case of only two men. When one man is much senior to the other it is possible for Government to calculate. I should not see any objection to making the man returned from leave wait for a few months.

33308. Are the *mamlatdars'* offices well staffed in numbers and qualifications?—As a general rule they are not understaffed, but they are underpaid and the present promotion rules are a great obstacle in the way of efficiency.

33309. What is your opinion regarding the entertainment of candidates for employment attached to every office?—It would certainly be a better system, if it was financially possible to make them paid probationers.

33310. But does not the employment of these candidates imply that the office is undermanned in the matter of numbers?—I do not say that in a general way. It is so in some cases.

33311. But the great thing is that they are underpaid?—Yes, and that the promotion rules do not give them sufficient interest in their work.

33312. What is your opinion of the village staff?—In my experience they are not at all satisfactory, very largely because their tenure of office is too short. A man is appointed for five years and then he may not get nomination for another term. Consequently, these men have very little inducement to qualify themselves by passing the tests required of them; also they are underpaid.

33313. Do you consider them corrupt?—In many cases they are so, as the result of the temporary tenure very largely. They serve for only five years and make the most they can.

33314. That is under the provisions of the Watan Act?—Yes.

(*The witness withdrew.*)

Mr. G. CARMICHAEL, I.C.S., was called and examined.

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(*Chairman.*) The sphere of the Inspectors-General under the Government of India should be confined as far as local matters are concerned, to giving advice when asked for it by the Local Government. The Chief Inspector of Explosives is in a special position as compared with the others and has more power of direct action. But his want of knowledge of local conditions has led to much vain correspondence and delay in the past. It was with great difficulty that the power to authorise possession of blasting powder for the construction of irrigation wells was conceded to *mamlatdars*, though in the Deccan no well can be made without blasting. The regulations as to the maximum weight in licences for possession of fireworks are unworkable. Recently in connection with a licence for bulk oil installation the Chief Inspector of Explosives recommended refusal on grounds based on a complete error of fact.

The demand for periodical returns has not increased in recent years. There has been an increase in the number of calls for special information chiefly on account of the various projects for reform that have been under consideration. A return which gives considerable work and is of no importance in this province is that of revenue free grants, which might well be cut out.

The powers of the Collector have been extended in recent years particularly with regard to the suspension and remission of revenue in years of bad harvest and I do not advocate further extension except in some minor matters where delegation would save time and work.

I am not in favour of restricting the right of appeal to Government. To do away with it would be felt as a grievance as the right of appealing to the highest authority has always existed in this country. If the preliminary stages of the case in which an appeal is made have been properly conducted the extra work involved in connection with an appeal to Government is inconsiderable in comparison with the advantage to be gained by maintaining the right. In certain classes of cases a saving of time might be secured by cutting out one of the intermediate stages of appeal, *e.g.*, by combining the work in the Assistant's and the Collector's office.

Executive Officers have sufficient opportunities for personal contact with the people. They are on tour for five to seven months of the year, visiting every portion of the district, and so far as the agricultural population is concerned have many opportunities of meeting the people, hearing their views and discussing their needs. With the town population it is naturally more difficult to get into touch as there are not so many points of contact as are afforded by the relationship which exists between the Executive Officers and the tenants of Government in the villages. Many matters that might give opportunities of meeting in towns are primarily in the sphere of action of the municipalities. Even though an officer may be perfectly ready and willing to see and meet the people, they themselves do not readily come unless they have some business, and it takes time for an officer coming newly to a district, to make much progress in forming acquaintances. The method to be adopted for this object must be left to each individual officer to devise according to circumstances. One is to have fixed times when representatives of the various communities and parties could be invited to come to make known, and discuss, any matters they wished in connection with their local affairs.

The frequency with which officers are transferred naturally comes in the way. No hard and fast method can be laid down to reduce the frequency of transfer but if the object were always kept in view and given full weight as against other considerations in determining appointments, an improvement might be effected. It is particularly necessary that junior officers should be left in one division continuously for a period of at least five years in order to acquire a really good knowledge of one of the vernaculars in use in the Presidency. Transfers at short intervals between say Gujarat and the Deccan during the early stages of an officer's career are fatal to the acquisition of a good

working knowledge of the vernacular, and in later years he has not the same power or opportunity of improving his knowledge.

No general increase in the administrative staff or general reduction in the area of charges is required. Too great subdivision would divert to administrative expenses a larger share than is necessary of the public funds, and would restrict progress in other directions. The Local Boards in particular would be great losers.

With regard to municipalities the most important one in the Poona District is the Poona city municipality. It has already very wide powers of control in everything affecting the city, quite as much, in fact, as it can competently exercise, while as regards its constitution it enjoys great freedom. The franchise is a liberal one, the elected members exceed the nominated in number, and the municipality has the privilege of electing its own President. The important restrictions imposed by law are that the rules and bye-laws including those fixing the strength and cost of establishment and taxation require the approval and sanction of the Local Government, and that no long lease of land can be given out without the sanction of the Commissioner. These restrictions should I consider be maintained. The Poona Suburban municipality is a special body working under special conditions. The other municipalities are small bodies with restricted incomes and except one or two without much energy or vitality. They are still in the elementary stage. The municipal towns are mostly making no progress in material wealth, and without the scope afforded by such a condition municipal administration is bound to be stagnant. It is not necessary or advisable to grant them wider powers.

The District Board is not in a position to exercise any power of control over the smaller municipalities. Any control so delegated would devolve on the Executive Officers of Government who already exercise it in virtue of their official position. The step would probably lead to Local Board money being diverted from its proper purpose to expenditure in municipal areas. This would not be fair unless the small and backward municipalities were abolished altogether.

The income of the Local Board is inexpansive. It is derived mainly from the one anna cess and receipts from tolls and ferries, supplemented by regular Government grants for education and hospitals and occasional extra grants for special purposes. The receipts from the one anna cess on the land revenue are not likely to increase, while the income from tolls and ferries may be said to be stationary. In recent years the financial position of the Boards has been improved by the increase in the Government grants for education, by the more frequent receipt of occasional grants, by Government having taken over for maintenance some of the more important roads formerly maintained by the Boards, and lastly by the orders allowing collection of the one anna cess even though the land revenue has been suspended; but the field for improvement, particularly with regard to education in villages and means of communication, is still very wide compared to the resources at the disposal of the Boards, and if it is legitimate to give occasional grants from general revenues in aid of the Boards, it would be equally so to make permanent allotments with the assistance of which a programme of improvement could be laid down with more confidence and method than when depending on occasional grants only.

The powers of the *taluka* Boards cannot well be increased without swallowing up in administrative expenses too large a portion of the limited funds available.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. Universal experience has shown that executive work cannot be carried on satisfactorily under such conditions. The Council for a division could not be larger than one consisting of one or two representatives from each district. They would have little common ground, while the Commissioner in his annual tour has ample opportunity of meeting in each district a variety of men from whom he can gather with more certainty the information and opinions required in connection with his work. In district work I do not see what responsibilities could possibly be given to such Councils, when the Local Board and municipal spheres of action have been excluded. It has for instance been urged that in the matter of fixing suspensions in years of bad harvest officials should be guided by outside advice, and it may be suggested that this is just such a general matter in which an Advisory Council might intervene, but no Council would take the same trouble as the Revenue Officers do by visiting the affected villages, seeing the crops, and questioning the cultivators, to get at the actual facts in order to arrive at a decision which is fair both to the cultivators and to the general taxpayer.

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There is now little cohesion within the village community, and if organization for joint action does not exist it is impossible to give any powers for the disposal of local affairs. The official reconstructions that have been attempted are but shadows. Sanitary Committees for example have been created in some of the larger villages, but the most of them have little vitality partly because of want of funds to give an interest in work done, but largely because the organization was imposed from above. The School Committees which exist in every village that has a school are also perfunctory in their duties. An attempt was made to get villages as a body to take the Government grazing grounds on terms that permitted of communal management, but the plan has not succeeded though it opened a favourable field for combined action. Efforts are occasionally made by the people to get their fellow villagers to combine and agree to settle civil disputes by arbitration. While any steps taken in this direction are to be encouraged, it would be quite wrong to create an organization for the purpose by official action or even to intervene by delegating any power, for Government would then have to bear the responsibility of the acts done and Government officers would have to hear and deal with complaints affecting civil disputes. In police matters and petty criminal cases the village organizations, if they existed and were given powers, would come into conflict with the police *patel* who is the hereditary head of the local police and has always had powers in petty cases. In matters connected with agricultural development combination is eagerly welcomed, but difficult to obtain. I may quote a recent case of a village with most of its valuable land lying in one valley. A proposal originating from the villagers themselves was made to form a tank at the head of the valley, not so much for direct irrigation as to keep up the sub-soil water level, and give a good supply in the irrigation wells. A Government advance was sanctioned with a promise that if the work was well done part at least would be converted into a free grant, but when the scheme actually came to be carried out the general body of the villagers drew back leaving only a few of the more public-spirited to undertake the risks and carry out the work which was of general benefit.

33315. You are Collector of Poona?—Yes.

33316. You have relations, as Collector, with the Forest, Excise, Public Works, Education and Police Departments?—Yes.

33317. Have you any irrigated land in the Poona district?—We have two large canals.

33318. Who is responsible for the actual distribution of water from the channels to the fields?—The Irrigation Officers.

33319. Have you any control over the Executive Engineer?—I receive complaints if there are any, and ask the Executive Engineer about them, and if I do not agree with his view, I can refer them to the Commissioner.

33320. And has the Commissioner power to decide?—He might give advice and decide that way.

33321. Are there many such complaints?—There are occasionally complaints. We usually settle them—the Executive Engineer and myself.

33322. Do you draw up a schedule for your provincial Public Works?—I prepare a list and send it to the Commissioner.

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33323. Does the Commissioner decide in what order the works are to be executed?—Government and the Public Works Department decide. The Commissioner deals only with minor works costing up to Rs. 2,000 for which he can provide out of his allotment.

33324. You have no power to say to the Executive Engineer, "We have only a limited amount of money at our disposal. This is the work which should be done first"?—If we had the money I should do so.

33325. Have you, as Collector, to take charge of the smaller irrigation works in your district?—There are no small irrigation works.

33326. Are there no tanks in your district?—There are tanks.

33327. Are you in charge of them?—No, the Executive Engineer for Irrigation is.

33328. Are your relations with the District Superintendent of Police satisfactory?—Yes, he is my subordinate.

33329. Are you in control not only of the general direction of the police but also of the interior economy?—No.

33330. For instance, if a head constable has to be promoted, has your sanction to be obtained?—No.

33331. If a man is punished, can he appeal to you?—Yes.

33332. Is there any other method of appeal by passing beyond you to the Deputy Inspector-General?—Up to certain grades they fall to me.

33333. Can a man make a double appeal?—Not against punishment.

33334. Can he in respect of anything else?—No.

33335. How many languages are spoken in your district?—Marathi entirely.

33336. When you come out to Bombay, what languages have you to pass in?—The language of the division to which you are posted; and then after ten years if you are posted to another division, the language of that division.

33337. If you are transferred to a fresh division after ten years, are you required to have a knowledge of the new language?—No.

33338. Is that satisfactory?—No.

33339. Have you as Collector to send to your Commissioner a number of reports upon various subjects?—Yes.

33340. Has the number increased lately?—No.

33341. Could some of those which have been in existence for a considerable period be dispensed with?—I do not think so.

33342. Could such a thing as the "vital statistics report" be dispensed with. Is it accurately compiled?—It is accurately compiled so far as the figures can be got from the villages.

33343. Do you send in very accurate figures?—Yes, I think so.

33344. Do you have to make an administrative report on the various departments under your control?—Yes.

33345. On the police?—No. The Superintendent of Police does that. I have to report on excise, land revenue, registration, Native States and Local Boards.

33346. Could these be combined into one report?—No. They deal with different departments.

33347. Where do these separate reports you now compile go to?—They go to the Commissioner. He forwards them to Government.

33348. What sort of length, speaking generally, would one of those reports run to?—The longest is 18 pages. The Registration Report is 6 or 7 pages, and the Land Revenue Report is 18.

33349. What is the size of your district?—5,000 square miles.

33350. What is the land revenue for that district?—14 lakhs

33351. Are you Chairman of several municipalities and District Boards?—Only of the District Board.

33352. Not of any municipality?—That falls upon the Assistant Collector.

33353. Do you attend all the meetings of the District Board yourself?—Yes.

33354. Where are they held?—In my office.

33355. Have you a Finance Committee upon the District Board?—We do not work by committees on the District Board.

33356. (*Sir Frederic Lely.*) Is your staff of Civilians large?—I have two Assistant Collectors.

33357. Are they enough for the work that has to be done?—I have also a personal assistant. Altogether I have four—two Assistant Collectors and two Deputy Collectors. I consider that sufficient.

33358. Has the Assistant Collector in charge of a sub-division to perform many duties which in these days could be transferred to someone else, such as the *mamlatdar*?—I do not think so.

33359. Has the Sub-Divisional Officer to spend much time in examining boundary marks?—The orders are that you take up one-fifth of the *taluka* every year, and the boundary marks are prepared by the circle inspectors and the *mamlatdar*; and the Sub-Divisional Officer goes round and inspects. He has to see that the work is done.

33360. Has the Sub-Divisional Officer to spend two or three mornings a week on that work?—Not so many. I do not suppose it is more than seven or eight mornings in the touring season.

33361. You have cases where the local petty officials are stipendiary and where they are hereditary; if you compare the two, which is the better?—The stipendiary are much the better. The hereditary men are indifferent to their work as a class.

33362. Are they honest?—No, but it is difficult to say they are not honest. There are a good many cases, however, of dishonesty occurring.

33363. Are they sufficiently paid?—Not as a rule, but sufficiently for the work they do, taking the men as they are. It is not a good arrangement.

33364. Has the fact that they hold their position by hereditary right much or anything to do with the inferior character of their work?—Yes, because they have got no incentive to prepare themselves for their work.

33365. Generally, would you go so far as to say that the village accountants are the weakest part of the administration in your district?—Yes, I should think so.

33366. Have you any suggestions to make about that?—It is a very difficult question. You would have to compensate them in some way if you changed the succession rule. You might make a number of people discontented because they were not chosen, and these might make it a political matter. Then the ultimate people from whom the staff would come would be the same. You would have to take the same people, but you would have to force them to prepare themselves.

33367. You are not prepared to make any suggestions about commuting. Would that be very expensive?—I think it would.

33368. (*Mr. Dutt.*) You tell us that the irrigation tanks and canals are in charge of the Irrigation Engineers?—Yes. We collect for them on their lists for collection.

33369. Are these water-rates consolidated with the land revenue?—No. They depend upon the water-supply. Where the supply is largest leases of the water-supply are given by area blocks; otherwise they are not consolidated.

33370. But in portions of Gujarat, where irrigation is more prevalent, is not the water-rate consolidated with the land revenue?—In the Poona District, where they have the water channels taken simply from *nullahs*, it is consolidated with the land revenue and realised with the land revenue.

33371. So far as the distribution of irrigation water is concerned, should the Irrigation Engineer be under your orders?—I could not undertake the work. It must be under the Executive Engineer's control.

33372. But should he be under your orders in the matter?—No, I do not think so. The work would be too great to be looked after properly.

33373. Do not people complain of great hardship because they do not get immediate redress from the Irrigation Engineer when water is wanted?—I think they are quite able to look after themselves—that is, those who go in for irrigation.

33374. So that it would be no improvement if the Irrigation Engineer was placed under your orders?—I do not think so. I hear the people's complaints as it is as quickly as if he was under me, and I refer to him and see what the matter is.

33375. Are *mamlatdars* as a rule directly appointed to that post, or do they work their way up?—They work their way up. I do not know of any case where one has been appointed direct.

33376. We have had evidence in other provinces that people who work their way up from subordinate offices acquire habits of dishonesty which they do not get rid of, and therefore officers of the rank of *mamlatdars* should be appointed direct to that post according to their education and other qualifications?—The present system is quite as likely to secure honest men, except that our promotion rules might be improved.

33377. Do they generally begin as clerks at Rs. 20 or Rs. 30?—They begin at even less. Our lowest pay is Rs. 12.

33378. Is there a great deal of corruption among men of that class?—I should not like to say.

33379. Would not men on that small pay be open to a great deal of temptation?—Yes.

33380. Therefore, if people do form habits of dishonesty, in that stage, and they pass through the Service to the position of *mamlatdar*, how can you discriminate which are good and which are bad men?—Their records prove it.

33381. Would you appoint Deputy Collectors from the rank of *mamlatdars* or other subordinate officers?—From *mamlatdars*.

33382. In that case the man of Rs. 12 has the chance of rising to be a Deputy Collector?—Yes.

33383. You see no objection?—No, but I should like to see him have Rs. 20 to begin with.

33384. You are Chairman of the District Board?—Yes.

33385. What is its approximate income?—It is about 2 lakhs, including grants from Government.

33386. Out of that what do you give to the Education Department for looking after the schools?—About Rs. 80,000.

33387. Your most important roads are made by the Public Works Department and you make over the necessary money to that department?—Yes.

33388. Does the Public Works Department charge you a percentage for their services in constructing those roads?—Yes.

33389. So that it is only a small proportion of the 2 lakhs which you yourselves spend directly?—Yes.

33390. Is that exactly in accordance with the objects of the Local Self-Government Act?—We put out our money in order to get as efficient work as possible.

33391. But you could inspect the village schools yourselves and also appoint a District Engineer to construct and to look after your own roads?—We could not undertake the management of education. We could never get the staff of teachers we should require

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33392. But it is done in some other provinces?—I am not aware of that.

33393. (*Mr. Hichens.*) You have served in Upper Burma; do you find it is an advantage to you to have had experience of the work of other provinces?—Yes.

33394. Would it be a sound thing if the principle of transferring officers for a short time during their earlier years to other provinces was extended?—I do not think so, when you have a difference in language.

33395. Is that an insuperable objection?—Yes.

33396. Or rather the disadvantages would more than outweigh the disadvantages of the wider experience?—I think they do.

33397. Do you think it takes five years to learn a language?—To learn it well—yes.

33398. After what length of service, roughly, does an officer become a Collector?—Usually longer than ten years.

33399. Possibly between his five and ten years might he put in a year elsewhere to gain wider experience?—That would be the best time to take him for training.

33400. Would that widen his outlook and be of advantage to his district later when he begins as a Collector?—Yes. It probably would give him more ideas.

33401. (*Mr. Meyer.*) You say that the District Boards are not competent to undertake the management of schools; at the same time they have to pay for them. Would it be more honest for Government to take over the expenditure and the management of the schools?—I mean by "not being competent" that they cannot provide the teaching staff, because you would not have a sufficiently large establishment to draw proper men, considering the chances of promotion.

33402. Really, it is only a matter of ways and means?—Yes.

33403. In the same way as to roads. Supposing you had the money to employ a District Board Engineer would you desire to have one?—I think the present arrangement is quite sufficient.

33404. Are you consulted before a police sub-inspector is promoted?—No.

33405. Or about an inspector?—No.

33406. You propose larger powers to the Collector with regard to free grants of land for religious, charitable and educational purposes. You are aware that the policy of the Government of India is generally one of religious neutrality. Might it not be injudicious to give Collectors powers for those purposes?—I was thinking of sites for village needs, such as *dharmsalas*, schools, temples, and mosques.

33407. Take the case of giving a site for a Jesuit mission?—I was not thinking of that kind of case.

33408. (*Sir Steyning Edgerley.*) Do you consider that the Poona municipality manages its affairs with fair efficiency?—I might let it go at that.

33409. Do you consider it would be possible to have the District Board under a non-official President?—No, I do not think so because that would necessitate an increased establishment, and remove from the direction of affairs the persons who have the best means of knowing the needs of the district.

(*The witness withdrew.*)

Surgeon-General J. P. GREANY, M.D., I.M.S., was called and examined.

33410. You are Surgeon-General with the Government of Bombay?—Yes. I have been so since May, 1905. I have always served in Bombay.

The Surgeon-General's duties are primarily to see to the proper working of civil hospitals, lunatic asylums and dispensaries aided by Government, and to bring their needs, whether in respect of staff equipment, &c., to the notice of Government. He is also the Head of the Sanitary and Vaccination Departments, which are under the direct supervision of the Sanitary Commissioner, as well as of the Bombay Bacteriological Laboratory and the Chemical Analyser's Department, the appointments to which are made by the Government

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of India on the recommendation of the Sanitary Commissioner with that Government and the Director-General, Indian Medical Service, respectively. The Surgeon-General is also the President of the Sanitary Board of the Presidency. Requisitions for officers of the Indian Medical Service and questions touching their appointments, transfers, leave, &c., are submitted to Government by the Surgeon-General, as also questions affecting Civil Assistant Surgeons appointed Civil Surgeons. The disposal of leave applications from Military Assistant Surgeons in civil employ, their appointments and transfers, is left entirely in the hands of the Surgeon-General. The Surgeon-General tours during the cold weather and generally inspects all civil hospitals, lunatic asylums, and medical arrangements in jails.

Under the Surgeon-General's control, hospitals are managed by officers of the Indian Medical Service, and in a few cases by senior Civil Assistant Surgeons, while dispensaries are in the charge of Assistant Surgeons or Hospital Assistants according to their importance. Civil Surgeons inspect the dispensaries in their respective districts once a year, and perform a certain portion of the medical administration of the dispensaries in their districts. The Hospital Assistants' branch of the Civil Medical Department and the students in the Medical Schools are subject in all respects to the orders of the Surgeon-General.

The budget estimates of civil hospitals, the Chemical Analyser's Department, the Grant Medical College, and the Medical Schools are forwarded through the Surgeon-General, but the Sanitary Commissioner and the Director of the Bacteriological Laboratory submit their budgets direct to Government. In case the budget allotments made by Government are found to be insufficient, or if no such allotment at all exists in respect of any item which could not be anticipated at the time of preparing the budget, applications for the excess or special grants required must go through the Surgeon-General. Applications for Government grants to dispensaries are dealt with (on the recommendation of the Collector and the Revenue Commissioner) by the Surgeon-General if the amount required does not exceed Rs. 500 per annum in each case, and one-half at least of the total cost of maintenance is provided locally. All other applications for such grants are submitted to Government. The Surgeon-General deals with the building of hospitals and Government aided dispensaries, and additions to or alterations in the same.

The proper sphere of work of Directors and Inspectors-General under the Government of India dealing with departments primarily administered by Local Governments would seem to me to be to advise, when their opinions are asked, regarding any improvements necessary or desirable in the administration of such departments, it being left to the Local Governments to adopt such advice or not as they think best according to their experience of local circumstances. The present powers and duties of the Director-General, Indian Medical Service, are, as the Service is at present constituted, necessary.

The right of appeal to the Government of India now granted to officers of Government against orders affecting them personally, such as unfavourable reports on Medical Officers or questions regarding their fees from gentlemen of position, or house rent, &c., is very valuable and necessary to meet the ends of justice and should not therefore be disturbed. The right of appeal to the Local Government now granted in respect of administrative action (*a*) by law or by rules having the force of law or (*b*) by executive practice should not be curtailed, as it cannot be argued in defence of such curtailment that the appeal would be futile owing to the want of knowledge of local circumstances on the part of this Government and especially as such appeals are likely to lead to good results. No certificate from the authority passing the order appealed against that reasonable grounds of appeal exist should be necessary, appeals without good reasons being very rare. No curtailment of the right of appeal to the Local Government by Government officers against orders affecting them personally is at all desirable, for the reasons given above in support of the continuance of the right of appeal under similar circumstances to the Government of India. In illustration of this I would refer to the several appeals from Hospital Assistants against orders of dismissal, or inflicting punishment such as suspension, fine, &c. The foregoing remarks regarding the right of appeal to the Local Government applies equally to appeals like those from menials, &c., to the Heads of Departments and Commissioners.

The number of returns required by the Local Government has been lately reduced and no further action in that direction seems necessary.

Since October last certain additional discretionary powers have been vested in the Surgeon-General, *e.g.*, (1) to assume Government sanction (provided such is not necessary according to law), if warranted by precedents or the policy of Government, for any expenditure up to a limit of Rs. 500 in each case, and (2) to deal with applications for Government grants-in-aid of dispensaries, whether existing or new, up to Rs. 500 per annum in each case.

The influence of the Government of Bombay does not seem to be in the direction of excessive rigidity or uniformity.

The tendency of the provincial Secretaries is not evidently to regard matters too much from a purely departmental standpoint, but considerations of revenue or finances should dominate administrative questions to a less extent than at present. For example, the various grants to hospitals should be allotted on a more liberal basis so as to do away with the difficulty now experienced in some cases in their working.

The influence of the Commissioner in matters appertaining to this department is sufficiently strong, and adequate weight is given to his views.

Officers of this department obviously have sufficient opportunities for personal contact with the people.

The transfers of officers as matters stand are not unnecessarily frequent, and the existing system in this respect cannot apparently be improved upon.

The method of filling up vacancies in the Bombay Civil Medical *cadre* should be altered from the procedure now in vogue, *viz.*, that on the occurrence of a vacancy the Local Government requests the Government of India to supply an officer. Up to 1899 the Local Government had the privilege of applying for the services of any particular officer, but under recent rulings that privilege has been withdrawn, the Government of India reserving the right of selecting an officer from the list of applicants for civil employment maintained in the office of the Director-General, Indian Medical Service. The old procedure should again be allowed, for at present officers are deputed for service under this Government, of whom the Surgeon-General has in some instances no personal knowledge. The present system whereby young Indian Medical Service Officers are sent at once to military duty (sometimes attached to station hospitals and Native Infantry regimental hospitals for an indefinite time) might with considerable advantage to the officers concerned be also modified, and on their arrival in this country they should be posted to the large civil medical institutions in the Presidency and other important towns, where they would have unique opportunities of furthering their surgical knowledge and studying tropical medicine, besides acquiring a knowledge of the language and passing the necessary language test.

Although it is fully recognising that the Indian Medical Service is primarily a Military Service, and that those in civil employ are a reserve in case of war and other causes, I think young officers straight out from home would be more profitably employed as above instead of the present system, under which they are debarred from civil employment until they have done two years' military duty. As a matter of fact most officers now do from 6 to 9 years' military service before being offered civil employ. Indian Medical Service officers are permitted to select an area in which to serve if admitted to civil employ, and the number who select, say, "Bombay and Aden" might under the orders of the Director-General, Indian Medical Service, be attached on arrival from England to one

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or other of the several institutions in Bombay. Then when the exigencies of the Service required them for military duty with a regiment, etc., the Director-General could place their services at the disposal of the military authorities. Besides the incalculable benefit such an initial course of study in a tropical hospital would prove to the young Indian Medical Service officers, the Surgeon-General would have opportunities of making their acquaintance and judging of their capabilities and qualifications when applying for any particular officer for any particular appointment.

It is a general complaint among Medical Officers that there is very great delay on the part of the Medical Stores in supplying drugs and instruments. To quote a few examples. On the 1st September, 1905, the Civil Surgeon, Poona, indented for some special surgical instruments and appliances. On the 22nd May, 1906, in reply to a letter from the Civil Surgeon, the Medical Storekeeper informed him that the articles had been demanded in the current year's Home indent, and were not expected before the end of the year or early the following year. The Civil Surgeon informed me subsequently that the indent had not been wholly complied with on the 6th September, 1907, *i.e.*, a period of over two years after submission of the indent.

The Civil Surgeon, Dharwar, sent, on the 25th November, 1906, the instruments for eye operations to the Medical Stores for repairs. The Civil Surgeon informed me that they had not been received back by the 17th April, 1907, and he had been obliged to carry on with instruments borrowed from surrounding dispensaries supplemented by some of his own.

The Civil Surgeon, Dharwar, required 8 articles (surgical instruments and equipments) in October, 1906. He was informed by the Medical Storekeeper that with one or two trifling exceptions none of the articles mentioned were stocked at the Depôt. No steps could be taken to obtain them before the following year, when they could, if provision was made, be entered in the Home indent. This meant a delay of about 15 months in complying with the indent.

In 1905 the Civil Surgeon, Surat, indented on the Medical Stores for a mouth gag. He was supplied with one of an obsolete pattern (the stock of useful patterns of this simple instrument having evidently become exhausted). The gag supplied was of such a kind that a rigid mouth could not have been opened by it without lacerating the gums, and even then the central portion of the gag prevented all manipulations of a stomach tube in cases of poisoning. On again applying for a mouth gag and sending an illustration of one taken from a surgical instrument catalogue, the Civil Surgeon was informed he should get it through the Home indent, and might expect to receive it about 18 months from the time when he was urgently requiring it. In this and similar cases the Civil Surgeon solved the difficulty by purchasing in Bombay the required instrument for himself.

In August, 1907, the Government of India sanctioned the storage by the Medical Stores Depôt of "practical poison bottles" for supply to civil hospitals and dispensaries, but the Medical Storekeeper intimated shortly afterwards that, as his budget estimates for stores to be demanded on the Home indent of 1908 had already gone in June last, he could not make provision for these bottles until June, 1908, when his next budget for Home stores was due, and that therefore they would be included in his Home indent of April, 1909, which would be compiled in the beginning of 1910.

It took the Medical Stores 9 months to supply the Civil Surgeon of Belgaum with some tincture of nux vomica, 7 months to supply some castor oil and extract of nux vomica, 7 months to supply some indiarubber tubing, 10 months to supply square enamelled trays, 11 months to supply a bed pan, and one year and 2 months to supply a pocket dressing case.

The Medical Storekeeper to Government, Bombay, is an extremely hard-worked officer, his depôt is over-burdened with work, and his stock of surgical instruments and equipments is limited, but any business firm that took an equally long time to comply with orders would be compelled to put up its shutters in a very short time.

The other method of obtaining surgical instruments and equipment on a Home indent, 8 copies of which are submitted to the Local Government for submission to the Government of India and India Office Stores Department, is also cumbersome and unbusinesslike, and, although this system is a quicker one than that of the Medical Stores, yet it often takes a considerable time before the indents are complied with.

Medical Officers, in the absence of a complete and up-to-date price list of medical stores and equipment, do not know how they stand with regard to the grants at their disposal on this account, and it is nearly always some months before they are informed of the debits against this grant. The result is that an officer may either exceed his grant or may fail to utilise it fully, leading in the first instance to subsequent protracted correspondence with Government, affording explanations as to the excess, and in the second instance to his not obtaining surgical equipment of which his hospital may have been very much in need. To give an example—the Civil Surgeon, Dharwar, informed me on the 2nd October, 1907, that even then he was unaware whether he had, or had not, exceeded his grant for medicines and instruments for the year ending 31st March, 1907.

The Director-General, Indian Medical Service, is now taking steps to have the equipment of medical stores and instruments obtainable at the Medical Stores greatly widened and brought more up-to-date. But unless an up-to-date price list is also kept up and supplied to all charges, Medical Officers will still continue to be worried by exceeding their grants or the hospitals will suffer when they do not utilise their grants fully. If the Surgeon-General were given a discretionary grant of Rs. 15,000 per annum to meet the urgent and necessary demands from hospitals for surgical equipments and drugs not obtainable at the Medical Stores Depôt, and were permitted to purchase these articles either in India or direct from English firms, it would be of immense benefit to the Medical Department. But I believe that the simplest and most efficient system of all to remedy the existing state of affairs in the delay of the supply of medical stores would be to permit Civil Surgeons to utilise their annual budget grants for "medicines and instruments" in the same manner as they do contract grants, subject to the Surgeon-General's control. Competition at home and abroad is so very keen that officers could get better value for their money as regards quality and often at cheaper rates than under the present system.

33411. Are you a member of the Sanitary Board?—I am President.

33412. How does that Board conduct its work? Is it peripatetic?—No. It meets once or twice at Poona in the rains when they have work for it.

33413. What is the membership?—It consists of the Surgeon-General, the Sanitary Commissioner, the Chief Engineer, the Commissioner of the division, and the Sanitary Engineer, who is Secretary.

33414. When questions come up to you for report, have you power to sanction the scheme from the technical point of view?—We only advise, and then the matter goes to the Public Works Department through the Chief Engineer.

33415. What number of officers have you under you?—66 Gazetted Officers and 54 Subordinates.

33416. A certain proportion are on the administrative list?—I am the only one.

33417. Although your designation is that of Surgeon-General, you are practically a Civil Officer?—Yes.

33418. With regard to leave applications the Director-General of the Medical Service has to countersign what you sign?—Yes. I do not know why it is. I suppose he wants to know the number of men on leave in case of famine or anything of that sort.

33419. Can an officer leave on your signature before it is countersigned?—No. And when he

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gets the countersignature the Local Government must grant the leave.

33420. You recommend the leave?—Yes, if I can provide a substitute.

33421. Does that occupy much correspondence?—Not very much.

33422. Would it be of any use to you to get rid of this countersigning?—It would save time, but not much.

33423. Regarding the work of the Director-General, does he interfere in any way with your administrative powers?—Not at all.

33424. Does he give you advice?—I do not think I ever asked for any.

33425. Has he ever offered any?—I do not think so.

33426. You have practically no relations with him?—Yes, we have in the matter of schools and students. I correspond with him regarding native pupils and Hospital Assistants at the schools—the student class, and the Military Assistant Surgeon class.

33427. Where is the Medical Storekeeper's depôt?—Here, at Byculla.

33428. Is it a large depôt?—Yes, fairly large.

33429. (*Sir Steyning Edgerley.*) When the Chief Engineer sees papers as a member of the Sanitary Board does he examine them in detail?—Yes. The plans are put before him.

33430. So he is saved that trouble when he sees them again probably?—Yes.

33431. Regarding this countersigning of applications, the Director-General at Calcutta told us that the Local Government could give leave in spite of his refusal to countersign, and that it practically only meant that if he countersigned he was prepared to, if necessary, find a substitute?—I have never understood it that way.

33432. Your understanding is that unless he countersigns the Local Government cannot give leave?—That is what I understand according to the Civil Service Regulations.

33433. You would like to see officers posted to the Civil Department on arrival, and then begin by seniority their term of two years' military duty as needed for work?—Yes, they now have to do the two years' military duty before the civil. I should like to see it the other way about, and have it left to me to select them on my own knowledge for civil appointment.

33434. Is there any reason why the system of a provincial medical system can be said to be better or worse than the one now in vogue?—We never had a provincial system. It has always been civil and military.

33435. Do many instances of questions regarding medical fees come before you?—There have been some lately.

33436. Have you any reason to believe that the effect of the rules is to prevent the classes they are supposed to protect from getting the medical aid they want? I have been told by a Civil Surgeon that the result of this reporting, as to the details of the case, has led to the result that the higher class natives will not call in Government Medical Officers?—I have not heard that, but I daresay it might be so.

33437. Have you any idea of the sort of fees the leading Indian practitioners in Bombay charge?—No.

33438. Is there plenty of competition?—Yes.

33439. So that if Indians of position were dissatisfied with the fees which a good European Officer charges there are abundant alternatives in Bombay?—Yes.

33440. But not everywhere?—In large places, that is the case.

33441. Do you see any effective alternative which would be less disagreeable to the persons interested and the Service than at present?—If these rules are necessary I suppose there should be a scale for the whole of India.

33442. But on the assumption that it is necessary to defend certain people from being charged excessive fees, can you suggest any means? Should cases go to the provincial Administrative Medical Officer?—I think that would be sufficient.

33443. (*Mr. Meyer.*) As regards these difficulties about stores, would you allow the Civil Officers to indent for them?—Yes, and I may say that commercial travellers come out from large firms at home to deal with them.

33444. The medical stores are maintained principally for military purposes?—Yes.

33445. Would you keep them for that?—Yes, and for dispensaries.

33446. There is nothing to prevent the ordinary dispensaries from getting supplies from outside?—No, they do so now.

33447. Why should not the District Boards have the same privilege?—There you have Hospital Assistants in charge of the dispensaries.

33448. But the Civil Surgeon checks the indents. What do you mean by the reference to giving him full liberty with regard to the medical expenditure he administers?—I mean that he should have more facilities for getting what he wants from the stores or outside, because he want[illegible] these quicker than the dispensary can want them.

33449. But suppose he could get some common medicine cheaper from Burroughs and Wellcome, why should not the District Board go there?—Yes, I agree.

33450. But if the medical stores can no longer count on civil custom, they cannot be expected to do more than keep up stocks for military requirements?—I agree.

33451. One effect of the recent orders about fees has been to give more weight to professional opinion. As matters now stand the question has to be referred to the Medical Head (yourself) and the Local Government?—I think it is quite sufficient if the Medical Administrative Officer gives his opinion.

33452. But as against that it might be urged that it is an administrative matter and that the Local Government should do it. What would your opinion of that be?—I suppose the Local Government would accept my opinion.

33453. You are satisfied as regards the reserve?—Yes.

33454. It has been suggested that the Indian Medical Service is liable to be called upon in the case of war. Would that cause grave inconvenience to the Civil Administration?—Yes.

33455. Would you be prepared to follow the Public Works analogy, and have a separate Civil Medical Service reinforced by military officers in civil employ, but who could be withdrawn if wanted for military purposes?—I would not be in favour of that. It would be fatal to the Indian Medical Service; and it is very rarely that the whole of the Medical Service would be called upon to go away in time of war.

33456. And if you continue the Indian Medical Service as a Military Service it must be in the hands of the Government of India?—Yes.

33457. You say you can post Civil Surgeons but not appoint them?—Government appoints them on my selection.

33458. And Government promotes them from one appointment to another?—Yes.

33459. Would you be in favour of Government delegating these powers to you?—Yes. That might be done.

33460. It has been suggested to us that institutes for scientific research, such as bacteriological institutions, might be maintained by the Imperial Government?—I think that work can be done as well here.

33461. The advantage suggested is that you would have co-ordination?—I should be in favour of having a local laboratory.

33462. How often does the Civil Surgeon inspect the outlying dispensaries?—Once a year. You cannot do it oftener.

33463. Are you satisfied with leaving this work in the hands of those who only make one annual inspection?—It may be arranged that the Sanitary Commissioner can inspect also.

33464. But how often does he inspect as a matter of fact?—I do not see that he can do more than two inspections possibly in the year.

33465. Is that sufficient?—Yes.

33466. There are no hospitals financed by the District Board?—No.

33467. Does the Government make any contribution towards the Local Fund dispensaries?—Yes, they give a certain proportion of the cost of maintenance, including the pay of the Hospital Assistant.

33468. Do you know what proportion it is?—I cannot tell you just now.

33469. Something like 50 per cent.?—Possibly, about that.

33470. But at any rate it is something fixed?—Yes. Government fixes these grants from time to time, if above Rs. 500.

33471. It is fixed for a number of years?—Yes, for five years.

33472. Can the District Board dismiss the Hospital Assistants?—No.

33473. Do they inspect the dispensary?—Yes, the Dispensary Committee does.

33474. Is the District Board responsible for having a dispensary or not?—They ask the Collector about that, and he forwards the matter to Government.

33475. (*Mr. Dutt.*) Do the municipalities maintain dispensaries?—Yes.

33476. And is the arrangement the same?—Yes.

33477. In those cases is there a Dispensary Committee to look after the dispensary?—Yes.

33478. Are many of the Municipal Commissioners on that committee?—Yes. They appoint two or three of their number, and form a committee.

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33479. It has been suggested that an officer of the Provincial Service like an Assistant Surgeon getting only Rs. 200 and dismissed by the Local Government should have no right of appeal at all?—I would have no objection to his appealing to the Indian Government; nor would I object to any Hospital Assistant appealing to the Local Government against any of my decisions.

33480. (*Sir Frederic Lely.*) Are the Civil Hospitals supported entirely by Government?—Yes.

33481. Have you any Visiting Committees?—We have one here for St. George's Hospital.

33482. (*Chairman.*) On what basis do you send your advice as to the entertainment of Civil Assistant Surgeons?—We generally take Assistant Surgeons who have passed out through the Medical College in the first class. Then if we can secure no men in the first class we take those of the second class. Men are also selected from among temporary Assistant Surgeons engaged on plague duty, provided they have done good work and are well reported on. Of course, they must be within the age limit.

33483. What is the initial pay of these Assistants?—Rs. 100 rising to Rs. 500.

33484. And who has the power of reducing or punishing or dismissing them?—Government on my recommendation.

33485. Are there any officers in civil employ whom you would like to send back to the military?—There are one or two regarding whom, if I had a free hand, I should like to send back. There are some I wish I had never had at all.

33486. Are Civil Hospital Assistants paid out of Local Funds?—Yes, if attached to dispensaries.

33487. Is the rate of pay fixed by the Government of India on a universal basis?—Yes.

33488. Is that a satisfactory system?—You must have a uniform pay for all the Hospital Assistants of India.

(*The witness withdrew.*)

Adjourned.

FIFTY-THIRD DAY.

BOMBAY, *Saturday, 7th March*, 1908.

PRESENT:

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

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

The Hon. Mr. G. K. GOKHALE was called and examined.

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33489. (*Chairman.*) You are a member of the Viceregal Legislative Council?—Yes. I have also been a member of the Legislative Council of Bombay. I was for six years a member of the Poona municipality, out of which for four years I was its President.

I am strongly opposed to the present system of excessive centralization of authority in the hands of the Government of India, but I should be even more strongly opposed to any scheme of decentralization, which, while it freed the provincial Governments from a large part of the control exercised at present by the Supreme Government, substituted nothing in place of the control so removed. The main evil of the existing situation is not so much the *extent* of the control to which Local Governments have to submit, as its purely *official* character, and the distance from which it is exercised. But even mere official control, imperfectly exercised from a long distance, is better than no control, and I certainly have no wish to see "petty despotisms" pure and simple, set up in place of the present provincial Governments. The higher officials of both the Government of India and the provincial Governments, who carry on the ordinary administration of the country, are drawn from the same Service, and may be assumed, other things being equal, to

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be equally competent to deal with finality with matters coming before them. But other things are *not* equal. The provincial officials have indeed on their side the advantage of a more intimate knowledge of local conditions and local needs; but the officials of the Government of India may claim a much greater freedom from local prejudices and local prepossessions and a wider outlook, and these are qualities which are of great importance in a country governed as India at present is. The history of the extension of local self-government in this Presidency during Lord Ripon's time, and the important modifications that have recently been made in the famine and land revenue policy of the Bombay Government under pressure from above, may be cited as fair illustrations. It may be urged that if the seat of final authority is in the province itself, provincial public opinion has a better chance of influencing the course of administration. But the tendency to resent criticism, which goes with all absolute power, is bound often to import on the official side an amount of *feeling* which cannot fail to neutralize the strength and usefulness of public opinion. If it were, therefore, merely a question of shifting the seat of final authority from Calcutta or Simla to Bombay, and nothing else, I would prefer existing arrangements to any such decentralization.

I think a stage has now been reached in this country when, in the true interests of the people as well as to arrest the growing unpopularity of the administration, it is necessary to give the representatives of the tax-payers some real voice in the conduct of provincial affairs. And any arrangements made for this purpose should not only be suited to present requirements, but should also be capable of a steady expansion so as to meet satisfactorily the growing demands of the future. The existing system is hopelessly ill-adapted to serve this end. The number of provincial representatives who can have access to the Government of India—at present the final seat of authority in regard to most provincial matters—must necessarily be most limited. Moreover, their opportunities to bring up provincial questions before that Government, with any degree of usefulness, cannot but be exceedingly few. It follows therefore that the seat of final authority in provincial matters must be brought down to provincial headquarters, if popular representatives are to be placed in a position where they may exercise a real and growing influence over the course of provincial administration. The Secretary of State for India is contemplating at present a reform of provincial Legislative Councils. There is, however, small scope for a real reform in this direction, unless it is acompanied by a substantial measure of decentralization, relieving provincial Governments of a large part of the control, financial and administrative, at present exercised over them by the Government of India.

To any such decentralization, however, I would attach three conditions. First, the form of government in all important provinces should be a Governor, appointed from England, with an Executive Council. I believe in a fresh mind, trained in the free atmosphere of English public life, being applied to the problems of Indian administration from time to time. I also think that the higher responsibilities of government in this country can be better discharged by a Council of three or four persons than by single individuals. Secondly, provincial budgets should be submitted for full discussion to provincial Legislative Councils, which, I trust, will shortly be enlarged and made more representative—members being empowered to move amendments and the budgets being required to be passed by the Councils. And thirdly, whenever a certain proportion of the elected members of a Legislative Council, say one-third, send a requisition to the President of the Council, asking that a specific matter concerning the provincial administration should be brought up for discussion before a meeting of the Council, the Council should be summoned to discuss the matter. The second and third conditions aim at providing, as a substitute for a portion of the present control of the Government of India in financial and administrative matters, some sort of control on behalf of the tax-payers in the province itself, in the shape of a free discussion in the Legislative Council.

Subject to these conditions, I would urge the following scheme of decentralization:—

There should be no divided heads of either revenue or expenditure, but certain heads of revenue with the expenditure under them should be wholly imperial and the others wholly provincial. I would thus assign to provincial Governments independent sources of revenue in place of the grants which they are at present understood to receive from the Government of India. The three major heads of revenue that I would make over to the provincial Governments are land revenue, excise and forests, which are intimately connected with the daily life of the mass of the people. On the other hand, the revenue and expenditure under opium, salt, customs, assessed taxes, stamps, registration and tributes from Native States, together with post, telegraph, mint, railways and major irrigation works, may be treated as wholly imperial. On this basis of division, the revenues of all the provincial Governments will be found to exceed their present scale of expenditure, while the reverse will be the case with the Government of India. To make up this deficit of the Supreme Government, the provincial Governments should make to it fixed annual contributions, which should be determined after a careful consideration of the average liability of each province to famine as also of the need of making increased grants to local bodies out of provincial resources. These contributions, moreover, should be liable to be revised every five or ten years, the revision taking place at a conference of the Revenue Members of the different provinces, presided over by the Finance Member of the Government of India. To meet sudden and extraordinary emergencies, the Viceroy should have the power of altering the amounts of these contributions as he may deem necessary, any Local Government feeling aggrieved by such alteration having the right of appeal to the Secretary of State.

For the present, I would confer no powers of taxation on the provincial Governments. Of the three heads of revenue proposed to be made over to Local Governments, the periodical revisions of land revenue, which are really in the nature of enhanced taxation, by whatever name they may be actually called, require to be subjected to a special control, as the provincial Governments will have an obviously greater interest than hitherto in the increases of revenue resulting from them. I would, therefore, propose that all revisions of settlements should be laid for discussion before the Local Legislative Councils, before they are sanctioned by the provincial Governments.

As regards borrowing powers, these too I am inclined to keep in the hands of the Government of India, at any rate, for the present. If the provincial Governments are empowered to borrow separately, it will be impossible to prevent competition among them or between them and the Government of India, and this will necessarily lead to higher rates of interest than at present, involving a loss to the general tax-payer. Local Governments, however, should be entitled to claim, where necessary, a share in the total loan annually raised by the Government of India in proportion to their revenues. During times of famine, Local Governments, who have exhausted their famine reserve, and who find it necessary to borrow, should have the first claim on the borrowing powers of the Government of India.

I am against relaxing the present control of the Government of India in the matter of the creation of new appointments, as also about the scales of pay and pension. Barring this, I would give Local Governments full power to expend their revenues as they deem best.

The control of military and naval defence, foreign affairs, currency, customs, post, telegraphs, railways, general taxation, general legislation and the like must necessarily be directly in the hands of the Government of India, and the rest of the internal administration of the country should be trusted to the provincial Governments. In the exercise of the function so delegated to Local Governments, there should be no interference in

matters of detail on the part of the Government of India. It is, however, necessary that large questions of policy, even in regard to the internal administration of the country, should be reserved by the Government of India in its hands, so as to ensure a general, but not rigid, uniformity of administration in the different provinces, as also to initiate reforms, which, if left merely to Local Governments, may not be taken in hand. For instance, the Government of India should have the power to prevent wide divergencies of policy in different provinces in dealing with famine or plague, or to compel the carrying out of such important reforms as the free and compulsory spread of primary education, the separation of judicial from executive functions, and so forth. Subject to such general control over questions of policy, the Local Governments should have a free hand in matters of provincial administration.

Decentralization in district administration must be accompanied by measures for a larger association of popular representatives with the work of the administration. There is no doubt that with the multiplication of central departments and a steady increase in the control exercised by the Secretariat of the provincial Government, the position of the Collector, as the Head of a district, has considerably deteriorated. There is also no doubt that the people require more prompt Government, and more of it, so to say, on the spot. But this object will not be secured by a mere delegation of larger powers to the Collector. The time is gone by when the Collector could hope to exercise—and with beneficial results—a kind of paternal authority over his district. The spread of education, the influence of new ideas, the steadily growing power of the vernacular press, make a return to the benevolent autocracy of the Collector of old times impossible. The only remedy lies in carrying a substantial measure of decentralization down to the villages and in building up local self-government from there. It will not do to be deterred by the difficulties of the task or by the possibilities of initial failure. Village panchayats must be created. Local and Municipal Boards must be really popular bodies and larger resources than they can command at present made available to them. Last, but not least, District Councils must be formed, whom the Collectors should be bound to consult in all important matters and with whose assistance they may be empowered to deal, with ever-increasing finality, with questions of district administration on the spot.

There are about 26,000 villages in the British districts of this Presidency, of which about 16,000 have a population below 500, about 5,000 more have a population between 500 and 1,000, and the remaining above 1,000. In all villages with a population of 500 and over, a panchayat should be constituted by statute, to consist of five or seven members, and the villages below 500 should either be joined to larger adjoining villages or grouped into unions. The *personnel* of these panchayats should roughly be composed of the village headman, the police *patel* of the village where he exists separately, the village munsif and the village conciliator, who will now be appointed in all villages as the provisions of the Deccan Agriculturists' Relief Act, requiring their appointment, have been extended to the whole Presidency, and two or three other persons chosen by such of the villagers as pay a minimum land revenue of, say, rupees ten. These panchayats should be invested with the following powers and functions:—

(*a*) The disposal of simple money claims not exceeding rupees fifty in value. In regard to such claims the decision of the panchayats should be final, unless gross partiality or fraud is alleged. It may be noted that of the total number of suits annually instituted in this Presidency—about 1½ lakhs—fully one-half, or 75 thousand, are claims not exceeding Rs. 50 in value. The panchayats may be expected to administer on the spot a kind of simple justice suited to the villagers, and this will be far preferable to the expense, the delays and the demoralization of the Law Courts. Such jurisdiction in civil matters was exercised by the panchayats not only under the Marathi Government, but even in the early days of British rule in this Presidency. The panchayats may charge one anna in the rupee on the value of the claims as costs in the suits, the parties being exempted from stamp duty and other fees.

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(*b*) Trial of trivial offences, such as petty thefts, where the value of the property stolen does not exceed Rs. 10, simple assault, simple hurt, abuse, nuisance, &c.

(*c*) Execution and supervision of village works.

(*d*) Management of village forests.

(*e*) Distribution of sanctioned allotments of *tagai* in the village.

(*f*) Carrying out measures of famine and plague relief.

(*g*) Control of village water-supply and sanitation.

(*h*) Supervision of school attendance.

(*i*) Management of cattle-pounds.

The funds of the panchayats should consist of assignments made by the *taluka* Board, costs of civil litigation realised, fines and penalties levied locally, realizations from village forests and cattle-pound receipts. As in the case of Co-operative Credit Societies, it may be necessary for the Government to appoint a special officer to start and guide for a time these panchayats and watch over their working.

The existing *taluka* Boards are more or less under official domination, and their resources are so meagre that it is not fair to expect the members to feel really interested in their work and they should now be made wholly elected bodies. The *mamlatdars* should be empowered to attend meetings, when necessary, and the Government should retain in its hands the power of enforcing action, if its advice and warning are disregarded, by suspending a Board temporarily and appointing in its place a small body of nominated members. Only thus will a proper sense of responsibility be developed in these Boards; and any inconvenience that may temporarily arise will, in the end, be more than made up for by the increased efficiency of real local self-government. But a reform of the constitution of the *taluka* Boards will be of small value, unless steps are taken at the same time to place increased resources at their disposal. The revenue of these Boards in this Presidency consists at present mainly of such assignments as the District Board makes to them out of the proceeds of the one-anna cess or from contributions received from provincial resources. In Madras, *taluka* Boards retain for themselves half the proceeds of the one-anna cess and only the other half goes to the District Boards. With us, the District Boards control the entire distribution of the cess-proceeds, and after deducting the educational share, as also grants to medical and veterinary, they retain for themselves such sums as they think to be necessary and divide the rest among the different *taluka* Boards. The result is that the *taluka* Boards generally receive much less than one-half the money available for distribution. Thus in the three divisions of the Presidency proper, we find that in the years 1904-05 and 1905-06 the amounts retained by the District Boards for themselves out of cess proceeds, exclusive of grants for educational, medical and veterinary purposes, and those assigned by them to the *taluka* Boards were as follows:—

		1904-05.	1905-06.
Northern Division	District Boards	2·23 lákhs.	3·23 lákhs.
	taluka Boards	83 thousand.	2·23 do.
Central Division	District Boards	3·53 lákhs.	3·64 do.
	taluka Boards	1·32 do.	1·08 do.
Southern Division	District Boards	2·72 lákhs.	2·38 do.
	taluka Boards	99 thousand.	37 thousand.

The entire proceeds of the one-anna cess, after deducting the educational share and the medical and veterinary grants, should be placed at the disposal of the *taluka* Local Boards and the District Boards should receive either a share of the excise revenue or a special contribution from provincial exchequer to cover their loss. The *taluka*

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and the District Boards are what may be called the smaller and the larger unit of local self-government in the districts. Instead of these, if the village panchayat ~~as~~ the *taluka* Board were made the smaller and the larger unit respectively, that would be more in accord with the limited extent of the resources available, and local self-government would yield far more satisfactory results. The areas of Indian districts are so large that the sense of unity of local interests, which is very strong in villages and is fairly strong in *talukas*, and without which successful local self-government is not possible, becomes much too diluted when we reach the district. The average area of a District in the Presidency proper is about four thousand square miles and of a *taluka* over four hundred square miles. Those who serve on *taluka* Boards may well be expected to be fairly familiar with the condition and requirements of the different parts of the *taluka*, but such personal acquaintance cannot reasonably be expected from the members of a District Board with the whole of their district. The latter therefore must largely rely on the advice of officers, either of their own or of the Government, and though they have enough local knowledge and sense of local unity to be able to exercise a satisfactory general control over the administration of their affairs, they are not qualified to administer those affairs personally to the same extent to which members of the *taluka* Boards are qualified. If large local revenues were available for distribution, I should not mind District Boards getting a share and even a substantial share of them. But the resources available being most scanty—not sufficient even for the local needs of the *talukas* as distinct from those of the District—the best plan would be to place them wholly at the disposal of the *taluka* Boards, thereby giving a real chance to local self-government to attain a fair standard of efficiency. The *taluka* Boards should be bound to make small assignments to village panchayats in their areas.

As regards the powers of *taluka* Boards, I think the provisions of the present Act are sufficiently comprehensive. I would, however, do away with the power, which the District Boards possess and which they constantly exercise, of altering the budgets of the *taluka* Boards. The latter should frame their own budgets within the limits of their resources without any outside interference, and might combine with one another for incurring joint expenditure or entertaining joint establishment without the sanction of a higher authority.

Municipalities in district and *taluka* towns should now consist wholly of elected members, the Government retaining in its hands the power to enforce action, if its advice and warning are disregarded, by a temporary suspension of these Boards and the appointment in their place of small bodies of nominated members. Unless an undivided responsibility is thus thrown on these municipalities, risking even initial failure for its sake, they will neither become efficient instruments of local administration nor fulfil the higher purpose of serving as seminaries for the education of the people in self-government. Like the *taluka* Boards, municipalities suffer from the meagreness of their resources; but except in regard to education and large projects of sanitation and water-supply, it is only fair that they should rely upon themselves. Large projects are, of course, so utterly beyond the capacity of these bodies that their execution is impossible unless substantial grants-in-aid towards capital outlay are made from provincial revenues. Also for meeting adequately the growing educational needs of their areas larger assistance from Government is indispensable. As regards powers, the present Act is on the whole sufficient, though here and there small relaxations of present restrictions may be necessary.

The area of the jurisdiction of the District Board is large, and it is an advantage to have the Collector as President, unless non-official gentlemen of position, prepared to undertake regular touring throughout the district, are available for the office. The presence of the Executive Engineer, the Civil Surgeon and the educational inspector is also desirable on this Board. I would, therefore, have about one-fourth of its members nominated by the Government, the remaining three-fourths being elected. Each *taluka* Board and municipality in the district should elect one member, the municipality of the district town having the right to return two. I would also create a special constituency for the whole district with a fairly high franchise to elect five or six members, the electors being graduates of a certain standing, say five years, Government pensioners receiving a pension of Rs. 75 a month or above, landholders paying an assessment of Rs. 200 or above, and traders, merchants and others paying income-tax on at least Rs. 2,000 a year. Thus, taking Poona, I would have on the District Board 36 members—9 nominated, and the remaining 27 elected as follows:—8 by the 8 *taluka* Boards, 2 by the Poona City municipality, 11 by the other municipalities, one each, and 6 by the special constituency outlined above. A Board so constituted may be expected to do useful work if steps are taken to place sufficient resources at its disposal. I have already suggested above that the entire proceeds of the one-anna cess, after deducting therefrom the educational share and medical and veterinary grants, should be made over to *taluka* Boards, and that a portion of the excise revenue, say 10 per cent., or in its place an equivalent additional grant from provincial revenues, should be made available to District Boards. The principle of admitting Local Boards to a share in the excise revenue is not a new one. Until about 30 years ago the one-anna cess was levied on a portion of the excise revenue, though not on the whole of it. Even to-day a fixed sum of 1½ lakhs appears under contributions from provincial to local as "contribution in lieu of one-anna cess on excise revenue." This contract grant was fixed at a time when the excise revenue of the Presidency had not assumed its present proportions, and the Boards have thereby been deprived of a share in the increase which otherwise would have been theirs. In view of the fact that, in regard to communications at any rate, the District Boards have for the most part to bear a burden which should really fall on the provincial revenues, it is not an extravagant demand that at least one-tenth of the income from excise should be handed over to these bodies to enable them to discharge their duties in a satisfactory manner. As regards the powers of these Boards, the present law is on the whole sufficient, though as in the case of municipalities some of the restrictions may have to be relaxed.

The three evils of the present system of district administration are its secrecy, its purely bureaucratic character, and its departmental delays. Important questions affecting the interests of the people are considered and decided behind their backs on the mere reports of officials, only final orders being published for general information, as though the people existed simply to obey. The constant references, backwards and forwards, which an excessive multiplication of central departments has necessitated, involve long and vexatious delays even in the disposal of petty matters, and are a fruitful source of irritation and suffering to simple villagers. The Collector is the chief representative of the Executive Government in a district, and to prevent the evils of an uncontrolled exercise of power, he is subjected to a series of checks in his work. These checks are, however, all official; they are all exercised by the members of his own service, of which he himself as a rule is a fairly senior officer, and though they may serve to prevent gross abuses of power, they are not of much value in promoting efficient administration, and they certainly hamper him largely in the prompt discharge of his duties. What the situation requires is not such official checks exercised from a distance, but some control on the spot on behalf of those who are affected by the administration. For this purpose I would have in every district a small Council of non-officials, two-thirds of them elected by the non-official members of the District Board, and one-third nominated by the Collector. I would make it obligatory on the Collector to consult the Council in all important matters, and I would delegate to him large additional powers to be exercised in

association with the Council so that ordinary questions affecting the administration of the district should be disposed of on the spot without unnecessary reference to higher officials.

Confidential matters will necessarily have to be withheld from the District Councils. In regard to the following subjects the Collector should send to the Central Government, along with his opinion, the opinion of the District Council. The list is illustrative and not exhaustive:—

(1) Legislative proposals.
(2) Proposals of revision settlements.
(3) Revision of water-rates.
(4) Recommendations about remissions of land revenue.
(5) Creation of new municipalities.
(6) Extension of the operation of Acts to new areas.
(7) Imposition of punitive police.
(8) Creation of new posts.

In the following cases the decision should rest with the Collector if he can carry his Council with him; otherwise he should refer them to Government:—

(1) Opening, location and abolition of liquor shops.
(2) Suspensions of land revenue.
(3) Levy of building fines.
(4) City survey proposals.
(5) Organization of local supply from forests.
(6) Opening of new and closing of old schools.
(7) Establishment of village panchayats and unions.
(8) Suspension of *taluka* Boards, municipalities, panchayats and unions.
(9) Creation of Benches of Magistrates.
(10) Rules regulating fairs, processions, &c.
(11) Assumption of property under the Court of Wards Act.

In the following cases the Collector might decide even against the opinion of the District Council:—

(1) Urgent precautionary measures against plague, cholera and other epidemics.
(2) Measures for preservation of peace.
(3) Measures of famine relief.

Members might initiate, where necessary, the consideration of such questions or grievances as in their opinion should be brought to the notice of the Collector. The Collector should be the real Head of all the Departments of executive administration in his district except in matters which require technical or expert knowledge. The District Councils will be only advisory bodies—advisory in the sense that no resolution of theirs can take effect unless it is accepted by the Collector. If this machinery is brought into existence, and if larger powers are then delegated to the Collector, I would have above the latter only one higher authority in the Presidency, viz., the Central Government. This means the abolition of all the Commissionerships except that in Sind. The Collectors will then correspond direct with the Central Government, and probably a third member will have to be added to the Executive Council. To enable the Government to exercise general supervision over district administration, it will be necessary to appoint Inspectors-General, who will tour round the Presidency on behalf of the Government. Expert advisers will also be necessary for those branches of the Administration which require high technical or scientific knowledge. But the only authority from whom the Collectors will receive orders will be the Central Government.

I am confident that the creation of District Councils as suggested above will be attended with beneficial results. The view has been expressed that no such bodies need be called into existence, and that the only thing required to meet the necessities of the situation is to delegate larger powers to the Collector. Those who tender such advice do not correctly understand the spirit of the times. What is wanted is not a mere increase of official efficiency, assuming that such increase can be secured by following the course proposed. A return to the old benevolent autocracy of the Collector is no longer possible, and any attempt in this direction will not only fail, but will be widely resented. Increased proficiency in the vernaculars on the part of District Officers or more determined attempts to promote social intercourse are only surface remedies, which will not touch the real root of the evil. We want an *interest* in the administration around us. The educated classes are only *critics* of the administration today, because the Government does not realize the wisdom of enlisting their co-operation. Some people imagine an antagonism between the interests of the educated classes and those of the masses, and they hope to fortify themselves by winning the gratitude of the latter as against their unpopularity with the former. This, however, is a delusion of which the sooner they get rid the better. The educated classes are the brain of the country, and what they think to-day, the rest of the people will think to-morrow. The problem of bringing the administration into closer relations with the people is essentially a problem of associating the educated classes with the actual work of the administration. With village panchayats at the bottom, District Councils in the centre, and reformed Legislative Councils at the top, this problem will have been fairly faced, so far as the exigencies of the present are concerned.

33490. Were you elected as president by the other members of the Poona municipality, or were you nominated by Government?—I was nominated as a member of the municipality, but I was elected President by the members.

33491. You say that owing to the action of the Government of India certain important modifications have been brought about in provincial administration, more particularly with regard to famine and land revenue; can you illustrate what you mean?—With regard to land revenue, for instance, the contention of the people for a long time was that suspension should be by areas, and that when there was a general failure over a large area, there should be remission without enquiry into every case. The Bombay Government for a number of years adhered to the individual enquiry system, and it was only under pressure of the Government of India that they ultimately abandoned that system.

33492. Has that system of remission, as insisted on by the Government of India been, on the whole, successful?—It is comparatively recent, but it has given much more satisfaction to the people, and I think it will work better. As regards famine, the Government of Bombay for a long time insisted, as a test, that the people who wanted relief should be prepared to go a long way from their villages to satisfy the Government that they were in need, which caused great hardship, and ultimately under pressure from the Government of India that policy has been abandoned, and works as near the villages as possible have been adopted as the policy.

33493. Have you had any opportunity of seeing how that works in practice?—I have been following what has taken place in the Presidency as a public man, and I have noted that it has given greater satisfaction.

33494. Has it proved not only satisfactory to the people requiring relief, but has it worked well from an economical point of view?—It must be so, but economically I do not think there would be much difference between the two.

33495. On the whole, therefore, do you consider that the intervention of the Government of India has been judicious in these particulars?—Yes, but of course there are cases on the other side also. For instance, taking the University Bill of the Government of India, I think if Bombay had stood by itself that Bill would not have been forced upon it. The Government of India saw how things were in Calcutta, and they generalised from that, and forced a measure on the whole country which was resented by the bulk of the people.

33496. Then in the case of the Universities Bill, the Local Government was interfered with to its disadvantage?—I do not know that, but it was the Government of India that legislated for the whole country, and I am sure if the Bombay Government had been left to itself, it would not have legislated

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on those drastic lines. The experience of the Government of India was only derived from Calcutta, and they generalised from that, and passed the measure for the whole country.

33497. So far as Bombay is concerned, has it been injuriously affected by that action?—Not to a large extent, for the reason that our system was really better than the Calcutta system, but the legislation passed was resented in Bombay.

33498. It may have been resented, but it was not necessarily injurious?—It has been worked well in Bombay up to now, but that does not mean that it will always be so worked.

33499. Then you say that during times of famine, Local Governments, who have exhausted their famine reserve and who find it necessary to borrow, should have the first claim on the borrowing powers of the Government of India; the scheme, which you have outlined, is one by which the Government of India would derive its revenues from moneys allotted to it by the provincial Governments?—Except that some heads of revenue will be purely imperial and will belong to the Government of India as a matter of right.

33500. So far as those revenues which attach to it under your scheme, as a matter of right, are only just sufficient to meet its expenditure, against what, under those circumstances would the Government of India have power to borrow?—The Secretary of State borrows on the security of the revenues of India.

33501. Which will expand?—That applies even now. Supposing there is no surplus, all the same, the revenues are there, and the Government of India and the Secretary of State borrow; the position will not be altered in any way, except that certain revenues will be assigned to the Government of India, and certain others to the provincial Governments.

33502. In your view then will the borrowing powers of the Government of India be as against the assigned revenues?—No, I would allow the Government of India to borrow for all, but as the Government of India's borrowing will be against the total revenues of India, and since a portion of those total revenues will belong to the provincial Governments, portions of the total loan should go to them if they want it.

33503. Are they to be earmarked against the provincial sources of revenue?—It could not be done in that way, because at present the borrowings are all against the revenues of India, and unless the Act was altered it could not be done, but in practice it could be worked in this way: Supposing the Government of India borrow in one year 10 crores of rupees; if one-fourth of the revenue has been made over to Local Governments, the Local Governments should have a right, out of that 10 crores, to 2½ crores, and the question of urgency would determine which Government should get most. What happens now is that the Government of India first takes all the money it wants for itself, and then the Local Governments get a chance.

33504. Against what resources do you propose the Government of India should borrow?—Against the revenues of India as a whole; unless the Act is altered there is no other way.

33505. Although you have deprived them under your scheme, of certain sources of income which they now enjoy?—I would not put it in that way; both the Supreme and provincial Governments will be sharers in the revenues which are vested in the Secretary of State.

33506. I want to get your point of view?—I would only let the Government of India borrow against the total revenues of all India, but as only three-fourths of the revenues belong to the Government of India and one-fourth to the Local Governments, three-fourths of the loan only should be kept by the Government of India, and the other fourth handed on to the Local Governments.

33507. Would lenders be willing to lend on that security?—I am sure they would; it makes no difference to them.

33508. With regard to the powers of panchayats you say that in cases of small money claims their decision should be final?—Yes, unless fraud or gross partiality is alleged.

33509. Would that often be alleged in cases where there were relatively large sums in dispute?—Occasionally it might be the case, but the Subordinate Judge to whom the appeal would go would exercise his judgment, and see whether there was reasonable ground for the allegation.

33510. Would you introduce into this possible appeal some provision by which the reasonableness of the appeal should be taken into consideration?—Yes, by the authority to which the appeal is made.

33511. It has been suggested by one or two witnesses that in proceedings before panchayats no pleader or other legal expert should be allowed to take part; would you agree with that?—Yes, I would not have legal experts appearing before panchayats.

33512. Would you debar them from practising before panchayats?—Yes, but when appeals go from panchayats, where partiality or fraud is alleged, I would allow legal assistance.

33513. You suggest, amongst other things, that they should have the management of the village forests; do you mean the waste lands attaching to the forests, or the cultivation of sylvicultufal land—what might be regarded as minor forests?—The valuable timber forests I would keep under the department, but there are many so-called forests which supply grazing fuel only, and those I would make over to the village communities.

33514. In Bombay has the management of these minor forests ever been in the hands of the villagers?—Before the Forest Department was organised the villagers did as they pleased with them. The department has now enclosed as forest land a great deal more area, and since then there has been no chance for the village communities. I would take out of the control of the Forest Department these particular lands, and make them over to the villagers again.

33515. As a matter of fact, in Bombay have there ever been forest areas under the control of village communities?—Before the Forest Department was organised, in many places what is now known as forest was entirely under the control of the villagers.

33516. Did that work well from the point of view of providing the villagers with fuel and grazing?—It is difficult to say, but I know that the department has been saying that the villagers denuded the forests, and that on the whole it was harmful. I would therefore provide for some control, *e.g.*, that the villagers should be bound to take care of trees and so on, but I would give the general management of these areas into the hands of the villagers themselves.

33517. There should be some expert control or direction over the village management?—For minor forests I do not think much expert control is necessary, but only a sort of general control on the part of the village authorities. The *mamlatdar* might say to the panchayat: "The Government will hold you responsible for so much; you must not cut certain trees; you may do as you like with regard to grazing and fuel." There might be some difficulty, but on the whole the system would work well.

33518. Would panchayats be able to carry out any measures with regard to famine and plague relief in villages satisfactorily?—I do not think much is done even now in that respect in the villages. They are left pretty much to themselves, and in any case nothing would be lost by throwing responsibility on them. They would not do much, but neither is much done now. They might carry out general instructions, though I admit it is a very difficult problem.

33519. Might it not be so difficult and dangerous a problem, both in respect to famine and plague, that it would be dangerous to entrust it to a village community?—I do not think so. Famine

perhaps stands on a different footing. In regard to famine Government will supply the funds for works to be undertaken, and the works might be handed over to the village panchayats, care being taken that there shall not be more waste than there is at present. With regard to plague, I do not think you can enforce measures very strictly on the village people; they will have to be left to themselves unless there is an improvement in sanitation generally; general instructions might be issued by the Government, and after that I would not interfere with the panchayats.

33520. You say that the *taluka* Boards should provide the funds both for themselves and for the panchayats, and that the provincial Governments should find money for the District Boards; but how do you propose to make up the deficiency in the provincial revenues which would arise in that case?—Taking the finances of the country as they are to-day, I do not anticipate any deficiency on the present scale of expenditure. The Government of India have been getting surpluses of 4 and 5 crores for the last 7 or 8 years, and more money ought to be taken from the Government of India and made over to the provincial Governments on condition that the local bodies are properly financed.

33521. Then according to your scheme District Boards are to raise no cess in the areas over which they rule?—No, the cesses are to go to the *taluka* Boards.

33522. Is a District Board to have no funds raised in its own area?—Except the tolls and ferries.

33523. Is not that an insignificant item?—It is between 4 and 5 lakhs.

33524. In nearly every country, a District Board, however constituted, raises its own revenue, but under the scheme which you adumbrate it is to receive its revenue from outside sources. Do you suggest that a District Board is not to raise from the area over which it has jurisdiction any sums to meet its own expenditure?—District Board administration is more in the nature of provincial administration; the area is too large, and you cannot enlist local sentiment in the efficient administration of local affairs so far as a whole district is concerned, and many of the responsibilities which have been thrown on the District Boards should really belong to the Local Government. For instance, many of the District Board roads at one time were provincial roads, and they have now been thrown on the Boards, so as to relieve the provincial finances of the burden; the provincial finances should contribute towards their upkeep.

33525. Whatever the reason may be, do you suggest that the District Boards should not rate the districts which they administer?—I do. I have an open mind on the subject. I would have an education cess if education was made free and compulsory, and if a cess was necessary. There is already one-third of the one anna cess devoted to education, but I would advocate an additional cess if necessary.

33526. (*Sir Frederic Lely.*) You refer to the policy of small works in time of famine; as a matter of fact, has not the famine policy in that respect oscillated a good deal during recent years?—Yes.

33527. At one time the system of large works was fully approved of by the Government of India as being more economical and more efficient?—Yes, but that was a long while ago.

33528. As to the new policy of small works, are you aware that that has been adopted very largely at the instance of local officers?—Yes, I have heard that.

33529. That is to say it has not come so much from above as from below?—But the Local Governments did not back up the local officers, and the Government of India did.

33530. Is not the inference not that the interference of the Government of India should be encouraged and strengthened, but rather that the Local Governments should be brought nearer its own officers?—That is one way of doing it, but the other element must be also there.

33531. Would that not be the really effective way of dealing with the matter?—In some matters it might.

33532. In matters of that sort, for instance, is it not much more desirable that measures should commence from below rather than from Simla, which is not likely to know much about them?—On the whole, yes; but a Local Government may listen to Simla, when it will not listen to its own officers.

33533. Some witnesses have given very decisive replies stating that the old *quasi*-family life of a village has disappeared; would you agree that the village constitution does not exist now?—I would not say that it has disappeared; it is much weaker, no doubt, but it would tend to become stronger if the panchayat is utilised again.

33534. Are your proposals quite irrespective of that fact? You think the village is the natural constituency of the country, and you consider that you can begin with the village as the only basis?—Yes, quite irrespective of that.

33535. You would propose, as the chief part of the constituency for the election of the panchayat, the villagers who pay a minimum land revenue of say Rs. 10; would you seriously introduce that very modern requirement into an ancient village and merely assess a man's social value or public value according to the amount of money in his pocket?—I would have only two or three members of the panchayat elected in that way; there must be some qualification, and this is the easiest test I can think of.

33536. Would not a more popular test in a village be his social influence?—After all, the duties are civic, and I would introduce this element.

33537. Would not a general body of the villagers assembled, without regard to their actual property, electing with one voice, or the voice of the majority, the man or men to whom they could most look up, be a more congenial method of election?—I do not think it is practicable any longer.

33538. Then you would have the pecuniary qualification?—I think I would.

33539. Are not the factions by which many villages are rent the real stumbling block in the way of village self-government?—Yes, but they are common to the whole country; they are not confined only to the villages.

33540. Would Government be doing right to hand over the affairs of a village, however minute they might be, to a faction, without taking measures to counteract the influence of that faction?—I do not think under my scheme it would be handing over power to a faction; it would be handing over power to a body, four of whom would be *ex-officio* men, and only two or three elected, so that it does not mean that all the members will be necessarily from one side.

33541. As a matter of fact, does it not often happen that a village is torn into two factions and two only, each led by influential men, one faction being necessarily superior to the other? That faction, therefore, under your system would obtain the dominant voice in the village. Does Government owe no duty to the other faction?—But all the men would not necessarily be from one faction only.

33542. I am supposing a case of one faction actuated by bitter hostility towards the other, and it gets the upper hand, what steps do you propose Government should take to protect the rest of the village?—I would give the Collector power to suspend a panchayat like that. I do not think anything else is required, and perhaps the very fact of their discharging civic duties jointly might temper those factions.

33543. Would you oblige litigants to refer their disputes to the local panch?—I would.

33544. You would not give them the option of going to the Civil Court?—I would not.

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33545. It would be rather hard on a man who belonged to the weaker faction to oblige him to go before men who avowedly had an animus against him?—There would no doubt be cases like that, but some amount of injustice has to be borne in the world under any system.

33546. Are not many matrimonial disputes settled by panchayats now?—Yes.

33547. Would you say justice as a rule is done?—I think on the whole simple justice is done.

33548. Are you not aware of many flagrant cases of injustice?—I have heard so, but I have also heard of injustice being done in the Law Courts.

33549. But that is not, as a rule, intentional injustice?—Probably not.

33550. Do you really think it would be safe to entrust these powers to villages?—I think so; there is some danger, but I would take the risk and try that system.

33551. At the expense of the weaker parties?—In the material interests of the villagers themselves who are ruined by litigation to-day.

33552. Mention is made of plague relief; is not the question of plague relief a particularly suitable one for treatment by the villagers, especially with regard to such matters as segregation and evacuation of infected houses?—Yes, the villagers would help themselves much better than any official agency.

33553. In fact would you say that the only agency that can turn a man out of his house without friction is the village community, the neighbours?—Yes.

33554. (*Mr. Dutt.*) Is your general position that you recommend a greater degree of independence in provincial administration, subject to a greater amount of popular control?—That is my position, the two parts of my scheme go together.

33555. In granting greater independence to provincial Governments would you make over to them some distinct heads of revenue such as land revenue, excise and forests?—Among the major heads.

33556. That of course would largely increase the present assets of the provincial Governments?—Not largely in every case, but in some cases it would. In Bengal, for instance, the surplus would be very small.

33557. And you would adjust that by a rule that the provincial Governments should make fixed annual contributions to the Government of India?—Yes.

33558. Would such a system make the provincial Governments more independent of the Government of India in the administration of those departments?—I would make them independent in regard to administration.

33559. Would that prevent the Government of India from sometimes initiating reforms in those departments when such reforms were likely to affect revenue?—If the reforms initiated led to a decrease of provincial revenue, that would be a matter for consideration, when the fixed grant by the provincial Governments to the Government of India came to be revised. I would then make a reduction from that grant, but I would leave power to initiate reforms in the hands of the Government of India.

33560. So that you would leave with the Government of India the power it has now of laying down a general policy even though it affected revenue?—Yes, that would make no difference.

33561. But if it seriously affected revenue you would leave that to be adjusted at the next settlement?—That is my position.

33562. According to your scheme of village panchayats, you would introduce a panchayat at present in every village with a population of 500 and over?—I would try.

33563. I suppose there are something like 10,000 villages of that kind in this province?—Yes.

33564. You have also suggested that a special officer might be employed to start and guide these panchayats and watch over their work?—I think that would be necessary.

33565. Do you propose a special officer for the whole province or for each division or district?—I would have an officer for each division; one officer for a whole Presidency would find too much work to do, but an officer for a division, with special responsibility thrown on the *mamlatdar*, would perhaps meet the requirements of the case.

33566. Would this officer act in concert and consultation with the *mamlatdars*?—Yes.

33567. Subject to that would you rather give a free hand to the village communities when once started?—I would.

33568. With regard to your proposal to make over the whole proceeds of the one-anna cess to the *taluka* Boards, you admit that that would leave very little to the District Boards?—Yes.

33569. Do you propose that they should get only the revenue derivable from tolls and ferries?—Those too I would do away with, tolls especially.

33570. Would you propose also that certain contributions should be made by the Government?—Yes, and a part of the excise revenue might be made over to these Boards.

33571. You know that there are some important works which had to be done by the District Boards which cannot be done by the *taluka* Boards?—Yes.

33572. And you also know that possibly District Boards may hereafter employ their own engineers instead of depending on the Public Works Department; with all this increasing expenditure, would the income which you would assign to them be sufficient to meet all the expenses?—If you assign 10 per cent. of the excise, that means in this Presidency 14 lakhs straight off, and that will go some way, especially as the *taluka* Boards will be able to take care of themselves. The District Boards will mainly look after the larger communications. My point is that the work which the District Boards do now is really the work of the provincial Government.

33573. When, for instance, an engineer is appointed by the District Board, in the interests of the *taluka* Boards, would you not provide that the *taluka* Boards should contribute something towards his pay?—I would leave the *taluka* Boards to manage their own roads from the *taluka* towns to the villages, and I would not have anything done for them by the District Board; if a District Board employs an engineer of its own it ought to find the money.

33574. Are you aware that most of the important roads are now attended to by the Public Works Department?—Yes.

33575. And that the District Board has to pay a percentage to the Public Works Department which comes to a considerable amount?—Yes.

33576. Therefore it might be advisable for the District Boards, in some cases, to employ their own engineers; in such cases would you leave the District Boards to find the money and not get it from the *taluka* Boards?—Yes; District Board funds should come mainly out of the provincial revenues; seeing that the distribution of the resources between provincial and local is not quite fair now, I would throw a larger burden on the provincial revenues.

33577. Would you be in favour of allowing *taluka* Boards to manage their own primary schools instead of leaving them to the management of the Education Department?—Except that I would place the staff under the District Boards or some district authority.

33578. Do you mean the teaching staff?—Yes; there is more contentment in a Service if there is a wider area over which you can shift your men, but barring that I would allow *taluka* Boards to manage their own school affairs.

33579. But you would expect the *taluka* Boards to pay?—Yes.

33580. But the appointments and transfers would be in the hands of the District Boards?—Yes. If the educational expenditure has to be increased, I would expect these Boards to make a grant.

33581. Would you expect the *taluka* Boards to have a large number of aided schools—schools to which the Boards would only contribute a certain monthly stipend—leaving the villagers to maintain them?—We had that type of school here at one time, but it has well-nigh disappeared now, and I do not think it is possible to revive it.

33582. Not even in small villages?—It might be done there.

33583. Would it be desirable to try?—There are some villages in my own experience where four or five or six families have grouped their resources together and maintained a teacher, and in those cases a small grant would be useful.

33584. If you allowed the District Board and the *taluka* Board a free hand in fixing the hours of attendance, the holidays during the year and other matters, would village schools be more popular than they are at present?—Yes, I think so.

33585. On the whole, would you be in favour of giving a freer hand to the District Boards and *taluka* Boards in regard to primary education?—Yes, and to the village panchayats too, except in regard to curriculum and staff.

33586. Would you leave that with the Education Department?—Yes, within certain limits; there should be a certain amount of latitude left even to these local bodies; the larger limits should be fixed by the department.

33587. Are you in favour of the Collector remaining President of the District Board?—Yes.

33588. Do you think a Collector really knows more about a district than any other man in it?—Yes, he tours constantly and that advantage might be utilized, especially as I propose to finance these Boards with Government money.

33589. Are you in favour of the creation of District Councils?—Yes.

33590. Is it your idea that each district shall have a small Council of non-officials, two-thirds to be elected by the non-official members of the Board and one-third to be nominated by the Collector?—Yes.

33591. What do you propose as the total number of members of such Councils?—I propose for Poona 9 members.

33592. In the present state of the administration, are such District Councils likely to work satisfactorily and advantageously in most districts?—Yes.

33593. Would there be no difficulty in finding suitable men in every district?—Some men might not be quite so satisfactory as others, but in the course of time you will get the right type of men and even now you certainly would get some good men.

33594. Men not only qualified but who would be willing to give their time to the work?—They will give their time and advice if the work is there and if their advice is found to produce an effect; I am certain of it.

33595. In that way would the district administration be brought more in touch with the people and made more popular?—Certainly.

33596. (*Mr. Hichens.*) What exact advantage do you expect will be derived from giving to provincial Governments separate revenues?—One would be that the growth under those revenues would naturally belong to the provincial Governments, and since all internal administration is made over to provincial Governments, we, who are naturally more interested in the internal administration of the country, will have a larger portion of revenue devoted to our own needs.

33597. Is it better to have all the growth of two sources of revenue, or half the growth of the increase on four sources?—Under my scheme the division will be more favourable to the Local Governments.

33598. Are you assuming that all the sources are likely to increase?—Yes.

33599. Customs is a source of revenue which might expand?—Customs are amenable to the influence of England and might come down; opium is going, and salt, again, may disappear, so that really under my scheme the Local Governments will be steadily getting better and better off.

33600. Would they take an interest in screwing the revenue up?—I should object to that. But my position is this; if the revenue under a provincial head does rise, let the internal administration of the country get the full benefit of it. For instance, excise revenue is rising in spite of the protestations of the Excise Department, and if it must rise, let the internal administration at any rate get the benefit.

33601. From the point of view of control, would you advocate that the provincial Governments should have more control than they have to-day over these revenues which you would give them?—Yes, I would let them spend them as they thought best.

33602. I mean in the matter of collection or remission or increase?—All taxation I would leave in the hands of the Government of India.

33603. So that practically speaking, you would not give them any more control than they have to-day?—No, none, so far as raising the level of taxation is concerned.

33604. The only thing you hope to gain then is that they may get a larger increase?—They may get a larger increase, and there is an element of permanence about the arrangement which will have an effect all round.

33605. It is conceivable that owing to change of circumstances the revenues which you have handed over to the Government of India might expand by leaps and bounds, and that your revenue might not expand quite so fast as that of the Government of India?—That is possible; I had that in view when I left the remission of taxation in the hands of the Government of India.

33606. But do you lay stress on as great elasticity as possible in financial arrangements?—Yes.

33607. You would not merely for the sake of uniformity or consistency allow the Government of India to retain revenues largely in excess of what it required, and the provincial Government to have revenues largely below what it required?—No.

33608. Would you say if an adjustment was necessary it might be made at any time?—Yes.

33609. Therefore it is not desirable to aim at too great permanence?—No, except that there should be a reasonable permanence.

33610. But you can have a reasonable permanence under divided heads?—But if you divide heads of income you probably divide heads of expenditure, and then it gives an opportunity for the Government of India to say, "You shall not spend money in this way, but in this, that, or the other way." I would make the entire expenditure and the entire revenue under certain heads imperial, so that they may be controlled by the Government of India and not by the provincial Governments.

33611. With regard to expenditure, the Government of India is still to have a certain control over matters of general policy?—Yes.

33612. For example, taking the case of education, would the Government of India be there to lay down general principles?—Certainly.

33613. And it would be then the business of the Local Government to carry them out?—Yes.

33614. Taking forests as they are to-day, could the same principle broadly be applied?—Yes.

33615. Is it not quite conceivable that that principle should be applied without making the expenditure wholly provincial?—Yes, there it would be a question of policy. So far as expenditure is concerned, in regard to provincial heads of expenditure, the provincial Governments should have entire control except in regard to policy. With regard to imperial heads of expenditure, the Government of India should be able to say,

"This will reduce our expenditure even if there is no question of policy concerned, and therefore you must carry out these arrangements," or, "It will increase our expenditure and you must not do it."

33616. Assuming the heads are still divided, is there anything unreasonable in the Government of India saying they will not interfere in matters of detail, but only in matters of general policy?—No; if you have divided heads of expenditure and the Government of India do not interfere in matters of detail, it comes to the same thing as my system.

33617. When you said the work the District Boards did to-day was work properly belonging to the provincial Governments—what work did you mean?—I meant the larger communications. Considering the resources available for local expenditure, I would throw the burden of those larger communications on provincial revenues.

33618. Is there anything else, education for example, on the same footing?—The cost of education comes out of the rates, and the Government makes a grant.

33619. That is not one of the functions which is more properly provincial?—A substantial grant should come out of provincial revenues, but the rest must come out of the local rates.

33620. The point is, under an ideal system of district local government, what functions would you assign to the local body—would you give them the care of roads?—Yes.

33621. Would you give them the care of primary education and sanitation?—Yes.

33622. In other words, would you give them these functions which you have said would be more properly provincial?—Yes, under an ideal system.

33623. But I understood you to mean that the funds of the District Boards were inadequate to carry out these works?—My idea is this. Local self-government, strictly so-called, must be over a limited area, and when you go beyond the *taluka* in India you get an area which is much too large for local self-government strictly so-called, and I would therefore concentrate the local resources on *taluka* Boards; the District Board may take over some of these functions where necessary, but it does not mean that all the functions of local self-government in regard to these areas can, or should, be taken over by the District Board.

33624. Are not these functions, properly speaking, local functions and not provincial functions?—That depends. They are partly provincial; where the local resources are small, the district communications should certainly be maintained out of provincial revenues.

33625. There are certain roads which might be given over to the provincial Government, but apart from that is it desirable from the point of view of good government that the local authority should manage and manage in the fullest sense, all the matters which can be considered of local importance?—Yes, if there was revenue enough.

33626. The point is to find enough revenue, and you would say that it is the business of the Government to find resources adequate for the purpose?—Generally it would be the business of the Government, because whatever local revenue can be raised is already being raised, and if any more revenue is wanted, Government must provide it.

33627. Are you familiar with the system which obtains in certain other parts of the world by which the Central Government helps those who are prepared to help themselves, and makes certain *pro rata* contributions in proportion to the money raised locally; would that system work here?—I do not think it would; the money available here is not enough to go beyond *tâluka* Boards, and I do not think we can raise any more locally unless the Government surrender a portion of the revenue which it at present takes. If the provincial Government would surrender a little more of its revenue to the local bodies, I would not mind taking up these functions for the districts, but to-day it is not possible to do so.

33628. Would you apply the principle of proportionate contribution to *taluka* Boards?—Yes, and I would not go beyond them.

33629. With regard to the District Councils you suggest, are they to be purely advisory?—They should be advisory in the sense that a resolution passed by them could not take effect unless the Collector accepted it; but in certain matters if the Collector could not accept a resolution he should have to go to the Government to set it aside.

33630. Is their whole object to consider matters which are not of local importance in the sense that we have been discussing, but of provincial importance?—In a way, yes.

33631. In other words, they would, so to speak, take the place of a local committee of a provincial Legislative Council?—Roughly it would be that; it would be more similar to that than anything else.

33632. Can you parallel that position in history?—I would rather not answer such a question offhand. But it should be remembered that the whole position in this country is exceptional.

33633. One thing they would have to consider, for example, would be the question of remissions of revenue, and might they not conceivably be a little biassed in favour of their own district in such a matter?—Yes, but the remissions go up to the Central Government; they would only recommend.

33634. But their influence might be discounted by that?—But they would also bring more local knowledge to bear on the matter.

33635. (*Mr. Meyer.*) So long as the present official system continues you do not want any material delegations of powers to Local Governments?—No.

33636. Your view is that the Government of India are from their position able to take a wider view?—Yes.

33637. And you would not be in agreement with the statement made in the case for the Bombay Government that the Government of India is out of touch with local conditions, and that the Local Government is a far safer interpreter as to local needs and local wishes?—That statement would be correct within certain limits. Of course Local Governments understand local needs better, but they also have local prejudices to a larger extent.

33638. Taking the Government of your own province, do you consider that they are sufficiently in touch with local unofficial opinion?—That is a difficult question to answer. The Government are in some touch with local opinion, say, in the City of Bombay, or in Poona, but it all depends upon what degree of acquaintance you expect.

33639. While they are in Bombay and Poona, do they go about?—They read the newspapers, and the Governor and the members go about, so that they must acquire a certain amount of acquaintance with local affairs.

33640. Are you satisfied with the dates at which the local budget is discussed in the Bombay Council?—No; I have never understood why they discuss it in August or July.

33641. Far later than in most other provinces?—Yes.

33642. It has been suggested as an explanation that the Bombay Government desire to present the members of the Legislative Council with the civil estimates in full—would that appeal to you?—I cannot express a useful opinion upon that. I do not know what the difficulties are in preparing the civil estimates earlier.

33643. Would you prefer to have the budget discussed more promptly on less elaborate information?—Yes.

33644. Taking such information as you get in the Government of India budget?—I think that will not suffice. More detailed estimates would be necessary.

33645. It is also suggested by several Local Governments that it is very aggravating to them

for the Government of India to alter their estimates; is it desirable that the Government of India should continue to check the provincial estimates in the interest of accuracy?—I have no direct knowledge of that. I have only heard things, but I really think, even if alteration is necessary, that it might be made in a manner which would try the patience of Local Governments less.

33646. Still I think I have heard you in the Imperial Legislative Council criticise the Government of India on the ground that their estimates have been falsified by events, and that there was a much larger surplus than was anticipated?—That is so.

33647. Therefore, might it not be legitimate, in order to avoid such criticism, that the Finance Department should take every means in their power to make their estimates as accurate as they can be?—Yes, but I do not know how far your alterations are due to this or to something else.

33648. Your scheme of division between the provincial and Imperial Government makes certain items wholly imperial, such as stamps, income-tax and registration; would the provincial Governments, which will necessarily have to manage these sources of revenue, take the same vivid interest in their development if they had no interest at all in the proceeds?—I think they will; assuming that every man does his duty fairly well, I should expect a reasonable amount of interest to be taken.

33649. Still, if there is a competition as between a source of revenue that yields you profit and a source of revenue which yields none, would it not be human nature to take care first of the source of revenue that benefits you?—In the abstract, I would say yes.

33650. Then you say it will be necessary under your scheme, besides giving certain expanding heads to the Government of India, to give them a fixed assignment, and that that assignment is to be revised every few years at conferences; will not that lead to just the same bickering that the old system of quinquennial provincial settlements gave rise to?—Yes, with this difference—the Government of India usually have a much larger surplus than the Local Government have; and even if the Government of India revenues under a certain head fell short of what was expected there would be enough to cover it from other sources.

33651. But would there not be a great deal of squabbling and bickering?—Yes, but I would rather have one Government of India discontented, than seven provincial Governments discontented.

33652. You would be prepared to face the result that you would have less remission of taxation probably under your system?—I do not expect that; I have made over to the Government of India heads under which alone there has been, or will be, remission of taxation, and if more revenues are available to Local Governments, that means improved internal administration.

33653. The Government of India, for instance, has been able to afford to reduce the salt tax because it was compensated by increased revenues under other heads, but you are diminishing their increasing revenues?—Yes, but on the other hand, look at the increased expenditure on the army and other things.

33654. When you say that the Local Governments are to have a share in the loans which the Government of India raise, do you still contemplate that the Government of India should borrow for productive works?—Yes, they have been going rather fast, and I do not like the rate at which they have been borrowing, but it will still be necessary to borrow for productive works.

33655. Would not borrowing by Local Governments be largely non-productive?—Yes, unless they borrow for feeder railways and things of that kind, or small irrigation works.

33656. To that extent your system would increase the net burden of the debt of India?—It need not. The Government of India would float a certain loan in the market, and I would share that between the provincial Governments and the Government of India.

33657. But the provincial Governments might use the money for non-productive purposes, and in so far you would increase the burden of the debt?—Yes, but the Government of India would accept that.

33658. But would you accept it?—For the present, yes.

33659. Although you would give Local Governments enhanced powers in other directions you say that you would not give them any extra powers in regard to the creation of appointments. Are you aware that the Secretary of State has recently relaxed his control over the Government of India in that direction?—I have read it in the papers.

33660. Would you be prepared to give the Local Governments that same power?—No, I would not, while public opinion remains as weak as it is to-day.

33661. You think it is safer in those matters to have some outside check?—I think so.

33662. Would that apply also to the existing financial codes, the Civil Service Regulations as regards travelling allowances, and so forth?—Travelling allowance perhaps would stand on a different footing, but as to pay and pension, certainly.

33663. Is the present system of minute check by the Secretary of State on the Central Government desirable?—As far as I am aware of it, I would keep that.

33664. Your District Board is really to be a Council to assist Collectors in running certain matters which the provincial Government may entrust them with?—Quite so.

33665. It is practically therefore an Advisory Council. But at the same time you propose certain formal Advisory Councils—are two bodies of that kind necessary?—Are you speaking of the District Council?

33666. You would have a District Board and a District Council?—Yes; the functions of the District Board are determined by statute, and the other is a more elastic body.

33667. Your local self-government stops at the *taluka* Board?—Yes.

33668. The District Board becomes a body for the administration of certain expenditure?—Except that it is three-fourths elected.

33669. Apart from those details, is it necessary to have two Advisory Councils in a district, one dealing with roads and education and the other with revenue and other matters?—I should not mind abolishing the District Board if its functions were made over to the District Council, but I do not want to disturb the existing machinery too much.

33670. What would happen to the present village Sanitary Boards under your scheme—would they merge in the panchayats?—I would merge them in the panchayats.

33671. Although you would think it desirable that the Collector should remain President of the District Board, you desire to keep the Sub-Divisional Officer out of the *taluka* Board?—Yes, except that he might attend the meetings in order to know what was going on.

33672. Are you not rather divorcing him from the economic interests of his sub-divisional charge?—Yes, but I do not much believe in his interest in the work of these local bodies; there is a desire to assert his authority in small matters, and I do not much believe in that.

33673. When he goes on tour, and the people ask him for a new school or a new road, or to repair a drinking-well or a water-tank, has he to say, "I am sorry I cannot help you, you must go to Mr. X., the President of the Sub-Divisional Board"?—There is nothing wrong in that.

33674. You would make the Sub-Divisional Officer, then, simply a collector of revenue; he

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would represent the Government in its restraining and taxing capacity, but in its benevolent capacity he is no longer to have any say?—The Government itself makes over these functions to a local body.

33675. You speak of making over to the *taluka* Board the whole of the cess now levied; what is to become of the quarter-anna extra which has been contributed by the Government of India?—That will go to the *taluka* Board; if the District Board is maintained separately, I should not mind if it was retained by the District Board, otherwise I would transfer it to the *taluka* Board.

33676. Some of your *talukas* are poor, thinly peopled, and backward generally. Would they be able to stand by themselves?—If they are not able to, Government might make them a grant occasionally out of the quarter-anna contribution.

33677. You propose that one-tenth of the excise revenue should be made over to District Boards; apart from considerations as to the legitimacy of such a course, would that not lead to considerable practical injustice?—In what way?

33678. The greater part of the excise revenue in most provinces is levied in the shape of duties at a few distilleries?—Yes, but the Government might distribute it among the different Boards; it need not go according to locality.

33679. Generally, the hardest drinkers are in the municipalities; would they get any share of the excise revenue?—So far as municipalities are concerned, if the Government will help them in regard to large projects and education, I would not give them any of the excise.

33680. I think I remember your saying a year or two ago in the Legislative Council that you thought Government should make regular contributions to municipalities?—I am quite of that opinion in regard to these two objects.

33681. You do not want a regular grant-in-aid, such as the District Boards get, but simply specific contributions for specific schemes?—Specific contributions for sanitary projects, and a regular grant for educational purposes.

33682. Which pays most towards primary education, Government or the local bodies?—I think the local bodies bear the larger proportion.

33683. But the Government makes grants?—Yes.

33684. Taking the Poona municipality, did you deal with primary schools only?—Yes; we have primary schools and a technical school.

33685. But did you receive grants-in-aid?—We get grants-in-aid; the schools are all our own and the Government make a grant-in-aid. We get about Rs. 9,000 from Government, and about Rs. 16,000 or Rs. 17,000 is our own money.

33686. Have you your own staff?—Yes.

33687. Do you find that work satisfactorily?—Yes, fairly satisfactorily, but of course there are arrangements with the Department under which it takes back men we do not want.

33688. You stand on a much more independent footing than the District Board does?—Yes.

33689. Quite apart from what might be done under your scheme, it has been suggested that in this province local self-government consists largely in the Local Board paying for various branches of administration which the Government manage for it, such as the larger roads, education, vaccination, dispensaries, and so on; would you agree with that?—Substantially that is correct so far as the work of the District Boards is concerned; the *taluka* Boards receive very little, and the District Boards retain the greater part of the revenue.

33690. Would you say then there is not much real self-government?—Yes, so far as District Boards are concerned that is so, and as far as *taluka* Boards are concerned, they have no resources.

33691. (*Sir Steyning Edgerley.*) Do you represent any views except your own?—I represent my own views and also those of the Presidency Association of Bombay, who have nominated me as their representative to give evidence here.

33692. Have you discussed these matters with other local leaders?—Yes, and I have their authority for saying that my statement represents their views.

33693. Can you give me any names?—Yes; Sir Pherozesha Metha, who is the President of the Association, has gone through my statement, and several of the other leading members have gone through it also, and they have authorised me to say that it represents their views.

33694. The impression which it produces upon me is that if you can get certain reforms you are prepared for some great measure of devolution, but if not the ship of State may go on more or less to destruction in its own way?—I do not know that it will go to destruction; it might go on as it has been going.

33695. Is the suggestion quite accurate that any Local Government in India under the Secretary of State could ever be accused of possessing "absolute power"?—I think it is fairly accurate; it must not be taken literally, but it expresses a general meaning.

33696. There is always, for instance, the power of memorial and representation?—That is true.

33697. It has been suggested by other witnesses that that would be much more effective if the Government of India were not, so to speak, responsible for the action which the Local Government takes; do you share that view at all?—I do not believe in that.

33698. You, I think, are organising a society which is called the Servants of India Society, and you are collecting the most able men you can get to become members of it?—Yes.

33699. Is the object of that society to study political problems?—Yes, that is one object.

33700. Supposing nothing were now done, can you quote any instance where an area or a population of the size of India is absolutely controlled from one centre?—No, it is very difficult, I admit. I do not think you can absolutely control an area like that from one centre.

33701. Would there not be some benefit, even supposing you could not get all you want in decentralization?—Yes, but there would be some serious risks, and taking all the circumstances into consideration, I think the risks would be greater.

33702. Is not the Local Government rather more open to the influence of local public opinion than the Central Government?—Yes, but there is a balancing consideration, that they are subject to local prejudice far more than the Government of India. I might mention a recent instance in my own knowledge. The first Poona drainage scheme was a big scheme estimated to cost 42 lakhs, and the Government of Bombay were keen about it. The municipality did not want to go in for such a big scheme, but the Sanitary Engineer and the Bombay Government brought a lot of pressure to bear upon us, and we were made to feel that unless we accepted the scheme we should be set down as obstructionists. We said we did not believe in the scheme, but we said we were prepared to find some money and let the Bombay Government run the whole thing on their responsibility, but the Government of India vetoed that.

33703. Has there not been another scheme recently which is more acceptable?—Yes.

33704. And that is at present blocked by whom?—By the Government of India, as far as I know.

33705. Do you not think with these shared responsibilities you very often get the position that the power (meaning the Local Government) which virtually exercises the control does not bear the responsibility?—Yes, in theory I admit that.

33706. Is it not one of the first principles of public administration that the person who has the power should face the music, so to speak?—Yes, but you face the music right enough so far as public opinion is concerned, which is directed against you.

33707. I understand that unless you can get reform exactly in the way you want, though you admit the existing system is hopelessly ill-adapted to the present needs of the country, you would prefer it to go on?—Yes; it is hopelessly ill-adapted to these needs, but if the needs are not likely to be satisfied I would let the present arrangements go on.

33708. I suppose your scheme for a return practically to Lord Mayo's system of separate revenues, would be the subject of some negotiation and would have to be worked out?—Yes, my suggestion is an illustration only.

33709. For instance, if the Government had the surpluses you suggest, and also the share of the loans annually raised, would you consider that the provision of major irrigation works for a province would be a fair provincial duty?—It is very difficult to say, because major works may be common to two or more provinces, and where there are loans against them, I do not know how you could provincialize them.

33710. Can you mention any case where irrigation works are common to two provinces?—Yes, in regard to the canals from the Indus, for instance. I cannot say that the irrigation works themselves are common, but the water from the Indus is taken both for the Punjab and Sind.

33711. Would you see any great objection, when time proves that your arrangements will work, to Local Governments having power to vary taxes?—The taxes would have to be the same all over the country, otherwise there would be dissatisfaction; if the Bombay Government had a higher income tax than the Madras Government, there naturally would be dissatisfaction here.

33712. Would that not depend on whether the people understood why it had been raised?—I do not expect the bulk of the people to understand why taxes are raised.

33713. I understand you object to provincial Governments borrowing and think that the Government of India can borrow better, in fact that they should have charge of all banking arrangements and ways and means, but would you give Local Governments power to borrow up to a small maximum independently for particular works?—Do you mean to go into the open market?

33714. Yes, for very small sums, say up to five lakhs?—I do not think there would be any harm in that if the money was raised locally, but it is difficult to distinguish, and limits would have to be laid down not only with regard to sums, but also with regard to areas.

33715. In administrative matters, you say the first line of division that suggests itself is that the control of military and naval defence and so on should always be directly in the hands of the Government of India; what is the principle underlying that?—The internal administration of the country should be, roughly, in the hands of the Local Governments, and concerns which are common to different provinces, or which deal with the external affairs of India or matters of defence and so forth, should be in the hands of the Government of India.

33716. The principle practically is, that power should be as low down as possible, and that only things that cannot be done by Local Governments should be done by the Central Government?—I would not subscribe entirely to that. Power should be as low down as possible, subject to this, that there should be arrangements for reasonably controlling that power.

33717. Under your system would there not be sufficient power of suggestion left in the Presidency itself to secure initiation?—I do not see why there should not be.

33718. Would your panchayats necessarily be for single villages or for unions of villages?—They might be for unions where the villages are small, or I would tack on small villages to big villages.

33719. Can you suggest any principle of union?—The villages should be within a certain area.

33720. One principle which was suggested in the Central Provinces was that a market town, with the surrounding villages which habitually resort to it, would form a possible union; what do you say as to that?—It is difficult to express an opinion off-hand upon that; it is a detail which will have to be worked out by a special committee.

33721. You say in your statement that the only remedy lies in carrying a substantial measure of decentralisation down to the villages, and in building up local self-government from that; that in your opinion is the very first thing that claims attention?—Yes.

33722. Then you say, "Last but not least, District Councils must be formed"—is the "last" in order of time?—In the series.

33723. Would you make panchayats before beginning that, or would you begin both simultaneously?—I would begin simultaneously; I mention this in the series as being last.

33724. Would you begin that at once too?—Yes. The functions are different.

33725. Your suggestion as to the decision of cases by panchayats, and the finality you would give such decisions is practically a reference to arbitration?—Yes.

33726. As to roads, the Government are moving in the direction you suggest in this Presidency, of taking back a certain number of local roads for maintenance from provincial funds?—I have heard that, but I have not personal knowledge of it.

33727. When you discuss the question of these much larger contributions you presuppose a very much increased provincial revenue?—Yes.

33728. For instance, the present rise in the rate of living all over the country would justify an increase in the rate of pay of our lower paid servants who are under-paid?—Yes.

33729. And schoolmasters, police, village officers, and subordinates in the Forest and Public Works Departments require more pay, which would all run into a great many lakhs of recurring expenditure?—Yes, I think it would require that.

33730. And such reforms ought to come from large subsidies to Local Boards?—It ought to come along with other expenditure out of the large surpluses which the Government of India at present retain for themselves.

33731. Are the surpluses large enough to meet this increased expenditure?—Yes, there have been four or five crores every year, and if they gave about 50 lakhs a year to each province it would do.

33732. You think the system by which the Education Department has the control of the curriculum and staff in essentials, is not bad, but that the Local Boards should have a great deal more authority in the general management of the schools?—Yes, roughly that would be so.

33733. And without any great change of system, could an arrangement be arrived at of which you could approve?—Yes, I would give the villagers or the local people more interest in the schools.

33734. As regards sanitation grants, there were orders published in the Presidency about last May, giving assistance to local bodies in the preparation of schemes of a substantial amount?—Yes, the theory has been admitted.

33735. And there is a promise of assistance when schemes are ready—theoretically does that not more or less meet your views?—Yes, it is a much better state of things than before.

33736. So that the Government is moving to some extent on the lines you suggest?—Yes, but after a great deal of agitation.

33737. So that public opinion has occasionally had some effect with a Local Government?—In this instance, yes.

33738. As regard *taluka* and District Boards would it be very much better for the Local Government to frankly take back all roads as provincial

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and change the outlook of your proposed District Council? Do you want your District Board in addition at all?—Then I would do away with the District Board.

33739. You say that the Collector would correspond direct with Government, and Mr. Jackson suggested yesterday practically very much the same thing, but he thought that Commissioners should devote themselves to the inspection of the work which is done by the Collector; would your Inspectors-General be Commissioners in that guise?—They would be men of the same status, but I would make over the whole Presidency to one Inspector-General for certain purposes.

33740. In your experience is the great danger of the present provincial contract system and divided heads of revenue the inevitable tendency of a Secretariat to absorb authority?—Yes, I think it must be so.

33741. (*Chairman.*) You propose that the municipalities should get a grant for any extraordinary projects such as sanitation, drainage, and so forth; is that a usual system of financing a municipality?—In this Presidency it was only last year that a resolution was issued by the Government practically promising such assistance, but in Bengal, Madras, and the United Provinces the system has been in work for a long time, and towards large projects the Government makes a grant.

33742. But keeps some control over the expenditure by an examination of the budget?—That is due to the backward character of the Local Self-Government Acts in those provinces.

33743. And not in your judgment because they finance the municipality?—I have discussed it with officials of the Government of India, and they have never said so.

33744. Would you be prepared on the one hand to continue the system of financing the municipality, withdrawing any examination of the budget on the other?—Yes, practically that is so on our side now.

(*The witness withdrew.*)

Mr. RAMANBHAI MAHIPATRAM was called and examined.

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33745. (*Chairman.*) You are the Vice-President of the municipality of Ahmedabad?—I am. I have been so since January last. I have been a Municipal Commissioner for the last 10 years. I was for seven years in Government service as Head Clerk and Clerk of the Court to the District Judge of Ahmedabad. I also acted as a Subordinate Judge. I resigned in order to practise as a pleader. I am a native of Surat.

Executive Officers, as a general rule, are not sufficiently in personal contact with the people. No obstacles to such contact are created by the existing administrative arrangements, but European Officers keep themselves aloof from the Indian population. They maintain only rigid official relations with people, official and non-official, of the Indian community. If they had the desire they could have many opportunities for coming in closer touch with the people. There are some officers possessed of great sympathy who particularly cultivate opportunities for personal contact with the people. They invite Indian gentry at social functions at their houses, and themselves attend ceremonial celebrations among the people. They are easily accessible to townsmen as well as villagers and are anxious to learn the views of people of all classes directly from them. They do their best to assist well-directed movements for the public good. But such officers are very rare. There is a general impression that Executive Officers do not welcome intercourse with men of education and culture.

Executive Officers do not generally possess a sufficient knowledge of the vernaculars. Their acquaintance with the language of the people is very scanty.

In accordance with the present rules under the Local Authorities Loans Act, the term of a loan is not allowed to extend beyond twenty years. This condition is found to be very hard as a large amount of sinking fund has to be provided annually and the needs of ordinary municipal government have in consequence to be stinted. The benefits derived from public works constructed out of such loans are to be enjoyed by succeeding generations also, and it is right that they should also bear some part of the cost. Municipalities ought to be allowed to have a freer choice in fixing the term of repayment. The present limit may with advantage be extended to sixty years.

After the loan is sanctioned the municipality ought to be allowed to make its own arrangement for the construction of the works on the plans being approved by Government. The requirement that the construction shall be made by Government agency, paid for by the municipality, entails much unnecessary cost. The general supervision of the Government Public Works Department is quite sufficient for guidance in such matters.

There ought to be less interference by Government in the methods of taxation which municipalities may wish to adopt within the scope allowed by the Municipal Act. The Government of India have recently compelled municipalities to reduce the octroi duties on *ghi* and sugar and required them to accept a maximum percentage of *ad valorem* duty for these articles. *Ghi* and sugar are articles of luxury and can be taxed at a higher rate without causing undue hardship. The municipalities therefore naturally preferred to retain their existing rates. But being compelled by Government to reduce the rates they have had to increase duties on other articles and to include in their schedules articles which cannot bear the burden. This has led to much hardship, and has caused some dislocation in the market. It brought about a strike in Ahmedabad. The municipalities ought to be allowed a free hand in these matters. Further, municipalities are not allowed to levy octroi on flour, butter and cigars which have been imported by sea and have paid customs duty. They are also not allowed to levy octroi on wines and spirituous liquors. This shuts out a legitimate source of revenue. Municipalities would be able to regulate their finances and develop themselves more satisfactorily if all such interference be withdrawn.

In cities, where lands have been surveyed and recorded, unoccupied sites are under the dual control of the Revenue Department of Government and the municipality. This arrangement leads to friction and complicates their management. The municipalities ought to be allowed to have full control over these sites. The Act provides proper guarantees for preventing unjustifiable alienations of lands by municipalities.

The Municipal Act makes it a discretional function of municipalities to secure or assist to secure suitable places for the carrying on of offensive trades. In the larger cities the removal of the places of such trades to a distance from populated areas would tend to great sanitary improvement. But the difficulty lies in securing sites. Even after acquiring land outside cities on payment of compensation, and then assigning them for kilns, slaughter-houses, dairies, sugar factories, etc., high fines under the Land Revenue Code coupled with increased assessment would have to be paid to Government before buildings for these purposes could be constructed on the sites. Municipalities would find themselves enabled to develop their sanitary administration by insisting on the removal of offensive trades from the heart of a city if they were given powers to remit these fines and increased assessments, or, if lands surrounding cities were vested in them.

Municipalities should have an effective voice in the matter of liquor shops being opened within their limits.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their areas. The District Boards work almost as departments

of the Government, and their position as controlling authorities would take away the individuality of the smaller municipalities who would gradually be led to lose their sense of responsibility. Besides, there would be the danger of the funds of the smaller municipalities being utilized for the purposes of the District Boards. Even at present the smaller municipalities find their meagre income swallowed up by charges on account of schools and dispensaries, making it impossible for them to devote themselves to the execution of sanitary and other improvements.

If by decentralization the powers of the District Officers are to be extended, the extension should not work in the way of taking away the right of the raiyat to appeal to the higher authorities.

33746. Who is the Vice-President of your municipality?—I am the Vice-President. The President is a retired Deputy Collector.

33747. So that both the President and the Vice-President have been in Government employment?—Yes.

33748. Do you work in your municipality by committees?—Yes. We have a Managing or Finance Committee, a Sanitary Committee, and a School Board.

33749. Are you, as Vice-President, Chairman of any of these committees?—Not unless I am appointed a member of a committee. At present I am not a member of any of the committees. I have been several times on the managing and other committees.

33750. Is the President of the municipality Chairman of any of these committees?—No. But if he is a member of a committee he is *ex officio* Chairman. He does not put himself on the executive committees.

33751. Have you any power to raise taxation without the consent of Government?—No.

33752. Does that hamper you as a municipality?—I do not think so.

33753. What are the principal sources of your income?—We have octroi 2 lakhs; a house-tax bringing in about Rs. 40,000; a drainage-tax realizing about Rs. 25,000; a water-tax, one lakh, sanitary cess about Rs. 45,000, and the tolls about Rs. 40,000.

33754. Are there any Government contributions to your expenditure?—We have one towards educational expenditure. There are contributions from the local funds also for schools and general purposes.

33755. What schools do you control?—Primary schools, and we assist other schools. We appoint the masters and committees of management.

33756. Do you set the curriculum?—No, that is prescribed by Government.

33757. You buy the furniture, and that sort of thing?—Yes.

33758. Have you any control over secondary or middle schools?—No.

33759. In the case of drainage works for which you get a grant from Government, how is a scheme considered when it is prepared?—First of all we get a scheme prepared by an expert—now Mr. Baldwin Latham; then the municipality approves of the scheme, and then it is sent to the Public Works Department.

33760. Do you send it first of all to the Sanitary Board?—Not necessarily, but if Government chooses, it may consult the Sanitary Board.

33761. Have you any control over roads?—We have complete freedom over our own roads, and also in the case of lighting.

33762. Who prepares your budget?—The Managing Committee. Then they send it up to the General Board. That body considers it and finally passes it or amends it.

33763. It is not referable to Government?—Not at all.

33764. Have you any debt at Ahmedabad?—Yes, about 21 lakhs since 1890.

33765. Are you paying it off or increasing it?—We are paying off the old debts, but increasing our liability in new debts

33766. Is the financial position of your municipality fairly sound?—We have to pay about a lakh of rupees interest annually, and about Rs. 50,000 to the sinking fund. We are sound as far as we have gone. Our debt was incurred for water-works, drainage, and the building of the bridge over the river.

33767. Do you employ a large number of menials and clerks and other people?—We do.

33768. Who appoints them?—Our Secretary appoints all subordinates getting Rs. 15 and under, the others are appointed by the General Committee. The Secretary can dismiss those appointed by him, and the municipality can dismiss all others except the Secretary. His services are lent by Government; he is a *mamlatdar* of the Provincial Service.

33769. Has an employee dismissed by the Secretary the right of appeal to the Municipal Council?—He has.

33770. Has an official over Rs. 15 a right of appeal?—No, he has not.

33771. The person who appoints him can dismiss him without appeal?—Yes.

33772. (*Sir Steyning Edgerley.*) Except in certain matters which you have instanced, are you fairly contented with the freedom that the municipality enjoys?—I think we are.

33773. What exactly is meant by the suggestion that the municipality should have the power to remit fines and increased assessments?—At present the Government in the Land Revenue Department do this. We have to make out a case if we wish to get any burial grounds, for instance.

33774. Have you ever sent a case up?—Not for trade purposes, but for burial grounds. Sometimes there was no remission: sometimes we find difficulties.

33775. This octroi question you refer to is a matter enforced by the Government of India?—Yes.

33776. In fact it is a general order without particular reference to the particular municipality?—Yes.

33777. And you were much crippled because of your debts incurred for sanitary improvements, the amount of interest you had to meet, and the sinking fund?—Yes.

33778. So that you were forced into this unpopular taxation?—Yes.

33779. (*Mr. Meyer.*) Are you an elected Vice-President?—Yes.

33780. In the Presidency generally are there many municipal towns which have the right of electing their President?—The President is always nominated, except at Poona.

33781. In Ahmedabad the Government nominates a non-official occasionally?—Yes.

33782. Speaking generally, are there many non-officials nominated?—Yes, since 1885 we have always had one.

33783. But speaking of the Presidency generally, are there many non-officials Presidents of municipalities?—I believe there are in the city municipalities, but not in other ones. There are only 14 city municipalities; in the others the Assistant or Deputy Collector is generally the President.

33784. You speak of having a paid Secretary. Is that usual?—Yes.

33785. To whom do you send your budget up for approval?—Nobody.

33786. You do what is right in your own eyes?—It is only when we want to raise a loan that we have to make out a good case.

33787. What taxes do you levy?—The octroi.

33788. Do you levy nothing in the nature of other taxes?—We levy a water rate, a house tax and a drainage tax.

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33789. When you were so hard up, might you not have tried some sort of income tax, which would really have affected the well-to-do people of the town?—I do not think our Act would authorize us to do so.

33790. You could have increased the house tax?—We have a wall round our city. Outside we have a house tax; inside we have octroi. We find that convenient.

33791. What you want is that you should have power to levy as high octroi rates as you like?—That would not pay us.

33792. You do not care whether the article has been already taxed or not?—Government does not allow us to tax certain articles which have paid duty.

33793. You prefer to have full liberty to do that instead of a house tax?—Yes, a house tax is unpopular, and octroi is on luxuries.

33794. You desire to have larger powers in regard to borrowing. Just as you say it is more popular to levy octroi than a house tax, is it not more popular to leave your burden for posterity than discharge it yourselves?—Yes.

33795. Will not the future loans constitute a burden upon succeeding generations?—Yes, but the next generation will have the benefit of the Public Works.

33796. The next generation will have its own burdens?—It probably will have them.

33797. In the matter of the construction of Public Works, would you have any objection to Government contributing if it sent an officer?—We would have none in that case.

33798. Do you mean that the whole of the Crown lands in a large city should be made over to the Municipal Council?—Yes.

33799. Suppose the Government wanted to build a house for the Collector?—We can only sell land with the sanction of the Commissioner; but the lands are particularly ours.

33800. You do not want unrestricted power to alienate?—No, simply to control.

33801. Do you maintain hospitals?—Yes; they are dispensaries really. We have also a Government hospital. They keep that up without charging us.

33802. (*Mr. Hichens.*) Do you get any of the proceeds from the sale of Government land within the municipality?—We get everything except 5 annas per square yard.

33803. And you want to get the whole?—Yes, and also the right of deciding to sell or not, besides the cutting up of the land ourselves.

33804. Would you allow Government to retain a reasonable proportion of the vacant land for public buildings?—To that I would have no objection.

33805. Are any of the members of your municipality elected?—Yes, half the number. We have 15 wards.

33806. Do you find there is a reluctance to stand for election?—Yes. Some of the men are busy men, and some have a natural unwillingness to stand for election.

33807. Is that a general feeling?—No. The elections are generally keenly contested.

33808. What is the arrangement with regard to education? Do you have to make a fixed contribution of a proportion of your revenue?—No. Government gives half of the salaries of the schoolmasters, and we provide everything else. Government also gives us half the cost of school buildings. We can build a school when we want to, and we can abolish schools if we like.

33809. You say that Government pay half the salaries of the teachers. But is there anything binding upon them to do so?—No, but that is the arrangement.

33810. As far as you are concerned, do you find that to work satisfactorily?—Yes.

33811. Have you a School Committee?—Yes.

33812. Do they take a keen interest in the schools?—Yes. They go round and visit.

33813. (*Mr. Dutt.*) You have a Managing Committee?—Yes. They look after financial and administrative matters, the collection of taxes and the building of houses and Public Works.

33814. And are their resolutions finally placed before the Board?—No, except in certain matters where their powers are restricted.

33815. But the Board can call for their records if they desire?—Yes.

33816. Who are your Sanitary Committee?—We have 4 members. There is one Doctor—the Chairman.

33817. What is their principal duty?—They are in charge of the sanitary establishment and conservancy.

33818. Is there anything else beyond the ordinary conservancy?—There is a drainage system which is being extended. The water-works are also under their charge.

33819. Yours is a town with a population of nearly 200,000?—Yes.

33820. Are the schools you have sufficient?—Every year we are adding to their number.

33821. Are most of the boys of school-going age sufficiently provided for?—Yes, except among the poorer classes. We have also a number of girls' schools.

33822. What approximately do you spend on education?—About Rs. 50,000 a year, out of which we get a contribution of about Rs. 17,000 from the Government.

33823. And do you get a contribution also from local funds?—Yes; Rs. 2,300.

33824. So that the main portion comes from your municipal funds?—Yes.

33825. You have three dispensaries?—Yes. They are all managed and maintained by the municipality.

33826. How much does that cost you?—About Rs. 3,000 a year.

33827. How do you manage for the Medical Officers of your dispensaries?—We advertise. It is only when we raise the salary of anyone that we have to go to Government.

33828. But otherwise you can select a properly qualified man without the sanction of the Government?—Yes.

33829. What contribution do you get from the local funds?—We get a little over Rs. 2,000 altogether annually.

33830. Your debt now amounts to about 21 lakhs dating from 1890?—That is so. We began borrowing then, and the debt has been increasing every year.

33831. You are extending the drainage works year after year?—Yes. That is the most difficult feature we have to cope with because of the want of money.

33832. Are you not very hopeful of further extending this drainage work unless you get help from Government?—No. Our sewage farm was estimated to yield Rs. 90,000 per annum. It yields hardly Rs. 10,000 at present. The finance of our drainage scheme rests upon the sewage farm to a large extent.

33833. Is your annual income increasing year after year?—It is.

33834. Of course the population is increasing year after year?—Yes; and also the assessment on houses.

33835. Is your income increasing in about the same ratio as the population and the prosperity of the town?—It is increasing, but it is difficult to judge the ratio.

33836. Your house tax only brings in about Rs. 40,000?—Yes; that is outside the city wall.

33837. In what way will the increase of population and wealth ultimately tend to increase your

income?—As the wealth increases the octroi increases, the rental value goes up and the water and house taxes increase. The only thing is the burden of our debt, which is pressing very heavily upon us.

33838. You say your Secretary has been lent by the Government. Do you or the Government choose him?—We chose him ourselves. He was appointed in 1903.

33839. (*Sir Frederic Lely.*) Is the elected President in Poona subject to the approval of the Government?—I think he is.

33840. They had an unofficial President in Broach. Have they now?—Yes.

33841. In Surat?—Yes, he was also non-official.

33842. Why is there not one now?—I think Government could not select a proper person. The Collector was appointed after a non-official resigned. There were two non-officials before the Collector.

33843. In Ahmedabad Government nominates a non-official?—Would you like to see the President elected?—Yes.

33844. Would you have him elected subject to the approval of Government?—Yes.

33845. Have you pretty nearly arrived at the limit of your borrowing powers?—I think so.

33846. You have been allowed to borrow for water-works and drainage?—Since 1890-1891 for a period of 30 years.

33847. If you were allowed a longer period you would be able to go on with your drainage?—I think so.

33848. On the whole, is the municipality of Ahmedabad run in the interests of all classes?—I think so.

33849. Is equal consideration shown to the claims of all classes?—Generally speaking, I think there is. There are individual cases in which influential men might get favours, but as a rule that is not so.

33850. Regarding the matter of water, what is the lowest rate paid by a house connected with the main?—Eight annas per annum.

33851. What would such a householder have had to pay formerly?—He would bring his water from a well. But that is the case of a very poor man; if he had to pay for his supply he would have to pay at least Rs. 5 a month.

33852. Then the net result is that a man gets for eight annas under your system what he otherwise would have to pay Rs. 60 for?—Yes. But a man of the class referred to would not employ anyone to do the work; he would go himself.

33853. But his labour would be of that value, and he is now supplied with Rs. 60 worth at 8 annas expense. Is that good finance?—It ought to be raised.

33854. Why is it not raised?—The water-works are failing.

33855. But that is irrespective of the rates being fixed?—The rates were fixed to make them popular and to get the people to drink good water.

33856. Concerning vacant sites, you admit that it is of the utmost importance to keep all vacant places clear?—Yes.

33857. Towns like Ahmedabad in particular are very much overcrowded?—Yes.

33858. Is it not a fact that owners of the surrounding houses are eager to get open ground at the corner and the sides of the street?—It is so.

33859. And does it often happen that some of these men may be influential, and bring pressure of all sorts to bear on the municipality to make them sell these vacant lands?—It does happen.

33860. Would not the temptation of the municipality be less if it had not that power?—It would be subject to the sanction of the Commissioner.

33861. Is it not of vital importance to treasure up every yard of vacant land in a big town?—I quite agree.

33862. And you can scarcely have too careful a guarantee against its appropriation?—Yes.

33863. Once land has gone into occupation it is practically irrecoverable?—Yes; the price is prohibitive. But I am only referring to building sites.

33864. As to the land belonging to Government, is it not a general principle of Government that unless the municipality wants land for any non-productive purposes they are generally exempt from payment?—For Public Works perhaps they are exempt.

33865. For instance, if you wanted the ground for the building of a market in which you allotted stalls, Government would not remit?—No.

33866. But if you wanted it for a nightsoil depôt Government would?—Yes.

33867. You wish municipalities to have an effective voice in the matter of liquor shops. There are large classes in each city which are hereditary drinkers. Are these castes and classes represented in the municipality?—They are not adequately represented.

33868. Would it not be harsh to give the municipality full power in a case of this sort—the members of which doubtless consider drinking a sin?—No; because it is only the matter of new shops that I refer to.

(*The witness withdrew.*)

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Rao Bahadur KHANDUBHAI G. DESAI was called and examined.

33869. (*Chairman.*) Where are you residing?—At Surat. I was in Government employment as an Executive Engineer six years ago.

In the early days it was considered that the local requirements of Bombay and Madras Presidencies could not be properly taken care of by one Governor-General, and therefore they were allowed to have separate Governors. For the same reason it is now necessary that the other provinces, viz., Bengal, the United Provinces, Punjab and Burma, should each have a Governor, while the Central Provinces and Berar should have a Lieutenant-Governor, if not a Governor. The other small administrative charges should be merged into the nearest province, and then the Governor-General will not have any administration directly under him. If the above change be made, all the powers, except those relating to the army, foreign relations, railways, post offices, and general legislation, now exercised by the Governor-General should be made over to the Governors of provinces, and they would thus be placed directly under the Secretary of State, just as Bombay and Madras are at present for certain purposes. The Governor-General, freed from the vast miscellaneous work, will be able to direct more attention to the very important functions that remain with him, but he need not have the large number of eight members in the Executive Council as at present, but only four, including the Commander-in-Chief, might suffice. As the Governor-General would require funds to pay the army, the home charges and the other necessary expenditure, the income from the land tax and some other general taxes should be made available for him, but the management and collection should remain with the provincial Governors, who may each be required to contribute a fixed sum to be revised from time to time according to the size and wealth of the province, and if any surplus remained, the provincial Government should be at liberty to utilize it for provincial uses. It will also be open to the Imperial Government to lessen the rate of taxation, if less funds be required than those produced by the existing taxes.

There should be no appeal to the Governor-General from the provinces, but the right of appeal to the Secretary of State should remain.

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As a general rule appeals against executive orders are seldom successful, but in some instances they are, and the fact that the orders of an Executive Officer may be a subject of enquiry, makes him careful in passing it, and great injustice is thus indirectly prevented.

The demand for returns and information has certainly increased of recent years, and it is due to the requirements of the Secretary of State, the Government of India and his Council, as well as that of the Local Government itself and its Council. Most of the returns and information are necessary, and some more returns are required to show the actual condition and wealth of the country. Returns are, however, all prepared by the clerical establishment and do not take up any appreciable part of the officer's time, and it is not advisable to do away with them.

The Commissioners are mainly reporting officers at present, and they might be given more powers of sanction to utilize them properly and to reduce the work of Government. A Board of the Commissioners may be formed to meet at headquarters during the monsoon, and questions of importance may be laid before them to advise Government.

In the Public Works Department increased powers of expenditure and sanction were given about 10 years ago to all officers from the Chief Engineers down to Executive Engineers, and resulted in a large saving of correspondence. It also insured a better application of the money, as the officers, being the final judges in the matter, knew the requirements from personal knowledge and they could adjust the grant to the requirements in each case. The experiment has been entirely successful and the time has come for doubling amounts up to which the officers of the various classes could sanction estimates or allot funds.

Greater powers for purchasing locally instead of indenting on the Secretary of State for stores of European manufacture, are required to be given to Executive Engineers, as there is usually no time to get them out from England, after the work is sanctioned, without unduly delaying its progress. The officer has to purchase them on his own responsibility to save delay and applies for sanction which is seldom refused. It would therefore be better if the necessary powers were given to the Executive Engineer up to Rs. 5,000 for each work, and to the Superintending Engineer for larger amounts.

The powers to appoint the establishment under them may be raised to Rs. 100 per month, and for temporary subordinates to Rs. 200. The permanent appointment of graded sub-overseers, overseers, etc., should remain with the present Government as they form one Service, and the provincial Government can make better selections after considering the reports of the Executive Engineers and Superintending Engineers all over the province.

There are many important matters under the Watan and Pensions Act, under which some Executive Officers do not allow parties to be represented by pleaders, even in cases where these parties have to oppose pleaders as their opponents. Of late the Revenue Officers have been deciding questions of disputes as regards cash allowances, etc., themselves departmentally, instead of issuing a certificate to the party concerned to fight out its case in a Civil Court; such disputes involve heavy claims of a permanent character, and grave injustice is done to a layman who has to oppose unaided a trained lawyer as opponent. In all these matters, the lawyers render great help to the Court; and yet some officers resent, as it were, a pleader's appearance in their Court. Similarly, in matters which may be termed of a judico-political nature, when the raiyats of a Native State or a member of the family of a Native Ruler have to approach the Political Agent for the redress of their grievances.

Executive European Officers have quite sufficient opportunities for personal contact with the people, if they choose to avail themselves of them. But various causes prevent them from knowing intimately the people of the district. There is first the language difficulty. Though they are all required to pass an examination in the vernacular of the district in their charge, only a few know it sufficiently well to hold a conversation with a cultivator. Many think that it would be undignified to mix with the proletariat, and all the people of India, with the exception of Rajahs, Nawabs, and persons holding high positions, are classed as the proletariat. This is not solely due to the race distinction. The caste and the *pardah* system among the Indians are also partly responsible for their not having free social intercourse. But, notwithstanding all these drawbacks, the officers can very easily find out the true state, requirements, and idiosyncrasies of the people under them, if they care to study them as part of their duty. It must be said to their credit that a few officers do it, but their representations are not received with favour at headquarters, and they sometimes suffer.

Another reason is want of sufficient time. In the case of the Collector there is no doubt that the work has enormously increased in recent years, but there is no reason why he should be President of the municipality, Local Board, and a number of other functions. They might now, at any rate, be entrusted to other people who would be able to devote more time to the work and the Collector relieved from unnecessary work.

The appointment of Commissioners is not by seniority, but as there is no method of judging the merits of officers which is not liable to abuse or doing unconscious injustice, the method of promoting by seniority every officer who is considered competent to discharge properly the duties of the higher office, might be maintained. The other method, according to which a very junior District Judge was lately promoted to the local High Court, leads to great injustice and the unnecessary discouragement of many deserving officers.

Government has been devising some remedies for preventing too frequent transfers, and they can be stopped by Government trying to post the officer according to his fitness and adhering to their decision. The might ask officers to volunteer for the unpopular districts and keep them there for 3 years, and then give them one of the favourite districts. One of the frequent causes is the going to Europe of officers on furlough or sick leave. This will be considerably lessened if more natives of India are appointed in the officers' grade in all the departments. The present proportion of $\frac{1}{4}$ of the Civil Service was fixed about 30 years ago, and might well be raised to $\frac{1}{3}$ of the total number. The Statutory Service in this Presidency was not a successful experiment as the Government chose wrong persons, and not because no competent persons could be found. If the appointments be made by competition open to all men of good character and physical fitness, the men selected will be found to be capable of discharging the highest functions.

In the Public Works Department the present proportion is $\frac{1}{3}$ and it may be made one-half. All the unpopular charges along the coast from Ahmedabad to Thana are held by native Executive Engineers, but they are all working there for years without asking for transfers. Similarly if native Collectors and Judges are appointed the number of transfers will be much lessened.

In the Forest Department the Provincial Service is limited to Extra Assistant Conservators. There is no reason why one-half of the Conservators and Deputy Conservators should not be natives of India. If necessary, these men after selection may be made to go to Europe for further study at their own expense.

In municipal matters, the basis should be broadened as far as possible on the principle of election. There should be a non-official elected President for every city municipality. The Collectors are far too busy with their official duties to be able to interest themselves in purely municipal matters for which much time is not left to them. Moreover, their too frequent transfers come in their way of knowing the wants of the city, and different gentlemen necessarily having different views about the municipal administration, there is no continuity of policy. The representation by election should be increased to $\frac{2}{3}$ instead of $\frac{1}{2}$, that now obtains. Councillors who join the Corporation by virtue of their election are found to

be more enthusiastic, energetic and alive to their sense of duty to their wards.

I am not in favour of Advisory Councils to assist Divisional or District Officers. For the proper government of a country only three sets of bodies or officers are necessary, viz., the Legislature, Executive, and the Judicial. Advisory Councils cannot be brought under any of the above functionaries, and they would be found to be a fifth wheel and, as such, useless, and sometimes worse than useless. Administrative Councils would be useful, but their function should not be merely to advise the District and Divisional Officer, but to discharge some function of their own. Under this heading I would place village panchayats which should look after the requirements of the village as to sanitation and other matters. They are unanimously considered to be necessary, but it is considered that if they be required to raise the money required by them, by fresh taxation, they will be unpopular and sufficient money cannot be raised to do anything useful. If these Boards or Councils are created in the whole of the Presidency a suitable grant might be made from the general revenues, or the rate of local cess might be increased, and money thus obtained granted to these Boards. If constituted, these Boards should have two-thirds elected members and one-third nominated members and the Chairman to be elected, the *patel* and village accountant being among the nominated members. Every payer of land tax, or other direct tax, and every man who can read and write, should be entitled to a vote and eligible to be a member, but a person convicted of any serious crime should be disqualified.

The functions of the District Board are more legislative than executive and it is not expedient for them to interfere with the work of the smaller municipalities. The control exercised by the District Officers as provided for by law ought to be quite sufficient.

33870. Do you take any part now in Local Government?—Not now. I was generally a member of the municipality as well as a member of the District Board while I was an Executive Engineer. I believe that lately they have made the holders of that appointment *ex-officio* members, but they were then nominated.

33871. You base such proposals as you set out here before us upon a considerable change in the organisation of the Government of India?—In some part—as to the powers to be transferred from the Government of India to the Local Government. But as I have no practical knowledge of the working relations between the two, I have nothing to say on the subject.

33872. You tell us that the returns which are required from local officers do not take up much of the time of an officer?—They do not take up much of his time, but they do that of his clerical staff. The clerical establishments are everywhere requiring to be increased.

33873. Are most of the statistics which are contained in the returns accurate?—Those that are based upon actual facts are accurate, but some of them are only estimates.

33874. When you were Executive Engineer were you employed under a District Board?—Yes, I used to do work for them.

33875. And when you did work for the District Board your department charged a percentage?—Yes, 12½ per cent.

33876. Was that an adequate measure of the services which were rendered by the Public Works Department to the District Board or municipality?—The average charge was from 22 per cent. to 25 per cent. of the cost of works for the provincial Government, but Government only charged 12½ per cent. because they were not put to any great extra cost in doing these works, and they did not wish to press on the Board too hardly. I considered that the rate charged was very fair.

33877. Really, the Board received pecuniary advantage in getting their works done by the Public Works Department?—I would not say that, because in some cases they might have done the work at smaller cost themselves. It is an average struck between large and small works, and it has resulted in advantage to both. In any case Government would have had to maintain their Executive Engineer and all the higher officers, and out of the 12½ per cent. that Government received there was some gain as they only had to keep an extra subordinate or so.

33878. Would you suggest to us that a percentage a little lower than 12½ per cent. would strike a true balance?—I think it might be reduced to 8 per cent. or 10 per cent. with advantage.

33879. (*Mr. Hichens.*) Would it be a good thing if the District Boards took over all the roads, except the main roads, and had a District Engineer of their own?—That would mean doubling the establishments, and would be more costly on the whole. The Government Service is an organized Service, the Government is able to obtain better men on the same pay than the Local Boards would be likely to obtain.

33880. What provincial works are there besides roads and buildings?—There is the Irrigation Branch in addition.

33881. That is a separate branch?—In smaller districts the same Executive Engineer does the Irrigation works as well as the roads and buildings, but where the work is sufficiently important Government has a special Engineer for it. Where there is no separate Irrigation Engineer, even if there are no special irrigation works, Government has now given orders to the local Executive Engineer to repair all the tanks in the district.

33882. Is it sounder that these roads and buildings should be looked after by the Government rather than by the District Board?—Yes.

33883. Is it fair that the District Board should pay for roads and works which it cannot carry out itself?—Looking to the class of roads which are repaired by the Executive Engineer I should class them as provincial more than local; and therefore they should go to the provincial Government so that the Local Boards might be able to devote their money more to local objects which would be of more immediate use to the neighbourhood.

33884. (*Mr. Dutt.*) Have you had much experience as an Irrigation Engineer?—Some.

33885. In these cases was irrigation from canals or from tanks?—It was from a canal.

33886. As Irrigation Engineer were you in charge of assessment and the collection of water-rates?—No; I had a subordinate with me, and I was an Assistant Engineer superintending the work for about six months.

33887. Regarding the distribution of water from the canal, were you in any way under the orders of the Collector, or did you pass orders yourself according to your own judgment?—I have no clear recollection? It is a matter of 25 years ago.

33888. We have had evidence to-day that some District Boards have a total income of 2 lakhs of rupees. In such cases the District Board can very well spend a lakh a year on roads and bridges and give Rs. 12,500 to the Public Works Department as percentage. Could not the District Board get a sufficiently qualified Engineer for less than that?—Yes; but then they would have to pay for a subordinate staff as well. I doubt whether they could get a competent man with the necessary establishment for Rs. 12,500.

33889. You are not aware that in Bengal the District Engineer and subordinate establishments are often maintained at a cost not exceeding Rs. 12,500 a year?—I am not aware of that.

33890. Are you in any way connected with the Surat municipality?—No; I was connected with the thana municipality. I was Chairman for a time, and at other times I was a member. That was about 20 years ago.

33891. At present Surat has an official Chairman?—Yes, and has had for more than 10 years. In fact we have had only two non-official Chairmen; one worked for about 3 years, and another for about a year.

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33892. From your general knowledge of Gujarat and of this province, can you give us an approximate idea as to how many towns there are in which non-official gentlemen have been appointed Chairmen?—In Broach one, and in Ahmedabad another.

33893. (*Sir Frederic Lely.*) Do the advantages or disadvantages of touring predominate?—It is a very necessary thing.

33894. Are District Officers compelled to travel more than is necessary?—I should say they are not able to travel as much as they ought to.

33895. Is it to a certain extent a burden on the people to have so many touring officers of all departments?—I am not prepared to say so.

33896. You think that on the whole it is necessary?—Yes, I do.

33897. There is not any other side to it?—No.

33898. A good deal has been said about the District Boards not being able to carry out the repairs to roads themselves, but if they employed professional assistance, as they must, whether that assistance is from the Public Works Department or not, the Board would have nothing to do with the actual carrying out of the works?—No.

33899. So that there would be no practical difference between employing a District Engineer and a Public Works Engineer?—I think there will be a difference, as the Government Executive Engineer is a better man that the District Board would be likely to obtain, and he is under the control of the Superintending Engineer.

33900. (*Sir Steyning Edgerley.*) How much time has the ordinary Executive Engineer to give to District Board work?—He can give whatever time is required.

33901. But does he give half his time, a quarter, or three-quarters?—It depends upon the amount of work he has to do. Sometimes in some districts there is not much work to do. But in the districts I worked in about one-third of my time was required for Local Boards' works.

33902. And the present system results in this—that the Local Boards pay a fair percentage exactly calculated on the amount of work done, that the assistance is always ready to their hand, and they do not have the expense of the upkeep of a separate establishment. Practically there is a grant by Government to the Board as a result of the arrangement?—It may not be looked upon as a grant, but as an advantage to both of them. Government might be put to a greater cost proportionately to the work done by their Engineers if the Local Fund works were taken over by the Boards.

33903. If that third of the Engineer's time did not go to the Local Board's work, Government wold be able to reduce their establishment?—They could not. As a rule they want one Executive Engineer to a district; and you cannot divide a man.

33904. Still if you take away part of the work you can double up districts and reduce their establishment?—Yes, the subordinate establishment.

33905. Having regard to that, it is possible that the 12½ per cent. contribution is not too high?—I say it works out pretty fairly. But it would be a very good form of grant-in-aid if Government could spare the money.

33906. At the close of your service you were employed in Bombay city?—For about 3 years.

33907. In carrying out works and so on, could you have supplied yourself with materials from the trade?—Most of the work done in Bombay was done by contract, but otherwise I could have got it from the trade.

33908. You could get it locally now, I suppose, very much more easily than 20 years ago instead of sending to England?—Yes.

33909. So that if you were thrown upon your own resources to provide your own material from the local market you could do it?—Yes.

33910. (*Mr. Meyer.*) Under the present system the Executive Engineer is not under the Collector?—He is under the Collector: as President of the District Board when doing Local Fund work.

33911. But can the Collector censure him for doing a road badly?—If it is a local road he can point out the mistake.

33912. But the Executive Engineer has rather a free hand in the alignment of the road and such things?—Yes.

33913. And the Collector, as President, might find one road repaired before another. Has he the power to dictate the sequence?—Yes.

33914. Is the Engineer practically under the control of the District Board as a man of their own establishment would be?—Yes. All Executive Engineers were given power to sanction any funds up to Rs. 200, and some selected men were given power to allot more funds. That did away with the necessity of sending in estimates to Superintending Engineers, because most of the repairs and buildings were under this amount.

33915. But that is rather a modest amount?—It might be doubled now.

33916. It has been suggested to us that Commissioners might have a budget of their own for Public Works purposes instead of the whole Public Works provincial budget being passed at headquarters?—You might do that for buildings or roads, but not for irrigation, or for judicial or educational buildings.

33917. Does Government keep the tanks in repair?—Yes, but the Commissioner could do that. It could not be done by him in respect to judicial buildings, because they belong to a different department, and the men concerned should have some say in the matter.

33918. But the Judge would as soon have the sanction of the Commissioner as of the Government?—I do not know; there is a certain amount of jealousy, and the Commissioner is more inclined to look at the revenue side than to the convenience of the Judicial Department.

33919. It has been suggested that the Executive Engineer might become assistant to the Collector in matters affecting the welfare of the people, such as irrigation, just as the forest officer is?—As far as the initiating of any policy is concerned the Commissioner and the Collector should have their say and should be heard, but as far as doing the work is concerned it would be better if the Executive Engineer were allowed to do his work freely, rather than under the supervision of any non-professional man.

33920. But taking the case of a tank out of order, could the Commissioner give an order that it be put right whether there were funds or not?—The man who provides the money should be able to give the order.

33921. Then it is merely a question of funds, and if the Commissioner and the Collector get larger funds for public purposes they will get larger control over the Public Works staff?—That carries more than one meaning; perhaps it may be interpreted in one sense by one man and in another sense by another man. I am not prepared to say whether they have, or have not, sufficient control.

33922. But that is all you would be prepared to do—to give them more money and give them discretion as to the way in which it is to be expended?—Yes.

33923. You desire to withdraw the Collector from the presidency of municipalities?—I think he has already too much work, and that there would be plenty of non-officials to be found for that position.

33924. But as regards District Boards would you withdraw the Collector from that where non-officials could be found?—I would withdraw the Collector in that case also; but about that possibility there is some doubt, because the works of a

District Board are scattered over a large area covering from 1,000 to 5,000 square miles, and a non-official gentleman would not be able to have a good grasp of the requirements of a whole district like that; whereas the Collector, in his capacity as Collector, has opportunity to see all the requirements of the district and can proceed upon his personal knowledge. Unless you have got a proper man as a non-official President, you would have to retain the Collector as President of a District Board.

33925. You say that a Board of the Commissioners might be formed to meet at Poona during the monsoon. Do you desire to have a regular Board of Revenue as in other provinces?—As I have had no particular experience in the matter I cannot express an opinion, but such a Board might be able to deal with many questions that are not being properly handled.

33926. Do you speak from experience regarding village panchayats?—Yes; I should like them to have some funds. *Rao Bahadur Khandubhai G. Desai.* 7 *Mar.*, 1908.

33927. It has been argued on the other side that they are very fractious in some villages?—A certain amount of fractiousness will be everywhere, but at the same time if the thing is given a fair trial we should find it more useful on the whole than by having outside people going in and doing the work.

33928. Would it answer in all parts of the Presidency?—I am afraid not. In some backward villages it would not. I think it would be applicable in most parts of Gujarat.

33929. Would you have groups of villages or single villages?—I would have some in groups and some in the individual sense, say, on an average of 600 inhabitants.

(*The witness withdrew.*)

Mr. H. E. E. PROCTER was called and examined.

33930. (*Chairman.*) You are Chairman of the Chamber of Commerce of Bombay?—Yes. I am in business as a general merchant in Calcutta and Bombay. I have been in this country nearly 20 years. *Mr. H. E. E. Procter.* 7 *Mar.*, 1908.

My firm has had a good deal to do with the raising of funds for the construction of feeder railways, and has found the negotiations connected with them extremely protracted. We addressed Government in July, 1903, regarding extensions to our existing lines, viz., the Ahmedabad-Parantij Railway and the Ahmedabad-Dholka Railway. These negotiations are not yet completed, with the result that we have been prevented from raising the capital for these extensions when the Bombay money market was favourable, and that has also prevented us from taking up further schemes as it seemed useless to put forward further schemes until the ones about which we had already addressed Government had been decided. At the present moment we have several schemes in hand in connection with the construction and working of 2 feet 6 inch feeders, and if the Local Government could be given power to settle about these concessions direct with the promoters, instead of their having to be referred to the Government of India, it would greatly facilitate the extension of railway enterprise in the country. I refer of course to purely feeder lines and not to chord or main lines. If these feeder lines were constructed under the Tramways Act, they would come under the Local Government, but in that case it would not be possible to pay interest out of capital during construction. Possibly, an amendment of the present Tramways Act might be all that is necessary, but for the reasons stated above, the Local Government should have full power to grant concessions for feeder lines and settle terms with the promoters of the same.

33931. You have been engaged in negotiations from the financial point of view with the Local Government, for the construction of some feeder lines of railways since 1903?—Yes; but it was really, through the Local Government, with the Government of India.

33932. When did negotiations commence?—In July, 1903.

33933. Are they finished yet?—No.

33934. Can you tell us very briefly what these negotiations were. We had already got two feeder lines, and we wished to extend them both; and we applied in July, 1903, for permission to extend the Ahmedabad-Parantij Railway and the Ahmedabad-Dholka Railway. We sent two or three reminders during the next two years, but got no reply till 1905, when we got a letter regarding the Dholka Railway saying that the Railway Board wished us to submit proposals; to that we replied that we hardly understood that, as we had sent them two years ago. Apart from the technicalities possibly necessary to such extensions, there is no reason why we should not have got a reply. However, it so happens, I understand, that the concessions have now been sent Home to the Secretary of State for sanction; but we have got no reply officially yet. We think that such small lines could be much better dealt with by the Local Government than by the Supreme Government.

33935. Have you any reason to believe that the delay was caused by the Local Government in not forwarding your case?—I do not know. I was told by one of the Secretaries a year after our letters were sent in that he had put up a note on them.

33936. Cannot you tell us whether it is the fault of the Local Government, the Railway Board, or the Government of India?—No; but this occurred before the Railway Board came into existence.

33937. But you really do not know whether the Local Government sent up your case?—No.

33938. (*Mr. Dutt.*) In those cases where you send up such proposals do you generally ask for a guarantee of interest on the capital laid out?—No. We ask to be allowed to raise funds to construct a line to be worked by the parent line; and the proprietors of the latter give us a rebate of 10 per cent. on the interchanged traffic. They work it for 44 per cent. of the gross earnings, and give us this rebate. In the case of the two lines to which I have referred they have never given us any rebate, because we did not require it.

33939. Could the Government help in any way in the matter of facilitating feeder lines?—My suggestion is that the Local Government should have authority to deal with such lines; and that would most probably result in our getting our negotiations through quicker than at present.

33940. (*Mr. Hichens.*) Who would arrange the conditions with the main line proprietors?—We do not ask for any rebate or any guarantee of any sort now. We should be perfectly willing to have a clause inserted in the contract, to the effect that in the event of the parent line wishing to make a broad-gauge line where our line existed, they would have the power to buy us out.

33941. Is the definition of "feeder line" clear beyond dispute?—It can be limited to a gauge of from 2 feet to 2½ feet.

33942. Can it be so defined as not to be capable of misunderstanding?—I think so. Of course difficulties may arise; but the lines we have in view are purely feeders—2 feet, to 2 feet 6 inches.

33943. But you would allow the Local Government to interpret what was a feeder line, although their opinion might differ from that of the Government of India?—You do not think there is any danger of any trouble of that sort arising?—No, I do not think so.

33944. (*Mr. Meyer.*) I gather you are speaking simply of a line which can stand by itself?—Yes.

33945. But, still, you would have to carry out negotiations with the main line authorities regarding interchange of traffic?—Yes.

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33946. And suppose you and the main line authorities could not agree?—But surely they would want as much of our traffic as we could give them.

33947. Yes, but you must have an arbitrator, supposing you cannot deal with difficulties as to the share of the receipts which each party is to get, and so forth, yourselves?—There are two ways of dealing with the traffic. There is one way, in the first instance, of transmitting traffic over the feeder line to the nearest booking station and of re-booking it as through traffic; and the other is of booking straight through. With reference to our steamers, we have just concluded through booking arrangements with the various railways in Kathiawar and found no difficulties, as it was to the mutual advantage of both parties.

33948. You admit that the time may come when railway development may mean the transference to the parent bodies of your feeder lines. Is it not then desirable to settle beforehand the terms upon which this would be accomplished?—We are quite willing that such transference should be on the same terms as we have already with Government for our present line.

33949. There is a class of promoters who want a guarantee of interest for light railways. Would you leave that to the Local Government?—Personally, our firm would never ask for a guarantee of interest. I myself would leave it to the Local Government, however.

33950. You would give them the discretion to guarantee a certain amount out of their own revenues for the promotion of light railways?—Yes.

33951. (*Sir Frederic Lely.*) Have you ever had occasion to negotiate with Local Boards?—We have negotioted with the Jamgusar Local Board. We have practically now come to an understanding with them regarding the putting down of a line.

33952. Was that done directly?—Yes.

33953. Would you say that the system of feeder lines of railway, practically tramways, would be a very important feature in the progress of Gujarat?—I think so.

(*The witness withdrew.*)

The Rev. Dr. R. A. HUME was called and examined.

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33954. (*Chairman.*) You are a member of the American Marathi Mission at Ahmednagar?—Yes.

I was born of American parents in Bombay in 1847, spent my boyhood days in that city, received my college and professional education in the United States, and since 1874 have been a missionary in Ahmednagar. In these thirty-three and a half years I have taken a deep interest in the economic, social and political condition of India. I have taken some part in municipal and philanthropic work. In the great famine of 1899-1901 I had a considerable part in the administration of relief from America, and her late Majesty Queen Victoria bestowed on me the Kaiser-i-Hind gold medal for "public service in India." I have been an editor, and several times a delegate from Ahmednagar to the National Congress. I have had long experience in the administration of the affairs of a very large Mission, which has given me convictions in regard to the qualifications and relations of European and Indian workers, etc. I have had intimate relations with European and Indian Administrative Officers of all grades. A year and a quarter after my arrival in India, the main responsibility for the largest station of the Mission and for three considerable districts was suddenly thrust on me alone. I have consecutively served in Ahmednagar. Yet thirty-two years later in this same station, with five additional American male and twelve American female colleagues, and with the responsibility for two districts and for various departments wholly resting on these colleagues, I am more burdened with responsibility and find it harder to make time for intimacy with Indians than I did when carrying the entire responsibility alone. The main reason for this is the immense development of the work. There are two minor reasons. The first is: every far-sighted missionary must realise that the eventual success of his efforts will depend on the foreign missionary's becoming unnecessary, and on Indians entirely and satisfactorily carrying the entire responsibility for all enlarging situations. Therefore requiring, accustoming, and training Indian leaders to understand and to meet all such situations is one of the chief duties of a wise missionary. This has been my theory and to some extent my practice. I organised and have conducted the largest Divinity School in Western India for training pastors and leaders, and have aided in the organization and conduct of other institutions for training leaders. I have sought to place responsibility on Indians, and have not been deterred by some discouraging failures from continuing such efforts. Yet I consider the chief weakness of my service as a missionary to be not having with sufficient determination developed self-help and self-rule in the Indian Christian Community. The main reason for this omission is that I could do better than the Indian many of the things which had to be done, and Indians were not averse to my doing them. The average Indian does not seem to me to desire to assume any responsibility which another is willing to carry. But meanwhile, when the administration has become vastly more enlarged and complex, there are, first, many things which the missionary has not time to attend to properly, and so things which he is capable of doing better than the Indian are not properly done, and dissatisfaction arises. Secondly, Indian Christians with advanced education, but without administrative experience, begin to complain that they are not trusted, etc. Unintentionally, from pure devotion to the work, a mistake of omission has been made. It would have been better to have developed more Indian workers, and to have given less room for criticism that Indians of capacity were overlooked and neglected, even if still more mistakes had been made.

Another satisfactory feature in the general situation is that most individual Indian workers prefer to work under a European or American, than under an Indian Superintendent. So it is difficult for the foreign missionary to place adequate responsibility on Indians. The foreign missionary's situation is far less complicated than the European official's because (1) if Indian workers in a Mission fail to cause disaster, orderly government is not endangered, as it might be if failures should occur in Government officials; (2) there is difficulty in getting foreign workers in Missions, but brisk competition for Government position from capable Europeans. Nevertheless, it is my conviction that the strain of a growingly complicated system absolutely requires a devolution of responsibility from the higher Government officials of all departments, even at the risk of less efficiency, and of some failures. This is also necessary to lessen the increasing dissatisfaction of the educated classes.

Even subordinate Indian officials are greatly overworked. I have seen a great deal of the work of *mamlatdars* in Western India. In the main I entertain great respect for their capacity, integrity and efficiency. As a class they seem qualified to carry somewhat more authority than at present, but they certainly ought to be relieved of the too heavy strain which ordinarily devolves upon them, and which becomes appalling when famine, plague and other unusual emergencies increase their work.

I do not for a moment believe that the average European Administrative Officer is less sympathetic toward Indians now than a generation ago. On the contrary, criticism on this score has made them as a class more alert on this crucial matter. I believe the European Revenue Officer easily the most sympathetic, most intelligent, and hardest

working friend of the voiceless, otherwise unrepresented, toiling masses of India.

Transfers of European and also Indian officers seem to me far too frequent. This greatly and needlessly increases work, and lessens an understanding of situations and acquaintance with people. Despite drawbacks, most American Missions consider permanence of location and a consistent continuance of policy very promotive of success.

Honorary Magistrates seem to me to have been on the whole a success, and show that retired officials and leading citizens can from public spirit more and more relieve officials of considerable responsibility, can promote the public welfare, and can lessen expense.

I heartily approve of the creation of Advisory Councils of various grades.

33955. You have taken some part in municipal government in India?—Yes, in a limited sense. I have been a member of a municipality; but since I returned from furlough, it was obvious that there was to be much partisanship, and in view of the prevalent feeling I thought it would be no use for me to offer myself for election.

33956. You were not formerly elected?—No, but I was nominated by the Collector. And that nomination has not been renewed? The period had expired when I returned, and I was not renominated.

33957. Have you ever been an elected member?—No.

33958. Is the Chairman of Ahmednagar an official?—Yes; he is the Collector.

33959. And the Vice-President?—He is a nominated Parsee gentleman.

33960. Is the work of the municipality done by committees?—Mainly.

33961. Do the members of the committee take much interest in the work?—Some do to a great extent: some are indifferent.

33962. If the Collector were not available as Chairman, would it be easy to find a substitute?—The work would not be so well done.

33963. There would be difficulty in finding satisfactory substitutes?—I think so, especially because of partisanship and the existence of strong convictions on the part of each faction. In saying this I refer, of course, only to the particular municipality of Ahmednagar.

33964. But is it difficult to find suitable gentlemen for these posts in all municipalities?—In general I think it would be.

33965. You tell us that an unsatisfactory feature in the general situation is that Indians prefer to work under a European or American instead of under Indians. Does that apply in municipal Government?—I do not know that; but generally Indians believe that the European has more executive liberty, and is freer from bias or prejudice.

33966. Do you suggest that if the principal officers of a municipality were not nominated by Government the work would not be so well done generally, and that there would be a possibility of corruption and gross extravagance?—It would be indifferently done—not so much corruptly.

33967. Is any part of the lack of interest which you say is evidenced by the members of the Board due to the fact that their work is done under official supervision?—I would hardly like to express an opinion upon that.

33968. During the time you were a member of the municipality, was there much interference with a local establishment by the Collector or Commissioner?—Not improperly at all.

33969. Were such criticisms as he made confined to major heads of expenditure?—It was a question of general policy.

33970. Would it be worth while making the experiment of a certain amount of slackness and inefficiency with the aim of eventually making things better?—If things are congested now they will be worse in the future, and the best thing to do will be to put more responsibility on the local bodies.

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33971. A witness told us this morning that it would be advisable in his judgment to place responsibilities on the members of the municipality, and when they failed in their duty, to suspend the municipality?—I hesitate to say "yes" to that. But it has been done once in Ahmednagar district.

33972. Is that a wise policy?—I do not know how it affected the others. It has been done in the Konkan.

33973. With good effect?—I dare not express an opinion.

33974. You have had a great many changes in the *personnel* of the Collectors during the years that you have been at Ahmednagar?—The average period of service has been less than two years.

33975. Does that period of service enable an officer to get a sufficient knowledge of a district like Ahmednagar?—I think it is very inadequate; 28 men have served in 34 years.

33976. You are in doubt as to how long a Collector might be kept in his district on the average?—It would be presumptuous of me to say how long; but I think the longer the better. Five or six years would be little enough.

33977. Do most of the officials learn the language with completeness?—Sufficiently well, but really I am not in a position to say.

33978. Do they know the language better than you do?—No; I was born in this country. I do not think they have the same opportunity as I have had.

33979. (*Mr. Meyer.*) Has the budget of Ahmednagar to go up to the Commissioner for approval?—I believe it does. There was a meeting called recently to consider it, but on account of the sickness of the Collector the items could not be gone through. However, the budget is very carefully prepared and is sent up for approval.

33980. Has not the municipality got rather seriously into debt?—About Rs. 30,000.

33981. In fact it has incurred more debt than it can well pay?—It is in a very serious condition.

33982. Is that through mismanagement?—The water-works for which the debt was incurred have not been a success, and therefore we have been put to extra expense for water-supply. We have now to pump the water into aqeducts.

33983. But there was considerable miscalculation as to the resources of the municipality?—I ought not to speak without exact knowledge, and I have not been a member for several years.

33984. But you take an interest as a citizen. I want your opinion as such?—I do not know who could have done better. We have to do the best we can in the circumstances.

33985. In so far as the municipality has got into an unfortunate position, how far would you say that that was due to mismanagement and misfortune on the part of the municipality, and how far to lax supervision of the Government?—I think the major fault lies in the first head, but I also think that it lies with an overburdened Superintendent; but the present Collector has been most alert.

33986. Possibly previous Collectors were not so alert?—They may not have been; but the major fault lies with the municipality.

33987. You speak of the difficulties of getting competent non-officials to take up municipal work, but you also refer to the fact that retired officials have often fulfilled public duties?—Yes.

33988. Have you any experience of the District Board?—Very little. I have never been a member.

33989. Are you much concerned with education in your mission?—Yes.

33990. In that sense you come into relations with the municipality?—The municipality has nothing to do with it. Everything is done through the Education Department.

33991. Do your schools get grants direct from the Government?—Yes.

33992. Is that the usual position in regard to Mission schools?—That is my impression. Possibly Bombay may be cited as an exception. The lower grades get their grants from the Bombay municipality.

33993. You say that public feeling is growing in this country; but do not some people who have public spirit, or profess it, too often act from party spirit?—It is too often party spirit, but despite that reason I would try it.

33994. You think you would know in many cases how to find a good panchayat?—I think I could.

33995. Would you give them the charge of the village school?—Yes, within limits.

33996. You would give them power to dispose of petty civil and criminal matters?—In the better villages.

33997. Then I take it that that is a matter not to be rushed. You must take your best villages, experiment, and introduce the system very carefully?—I think so.

33998. (*Sir Steyning Edgerley.*) Has not the Ahmednagar municipality had a very difficult 10 years?—It has. It has been very hard hit, especially by famine and plague.

33999. And these different hardships would affect the most flourishing municipality quite apart from any mismanagement?—Yes. During one plague epidemic 10 per cent. of the inhabitants died during the first six months.

34000. These trouble, then, in a measure explain the financial condition of the municipality?—They do.

34001. You suggest that it is the right thing for the benefit of the country to make the natives of the country accept responsibilities?—I think so.

34002. What measure of success have you attained in that sense?—We have had both success and failure.

34003. It is a difficult and delicate matter?—Yes; and the process is slow.

34004. You could not get one of these panchayats, and expect the members to be efficient in 10 years?—I am not prepared to say how long—but it will take time.

34005. You say that most natives prefer to work under a European or an American. That is a confirmed impression on your part?—It is.

34006. Would you also that that the "Kunbi" prefers a decision of his case by a European to one by a tahsildar?—Yes.

34007. You have been 30 years at work. During that time what opinion have you formed of our Subordinate Service?—I think it is on the whole a good Service.

34008. (*Sir Frederic Lely.*) Are the *mamlatdars* good officers?—Yes.

34009. Is your experience in the district that they are much more trustworthy than formerly?—Yes, they are. There are fewer complaints about them. They are reliable servants on the whole; but they are very much overworked. They must scamp their work sometimes because they cannot cope with it.

34010. Is the European officer in a district wanting in sympathy with the people?—I think he is an alert and sympathetic friend of the voiceless masses.

34011. That is from your experience?—Very much.

34012. With reference to the number of Collectors who have come and gone in the course of 34 years, is it not a fact that Ahmednagar is a favourite district?—It is.

34013. They do not willingly go away?—Never.

34014. Are the proceedings in the municipality conducted in English or vernacular?—Generally in English. The Collector will, as a rule, speak in English.

34015. Then very often meetings will take place, the proceedings of which are only partly understood?—Yes.

34016. Looking back to your early days in the country, would you say that no great changes have taken place in the relations between the people and the Government officers?—The only marked change I find is that the officers are very much over-worked.

34017. Do the English officers speak the vernacular better or otherwise than formerly?—I do not feel qualified to say; but some of them I think have got a good deal to improve in.

34018. Do your Christian converts live out in the districts?—There are 20,000 in the district; of these 1/10th are in the city, and the others are in the outside districts.

34019. Are you acquainted with any cases in which any one of them has had occasion to bring a grievance to the Government officers?—Whenever the Collector starts out he sends a letter inviting anyone to communicate regarding grievances.

34020. Your people find no difficulty in getting a hearing for their complaints?—None at all.

34021. You say the *mamlatdars* are very much over-worked. Do you know any of them personally?—Very many.

34022. Are they under-paid?—They do not complain about their pay.

34023. Do any of your Christians live in non-Christian villages?—Yes.

34024. What is your opinion about the village officers?—They have their weaknesses of many kinds, and they have their prejudices; but some of them work very hard.

34025. Does the *kulkarni* work very hard?—Yes. But he does not get a living wage and has got to get perquisites from many quarters.

34026. Is not that method demoralising?—On the whole, no. It is the way of the land.

34027. The native would not regard it as we would?—No, but still he is learning to think it not right.

34028. (*Mr. Dutt.*) You have given the *mamlatdars* a good character?—I respect them as a class.

34029. And they try a good many criminal cases?—Yes.

34030. And the Subordinate Judges try a good many civil cases?—Yes.

34031. And they are also good Judges?—I am very pleased with them.

34032. Have you had many cases in which the parties wanted to have their case transferred to a European officer's Court?—I think if they had a choice, the natives would prefer that.

34033. Have you any facts justifying that statement?—If they have the choice they would send their cases to the Collector or the Assistant Collector rather than to the *mamlatdar*.

34034. Is not that because the Collector is a higher official?—I do not think that is the only reason.

34035. But upon what facts do you base the opinion that the ordinary people would rather have their cases tried by a European officer than by an Indian officer of the same rank?—I think sometimes they are mistaken, but if they had the choice they would expect their case to be tried quickly and thoroughly by a European.

34036. But have you got in your mind any particular case?—I might cite the case of *tagai* advances; in these a European would be much quicker in his decisions than an Indian.

34037. My question rather supposed the officers were of the same rank?—Even then the native would prefer the European, I think.

34038. Have you any facts to justify that?—I have been in close contact with them, and I had lots to do with famine relief works, etc. And for instance I have known a case of an Indian official coming up to the Relief Committee for money, and the question has been put to him by the Chairman "How much would you like?" He would say in answer "15,000 rupees." He would be informed that that amount was not available, and his reply would be, "Well, say 5,000 rupees." When a man comes down in that way there is some justification for my impression.

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34039. And such facts lead you to the opinion which you have already expressed that the people in this country generally would rather have their cases taken before a European officer than before an Indian officer?—I do think so.

(*The witness withdrew.*)

Adjourned.

FIFTY-FOURTH DAY.

BOMBAY, *Monday, 9th March*, 1908.

PRESENT:

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

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

Mr. RAFIUDDIN AHMAD was called and examined.

34040. (*Chairman.*) You appear to give evidence on behalf of All-India Moslem League?—I do. I am a native of Poona.

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The chief disability which Muhammadans suffer is the absolute want of representation both in the Government itself and in its administrative institutions. No detailed manipulation, therefore, of the forces already in existence would affect this central grievance. Excessive centralization at the Imperial Secretariat seriously interferes with the efficiency of the administration in the provinces, but India is not merely a country of many provinces with different requirements but also of many communities with divergent interests, and efficiency cannot be secured until the machinery of the administration is so adjusted that not merely each province, but also each great community, is administered in the way best calculated to promote its welfare. The first and essential form of decentralization which we demand is the destruction of monopoly or concentration of official power in any one caste or class in India. Any inquiry into the processes of government and administration of India which leaves aside this vital question of the centralization of power will be defective, incomplete and abortive. Municipalities are "the initial rungs in the ladder of self-government," but owing to serious defects in the Municipal Act, the Muhammadans cannot avail themselves freely and fully of the advantages to be derived from those institutions. For purposes of election a city is divided into electoral wards in which Hindu and Muhammadan voters are grouped together for the purpose of electing candidates irrespective of their nationality. As things stand in India the Hindus generally vote for Hindu, and Muhammadans for Muhammadan, candidates. But unfortunately for the Muhammadans they do not generally reside in any particular wards, and they are therefore very often found in a minority in great many of them. Hence they seldom get their candidate elected to the municipality or, when they do, they are not those that would be elected were consideration given to this defect in the law. Thus, Poona has roughly a population of one lakh of inhabitants, one-eighth of which are Muhammadans, and the city returns twenty elected members to the municipality. The Muhammadan population is scattered all over the city. During the last 25 years not a single Muhammadan member has been elected to the municipality. It would be futile to even suggest that capable Muhammadans have not been available for purposes of municipal government during the last quarter of a century, and it would be false to say that there have not been some who desired to give such public service. There are other places similarly situated. It needs no further demonstration to show that regulations which permit of a great section of the community being entirely unrepresented on a public body which controls their sanitary surroundings, educational needs and even religious concerns, is defective in the extreme and wholly unworkable. I do not say it is necessarily the fault of the Hindus in not returning Muhammadan members. It is quite natural, and the time when such factors will not operate is very far ahead. I believe the case would not be different were the Muhammadans in the majority and under similar circumstances. Muhammadans not being adequately represented on the municipalities means, not merely that they do not get equal opportunities of preparing themselves for self-government, but also their entire interests as a community suffer for no fault of theirs. It is therefore absolutely necessary that the local authorities should in every case be required to declare the number of Hindus and Muhammadans entitled to seats on municipal and District Boards, and either community should be allowed severally to return their own representatives. This last clause is very important. It has lately been suggested that after declaring the relative proportion of the members of the two communities in a town the voters irrespective of their community should be allowed to vote for a Hindu or a Muhammadan candidate. Such a provision would destroy the very object for which we demand class representation, because in such a case the Muhammadan candidate, who would be in sympathy with Hindus in all matters of importance, would readily be elected, and he would naturally vote with the Hindus on whose good-will he would have to depend for his re-election. It is frequently asserted that Hindus and Muhammadans are one nation, and it did not matter which community dominated the municipality. The old common law of England declared that husband and wife were one person in the eye of the law, but that person

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was the husband. Likewise Hindus and Muhammadans are one nation, but that nation is the Hindus, thanks to the municipal law. As a community we have interests which are not shared by other communities and which not infrequently conflict with those of the Hindus, and it is therefore a matter of life and death for us to have separate representation of our community in the municipalities. The necessity has become all the more imperative ever since the municipalities have been allowed to return members to the provincial Legislative Councils in 1893. What is true of municipal elections is also true of the elections of the provincial Councils. In this Presidency, for example, no Muhammadan has been elected ever since 1893, and there is no likelihood of anyone being elected in the future. With due protection of the minority and class representation for the Muhammadans, I am in favour of granting larger powers to Presidency Municipalities but not to others.

There are, throughout India, in all the High Courts and Chief Courts, only two Muhammadan Judges, who have been only recently appointed. That among 65 millions of Indian Muhammadans there are not to be found more than two persons competent to fill such positions is a libel upon the race, and a blot upon British enlightenment, because during more than 100 years' connection with India, England could not train more than the limited number given above for such honourable positions.

With regard to the personal contact of Executive Officers with the people, many officers have not the time, but some of them have not the will, to cultivate friendly relations with the people. Governors and Heads of Administrations are no doubt making efforts to promote social intercourse with Indian gentlemen. But unfortunately their efforts seem to be confined to meeting persons of title or money. There is no private friendship in India between Executive Officers and Indian gentlemen. Executive Officers are busy in their offices and are often inaccessible at home. But they are much more so when they repair to their clubs, as some of these latter institutions even prohibit native gentlemen from entering their premises. As long as such a spirit continues no rules could remedy the evil. They should encourage as far as possible institutions of a cosmopolitan character. The free exchange of views and opinions which can take place under the condition of club life would be invaluable to the promotion of good-will and perfect understanding. Our opinions of each other are often biassed by pure ignorance. Muhammadans, Rajputs and other aristocratic and martial races feel the social exclusion most bitterly. And every England-returned Indian resents it because he compares Englishmen at home with Englishmen in India to the discredit of the latter. Heads of Administration and Executive Officers might invite native gentlemen as frequently as possible to dinners, as an impression prevails that an Englishman cannot be said to be friendly with anyone unless he invites him to his table. An additional allowance might be granted to Executive Officers for this purpose.

The Executive Officers do not possess sufficient knowledge of the vernaculars. They never speak to a native gentleman in his vernacular when they know that he knows their language. In other words, they never learn Indian languages for any other purpose than for passing examinations. There are, of course, conspicuous exceptions. I have known British officers who could speak and write Urdu quite as well as, if not better than, an educated Indian Muhammadan. Language is a great bond of sympathy. The officers who take an interest in the languages of the Muhammadans also evince interest in the welfare of that community. The popularity of Warren Hastings and other early English rulers was not a little due to their perfect knowledge of Indian languages.

Concentration of all power in the hands of a single caste or class is most undesirable, and it is the decentralization of such a concentration that we principally desire. That Muhammadans do not get anything like their fair representation in the municipalities and Councils has been already demonstrated. Their representation in the service of the State is equally, if not more, inadequate. Take again the Bombay Presidency. Out of 205 *mamlatdars* exercising magisterial powers, only four were Muhammadans. And out of 141 Subordinate Judges in this Presidency, including Sind, which is a Muhammadan province, only two are Muhammadans. So long as Government recognizes that the Muhammadans are to be governed by their own Sacred Law in matters of inheritance, marriage, divorce, etc., the people must have an assurance that the Law is expounded in accordance with the requirements of their religion. Before the Mutiny there were Muhammadan *muftees* who dealt with this branch of the Law. But they have been abolished. Now, as will be seen from the above, the Sacred Law of the Muhammadans is administered mainly by Hindus. There are, throughout India in all the High Courts and chief Courts, only two Muhammadan Judges, who have been only recently appointed. In a country like India, where the service of the Sircar is everything, the Muhammadan community suffers considerably in prestige owing to its ridiculously small representation in Government Service. There are grave reasons against the centralization of power in one caste.

In the Gazetted and Subordinate and Ministerial Services of all Indian provinces a due proportion of Muhammadans should always find a place.

34041. Have you ever had experience of Local Government administration in any way?—Not directly; only indirectly as an observer and a student of politics and a citizen critic.

34042. You tell us among other things that there is no private friendship possible apparently between Executive Officers and Indian gentlemen. Do you find that the difficulties which exist between officials and inhabitants of districts are confined to European officials?—They are confined mostly to Europeans. There is a desire on the part of Indians to be as friendly as possible.

34043. We have had evidence before us that Indian officials are as apt to be as aloof from the people of the district that they administer as European officials?—All officials are exclusive, but it is more so in the case of Europeans.

34044. You say that the official never talks in the vernacular?—As far as possible he does not. If he knows that an Indian gentleman talks English he will not talk in the vernacular. I have always known it to be so.

34045. You also refer to the distribution of offices between Hindus and Muhammadans. Are you quite certain of the statement that out of 205 *mamlatdars* in the Bombay Presidency only 4 are Muhammadans?—I took my figures from the Bombay Civil List.

34046. (*Mr. Hichens.*) How is the appointment of a *mamlatdar* made here?—There is an examination.

34047. In reference to municipalities, you say "it is a matter of life and death for us to have a separate representation of our community in the municipalities." The work of a municipality consists particularly of attention to roads, sanitation, water-supply, and education?—My reference is particularly to the matters of education and burial grounds, and the question of language.

34048. You feel that you are not sufficiently represented to secure all that you require in these respects?—Yes.

34049. Do the Muhammadans in Poona frequently stand for election?—They have done so, but they are disappointed, and I do not think they come forward very much now.

34050. Speaking generally, are they ready to come forward and contest an election?—As I say, there is not a chance of their election; if there was, they would come forward.

34051. (*Mr. Meyer.*) Supposing the present system of the election of municipalities and District Boards by wards or other territorial unit continues, you do not desire to give these bodies more power than at

present?—No. We do not want further extension of powers so much as greater efficiency.

34052. But as the local bodies are at present constituted you prefer the Executive Officer?—I do.

34053. But if you had a system of representation such as you desire, of caste and class, you would be prepared to give some larger powers than at present?—By degrees. Those constituting these bodies have not yet had sufficient education in Local Government, especially my own people.

34054. Have you any experience of village life?—Yes, I have lived in villages.

34055. There has been a certain amount of evidence given before us here and in other provinces as to the desirability of constituting panchayats and giving them a certain amount of power in regard to the village school and the disposal of petty cases, etc.?—I do not think the time has arrived for it yet.

34056. Do you think, assuming such a scheme, there might be a conflict of caste or other interests?—I think so.

34057. And minorities might go to the wall?—That is my opinion.

34058. (*Sir Steyning Edgerley.*) What is the All-India Moslem League?—It is a representative political body representing Muhammadan interests throughout India.

34059. Who is its President this year?—We have not yet settled. At present we have no permanent President. A permanent President will be elected shortly.

34060. Was this representation of yours passed at a general meeting of the League?—No.

34061. It is a personal representation?—But the opinions given in it are certainly those of the body itself. The statement is my own.

34062. Are you acquainted with Mir Allah Baksh Khan Talpur?—I have heard his name.

34063. Have you ever heard of the late Sirdár Khán Bahádur Muhammad Yakub?—Yes, I knew him.

34064. Do you happen to know the Honourable Mr. Shaikh Sadik Ali?—Yes, I know him.

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34065. And yet you tell us that in this Presidency, for example, no Muhammadan has been elected since 1893 to the Legislative Council?—I mean from the municipalities. There is no chance for a Muhammadan to be elected.

34066. Is there not only one municipal constituency in the province, except Bombay, namely the Northern Division?—There are four municipal and District Board constituencies.

34067. Then you institute a comparison between the number of Muhammadans amongst the *mamlatdars*, and in the next sentence you institute a comparison about Subordinate Judges in the Presidency and Sind; but you omit Sind as regards *mamlatdars*. Why do you leave out Sind?—Because I did not find it in the Civil List. The *mamlatdars* in Sind are not given in the Civil List along with those in the rest of the province, like the Subordinate Judges are.

34068. As a matter of fact there are a great many Muhammadans on the list of *mukhtyarkars* in Sind; your figures would not have been quite the same had you taken the whole Presidency?—It may be so.

34069. And if you include Deputy Superintendents of Police your figures would have been still more difficult to support?—I know that in the police we have better representation than in any other department.

34070. Have you ever heard of the Hon'ble Mr. Justice Badruddin Tyabji?—Yes.

34071. And also of the Hon'ble Mr. Justice Amir Ali?—Yes.

34072. It is then hardly correct to say that the British Government has been able to train only two Muhammadan Judges in the last hundred years?—There are only two Muhammadan Judges at the present time. Including them there have not been more than five during the last hundred years.

(*The witness withdrew.*)

BAL GANGADHAR TILAK was called and examined.

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34073. (*Chairman.*) Where do you reside?—Poona. I was a member of the Poona municipality for about three years.

The question of centralization or decentralization of the powers of the administrative machinery involves the considerations of uniformity, smoothness and regularity of work, general efficiency, economy of time, work and money, popularity, &c.; and speaking broadly these may be classed under three different heads: (1) Efficiency, (2) Economy, and (3) Popularity. I do not think it is seriously contended that the efficiency of administration has suffered merely owing to over-centralization. On the contrary it is urged that it is worth while making the administration a great deal more popular, even if it would become a trifle less efficient by decentralization. But the cry for decentralization has its origin in the desire of the local officers to have a freer hand in the administration of the areas committed to their care. They believe that their life has been made rather mechanical or soulless by over-centralization; and having naturally attributed to the same cause the growing estrangement between themselves and the people, they have proposed decentralization as an official remedy to remove this admitted evil.

The general public is indifferent whether efficiency and economy are secured by more or less official decentralization. It is entirely a matter between higher and lower officials, between the Secretariat and the local officers, or between the Supreme and the Local Governments. The people still believe that centralization secures greater uniformity and regularity, and reduces the chances of the conscious or unconscious abuse of power resulting from unappealable authority being vested in lower officers, and would rather oppose decentralization in this respect. The only complaints against the existing centralization or decentralization hitherto raised by the people are (1) the combination of the executive and the judicial functions in the same officers, (2) financial centralization in the Government of India as evidenced by the provincial contract system, (3) the partition of Bengal, and (4) excessive growth of departmentalism encroaching upon popular rights. But these, excepting the second, do not form the subject of the official grievance against over-centralization.

My knowledge of the internal working of the different departments of administration is too limited to make definite proposals regarding the re-distribution of power and authority between various officials so as to thereby to make the administration more economical than at present. I shall, therefore, confine my remarks mostly to the popular aspect of the question, and to the four complaints noted above.

It is idle to expect that the adoption of the loose and irregular system of earlier days would remove the present estrangement between officers and people. It is true that in earlier days the relations between officers and people were more cordial; but this was not due to the looseness of the system then in vogue. In days when the system of British administration had yet to be evolved and settled, the help of the leaders of the people was anxiously sought by officers as indispensable for the smooth and efficient administration of a new province. The officers then moved amongst the people and were in touch with them, not as a matter of mere goodness or sympathy, but as a matter of necessity as they themselves had yet many things to learn from these leaders; and this much satisfied the people at that time, as new aspirations were not as yet created. This state of things has ceased to exist. The creation and

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gradual development of the various departments, the framing of rules and regulations for the smooth working thereof, the settlement of all old disputes, the completion of the revenue survey, the disarmament of the people, the gradual waning of the influence of the old aristocracy including the higher class of *watandars*, the compilation of the works of ready reference on all matters embodying the experience of many years for the guidance of the officers, and other causes of the same kind, joined with the facilities for communication with the headquarters of Government, have all tended to make the local officers more and more independent of the people and so lose touch with the latter. Over-centralization may, at best, be one of such causes; but if so, it is to my mind very insignificant. No amount of decentralization by itself can therefore restore that cordiality between the officers and the people which existed in the earlier days of the British rule as a necessity of those times; and though the present officers may by nature be as sympathetic as their predecessors, it is not possible to expect from them the same respect for growing popular opinion as was exhibited by their predecessors in older days. Under these circumstances such further decentralization as would tend to vest greater powers in the lower officials will only make the system unpopular by encouraging local despotism which the people have justly learnt to look upon with disfavour.

The only way to restore good relations between the officers and the people at present is, therefore, to create *by law* the necessity of consulting the people or their leaders, whom the old officials consulted, or whose advice they practically followed, as a matter of policy in earlier unsettled times. This means transfer of authority and power not between officials themselves, but from officials to the people, and that too in an ungrudging spirit. The leaders of the people must feel that matters concerning public welfare are decided by officials in consultation with them. The officers did it in earlier days as a matter of necessity, and the necessity which was the result of circumstances in those days must, if we want the same relations to continue be now created by laws granting the rights of self-government to the people, and thus giving to their opinion and wishes a duly recognized place in the affairs of the State.

I do not mean to say that this could be done at once, or at one stroke. We must begin with the village system, the autonomy of which has been destroyed by the growth of departmentalism under the present rule. The village must be made a unit of self-government, and village communities or councils invested with definite powers to deal with all or most of the village questions concerning education, justice, forest, *abkari*, famine relief, police, medical relief and sanitation. These units of self-government should be under the supervision and superintendence of *taluka* and District Boards which should be made thoroughly representative and independent. This implies a certain amount of definite popular control even over provincial finance; and the provincial contract system will have to be revised, not merely to give to the provincial Government a greater stability of and control over its finances, but by further decentralization to secure for the popular representative bodies adequate assignments of revenue for the aforesaid purposes. This will also necessitate a corresponding devolution of independent legal powers on the popular bodies whether the same be secured by a reform of the Legislative Council or otherwise. Mere Advisory Councils will not satisfy the aspirations of the people, nor will they remove the real cause of estrangement between the officers and the people. The remedy proposed by me is open to the objection that it means a surrender of power and authority enjoyed by the bureaucracy at present, and that the efficiency of the administration might suffer thereby. I hold a different view. It should be the aim of the British Administration to educate the people in the management of their own affairs, even at the cost of some efficiency and without entertaining any misgivings regarding the ultimate growth and result of such a policy. It is unnecessary to give any detailed scheme regarding the organization of village, *taluka* or District Councils proposed above; for, if the policy be approved and accepted, there will be no difficulty in framing a scheme or making alterations therein to meet difficulties and objections as they occur in practice.

Unnecessary growth of departmentalism is well illustrated by the latest instance of the partition of the Khandesh District. The partition of Bengal is the worst instance of the kind. These are objectionable even from an economical point of view, and in the case of the partition of Bengal the policy has deeply wounded the feelings of the people. The revenues of the country are not inelastic; but the margin, as soon as it is reached, is swallowed up by the growth of departments at the sacrifice of other reforms conducive to the welfare of the people. In this connection I may here state that I advocate a re-arrangement of provinces on considerations of linguistic and ethnological affinities, and a federation thereof under a central authority.

To conclude; the mere shifting of the centre of power and authority from one official to another is not, in my opinion, calculated to restore the feelings of cordiality between officers and people, prevailing in earlier days. English education has created new aspirations and ideals amongst the people; and so long as these national aspirations remain unsatisfied, it is useless to expect that the hiatus between the officers and the people could be removed by any scheme of official decentralization, whatver its other effects may be. It is no remedy—not even palliative—against the evil complained of, nor was it ever put forward by the people or their leaders. The fluctuating wave of decentralization may infuse more or less life in in the individual members of the bureaucracy, but it cannot remove the growing estrangement between the rulers and the ruled, unless and until the people are allowed more and more effective voice in the management of their own affairs in an ever expansive spirit of wise liberalism and wide sympathy, aiming at raising India to the level of the governing country.

34074. Were you either the Chairman or the Vice-Chairman of the Poona municipality—No.

34075. During the time that you were a member of the Poona municipality was the Chairman elected or nominated?—He was elected by the members of the municipality.

34076. Does the same apply to the Vice-Chairman?—Yes.

34077. What class of gentlemen were they generally chosen from?—The President of the municipality for three years was a Parsi, and after that for nine years a Parsi presided over the municipality.

34078. Did you do your work through committees?—Yes.

34079. As a member of the municipality, did you take some part in the administration of the work?—Yes, I was a member of the Managing Committee and also of the School Board which controlled the primary schools in the city.

34080. As a member of the municipality had you a fair share of influence upon the proceedings?—Were you perfectly free to say what you thought?—I cannot quite say, but I think I did influence it to a certain extent.

34081. Had all the members of the municipality an opportunity of perfectly free discussion?—Yes.

34082. With regard to the village system you say that you think that any system of decentralization must be based upon the restoration of village autonomy; but that that has been destroyed?—It has been destroyed but it may be revived.

34083. In Bengal we were told by a witness that the village communities were no longer existent and that the people had been driven into the towns; is that the case in Bombay?—To a certain extent it is.

34084. Would that apply to the better class families?—No, to the lower classes.

34085. In the villages is there still a class which would be capable of undertaking the duties to which you make reference, such as education and so on?—Yes, that is my opinion.

34086. As regards the powers of a panchayat in its civil and criminal jurisdiction, would it be wise to trust to a panchayat which might be chosen from all sections of the village or which might be chosen from one dominant faction in the village?—It would require to be safeguarded by certain checks, but I think it would be wise to grant those powers to a panchayat chosen from all sections.

34087. It has been represented that the poorest raiyat would feel permanently injured if he were sentenced to even a day's imprisonment by the members of a panchayat and that there might be considerable danger of that if the members belonging to a hostile faction?—I do not think there are factions in villages.

34088. Does only the one sentiment exist?—Even if there were factions, I do not think there is any danger because it could be provided for by making rules; for instance, a man could select his own panchas, or a transfer of a case might be allowed to a neighbouring village panchayat, as we transfer a case from one Judge to another.

34089. If a transference of jurisdiction were allowed, would there not be a danger of its being constantly done?—It should be allowed to be done only sparingly.

34090. Should the decision of a panchayat be final in all cases in which they have jurisdiction?—Not in all cases, but in the majority of cases.

34091. A witness suggested to us that in all suits up to the value of Rs. 50 their decision should be final; would you agree with that?—I would suggest something like that, but matters of that kind ought to be left to details afterwards; one cannot lay down here a hard and fast rule, but some limit ought to be laid down, whether Rs. 50 or Rs. 100 might depend on the state of a village.

34092. Would you also agree with another witness who said that pleaders should not be allowed to appear before panchayats?—Even if they were allowed I do not think the people would engage them. In ordinary cases I do not think they are necessary and should not be allowed, but in cases involving life and death, and large properties, they may be allowed.

34093. But suits concerning large amounts of property would hardly come before a panchayat?—They might in the first instance.

34094. Would you contemplate that they should have large powers like that?—Yes, but in very few cases.

34095. Would you like to see a considerable extension of power to municipalities, even though those municipalities made serious mistakes in the course of their administration?—Some check might be provided for as in the case of District Boards.

34096. What form should that check take?—A sort of superintendence to be exercised just as a Collector now provides that check. The Collector of a district has certain powers of supervision, and those powers may be entrusted to the Board in the case of a municipality.

34097. Taking a *mufassal* municipality of about 15,000 people, should there be some outside check upon it?—Yes.

34098. What form would that check take?—I would suggest the District Board if it is elected and constituted as I suggest.

34099. Would you give the District Board power to exercise a check over municipalities?—Yes, in their districts, and the municipalities should be represented on the Board.

34100. Supposing a municipality overspent its income, would you give the District Board power to step in and say, "We suspend your functions and remove you from office and take over your finances"?—Yes, as to small municipalities, but not in the case of larger ones.

34101. Do you think that would prove an effective check?—I think so.

34102. You say the "unnecessary growth of departmentalism is well illustrated by the latest instance of the partition of the Khandesh district"; speaking generally, are the districts in Bombay too large to be administrative units?—I do not think so.

34103. (*Sir Steyning Edgerley.*) Would you admit that it is a disadvantage to have the authority with whom a decision rests too far away from the people affected by that decision?—I think the first authority should be close at hand, but the appellate authority may be a little farther off.

34104. But if the first authority close at hand has constantly to go for sanction to the authority further off, you practically come to the further off authority deciding?—Yes, if it were constantly the case.

34105. May it not be contended then that efficiency of administration really does suffer when you have constantly to go to a very distant authority?—But there is the other side of the question, too. Taking the authority on the spot, the only check is an appeal according to certain rules laid down, and if that check is removed there is a danger of the personal rule being carried to extremes.

34106. Subject to appeal and general rules and regulations, you think there is no danger?—No, then there is no danger of the local officers acting autocratically.

34107. So that it might be "seriously contended" that there is some loss of efficiency in having to go to a distant authority?—If every case has to be referred to a higher authority, there must be loss of time.

34108. Is not loss of time loss of efficiency?—It is.

34109. You say that one cause of complaint has been in the financial centralization in the Government of India?—That is to say, in the provincial contract system, enough liberty is not allowed to Local Governments.

34110. What remedy do you suggest?—I would grant more definite powers of control and stability of finance to the provincial Governments.

34111. Have you any sort of scheme to place before us?—No, but it is a matter which will have to be looked into. I would propose an allotment of certain heads of revenue to be permanently assigned to the Local Government.

34112. Is the decay of the village system not due to somewhat wider causes than the growth of departmentalism? In all countries as education progresses you pass from communism to individual rights?—There is that social and economic force.

34113. And would you remedy that by trying to create an administrative power in the villages?—Yes.

34114. Do you think that the suggestion of Advisory Councils is not adequate to meet the present feeling in the country and that a share of administration is necessary?—What is desired is a share in the administration and not merely giving outside advice which may, or may not, be followed.

34115. (*Mr. Meyer.*) Is your position that it is better to sacrifice a little efficiency in order to get more in touch with the people and do more what they would like?—Yes.

34116. Taking, for instance, the remission of land revenue, would not the people prefer that the Collector should be able to remit at once than to have to go to the Commissioner or Government for sanction?—I am not proposing any transfer of revenue jurisdiction to villages.

34117. But at present in Bombay the Collector cannot do much more than suspend land revenue within a certain amount and give some very small remission—suppose he could give a larger remission, would that not be more gratifying to the people?—It would be agreeable to the people, of course, but the question would be whether Collectors should be allowed to grant remissions in that way, and whether the provincial revenues would not suffer.

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34118. Supposing the provincial Government were willing to delegate power to the Collector so far in a matter like that, might not decentralization be a popular thing?—It would be an advantage in that case, if regulated by certain rules, but otherwise there would be inequalities, and people in one district might complain of laxity in others. Certain general principles might be laid down, and discretion left to the Collector.

34119. Take again, for instance, a small matter such as the cutting of a tree—the *mamlatdar* cannot give permission to do that at present; would not the people be rather glad if they could get a final order from him to do so?—My remedy is that he should have power in that respect.

34120. You speak of the five years' financial settlement, but are you aware that now there has been a *quasi*-permanent settlement entered into with the Government of Bombay, and that the Government of India have done away with the system of quinquennial revision, and have given to the Government of Bombay certain entire heads of revenue and shares of others which they are to keep permanently?—I am aware of that; it was done recently.

34121. Mr. Gokhale said that even if the provincial Governments got wider powers in other respects, he would not give them larger powers than they now have with regard to the creation of fresh appointments, which ought to be subject to check by an outside authority—would that be your view also?—So far as the power is vested in the Government alone, without any popular control, Government should not have the power.

34122. At present the Local Government cannot create a fresh appointment over Rs. 250 and Mr. Gokhale told us that he would give them larger financial powers in other respects, but he would not give them any further power in regard to the creation of fresh appointments—is that your opinion?—Not if the power is to be exercised without popular check and control. Some check is necessary.

34123. Mr. Gokhale also told us that in his opinion the Bombay land revenue system has been rather unduly rigid, and that some beneficial reforms had been introduced at the instance of the Government of India in regard to the remission of land revenue and famine relief; have you anything to say as to that?—What the people asked was that there should be no individual inquiry in cases of remission, and that remission should be granted to all if the crops failed beyond a certain limit in a district; that was the demand made, and it has been conceded.

34124. So far, is that an improvement?—Yes.

34125. You spoke of the District Board under your scheme controlling the smaller municipalities if they abused their powers, but if a city municipality got hopelessly into debt or was found to be neglecting vital interests, who would step in, the District Board?—Yes, in certain cases.

34126. Taking a city like Poona, would you put the municipality under the Poona District Board?—I do not think that is likely to happen, because growing public opinion would prevent it.

34127. But you would not give the Government power?—No.

34128. You are aware that in England the Government has power to interfere with Local Boards in certain cases?—The case of England is quite different; there the municipality has a voice in Parliament, and can put the matter before the people, but there is nothing of the kind here.

34129. Would your ideal be a sort of federation of provinces under a central authority?—Yes, something like the American system.

34130. What general functions would you give to the central authority?—Imperial questions might be taken up by the central authority, and provincial questions left to the provinces.

34131. Is not land revenue a provincial question primarily; would you allow the central authority to enunciate principles as to land settlement?—Yes, I think they might lay down general principles.

34132. How do you propose to constitute panchayats in your village system; are they to be elected or nominated?—Elected.

34133. Would you introduce the system all at once, or would you recognise that it must be gradual?—It would not be all at once. The principal villages in the *taluka* might be invested with powers, and they might be gradually extended to smaller villages.

34134. You mention medical relief among other things which a panchayat should deal with; how would they deal with that?—That is an old system; a group of villages used to have their own doctor.

34135. What would you do with the existing dispensaries; would you give them over to the panchayats?—I do not think there are any dispensaries in the villages now, but only in the *taluka*, and they might be given over to the *taluka* Boards.

34136. Would your district and *taluka* Boards do much the same thing, on a larger scale, as you would allot to the panchayats?—Yes.

34137. Do you desire to keep the Collector entirely away from these local bodies?—Not entirely away, but he should not be a controlling authority; he might come in as a member. He may be in an official minority, but not a majority.

34138. If the Collector might be a member of the District Board, would you allow him to be President?—That would depend on whether he was elected by the body; if he is popular he might be so elected.

34139. We were told that once the Collector came in the bulk of the members would elect him; would that be the case in Bombay?—I do not think it would be so in Bombay generally.

34140. In the same way would you make the Sub-Divisional Officer an *ex-officio* member of the *taluka* Board?—He might be.

34141. Should a District Board manage all the roads, or would you give them over to the *taluka* Board?—Those details might be settled afterwards.

34142. How are your panchayats to raise money for this proposed administration?—There might be a certain percentage on the village revenues allowed to them; that was the old system.

34143. You would give them a portion of the land cess?—Yes, and if that is not enough I would make them an assignment from the *taluka* revenue.

34144. You would not give them power to impose local rates of their own in the villages?—No, unless they were voluntary contributions.

34145. Suppose a District Board found it had not enough money, would you allow it to raise the cess?—Not at first at any rate, but in time they might be entrusted with that power.

34146. Would you allow municipalities full power of taxation, or would you have some control over them?—They have that power.

34147. But they are limited under the Act to a certain maximum for house-tax, and to certain scales of octroi—would you keep that control or would you give a municipality an entirely free hand?—With certain restrictions; they should only raise taxation for a particular purpose and within a particular limit.

34148. Supposing they wanted to increase the taxation beyond that limit, should they have to get the consent of the Government?—Certain legal powers must be made over to local bodies, and they might pass a resolution or rule to that effect.

34149. (*Mr. Hichens.*) You said that the Government of India should be responsible for matters of general principle, and that the provincial Government should in matters of detail be responsible for carrying out the policy?—That is the present position.

34150. If it was the case to-day that that policy was not being fully carried out, would you, under existing conditions, be prepared to enforce it?—I think that principle ought to be carried out.

34151. Quite regardless of whether the question of popular representation is touched or not?—I am speaking from the people's point of view; if they have no voice in the administration, it is better that it should be centred in one place.

34152. Supposing it was found that the Government of India did in practice to-day interfere in details with regard to the salary of a school-teacher, for instance, would it be justifiable to alter that?—It is a choice of imperfections; I would prefer it to having the power transferred to all the local authorities.

34153. You would not agree to an alteration in a case of that sort?—No.

34154. We have been told on several occasions that the Collector usually has the best knowledge as to what remissions should be made in his district, and that he is usually ready to make generous recommendations in regard to them, and that if rigidity comes in very often the Government is at fault?—I am not conversant with the official correspondence, but I do not think it is generally the case.

34155. Does the generosity come from above rather than from below?—Not always; there are cases where it comes from below.

34156. Would you say that the funds of District Boards are inadequate to-day for carrying out the duties which have been assigned to them?—The duties are very limited; they are only the administration of the local funds, and for that purpose the funds are enough.

34157. Is the case the same with regard to municipalities?—If there is any increase in their duties, more funds would be necessary.

34158. Should the duties of municipalities be increased?—I think so.

34159. What else would you give them to do?—I would give them the control of secondary education in a city municipality.

34160. As well as primary education?—Yes, as well as primary education; they have control of the primary education at present, but I would give them control of secondary education, and also I would give them control over the city police.

34161. (*Mr. Dutt.*) You say that reforms should begin with the village system; how do you propose that village panchayats should be orgainsed; do you propose that they should be organised under an executive order by an Act of legislation?—I would rather have legislation.

34162. And that the provisions of that Act should in the first instance be applied to the larger villages, and gradually extended to the smaller villages?—Yes, that is because the village system is being destroyed.

34163. Would you be in favour of the idea of some particular officer or officers being employed to organise village panchayats in the different districts?—I would leave that to the District Boards.

34164. Would the District Board employ some particular officer to go round and organise the villages?—I would leave it entirely to the Boards to work as they thought best.

34165. You say that *taluka* Boards should be thoroughly representative; is it your idea that groups of villages should send members to the *taluka* Board?—I think so.

34166. And that all the members should be elected members?—Certain officials might be allowed to sit, but not in the majority.

34167. When you had *taluka* Boards under that system, would you leave the construction of roads and primary education entirely in their hands?—Yes.

34168. Evidence has been given that much of the work that is done by the District Boards now might be delegated to the *taluka* Boards, so that the *taluka* Boards in their own circles might do all this work; do you agree with that?—Yes.

34169. Would the work be better done in the smaller circles?—Yes, the areas are too large for the District Boards.

34170. Is primary education better managed now by the Education Department, or would you like the *taluka* Boards to take it directly into their own hands?—I think the *taluka* Boards ought to take it up and leave it more to the villagers.

34171. Would you leave the Education Department to lay down general principles and the curriculum?—Yes. I think the curriculum might be left to the Board.

34172. Should all small details be left to them?—Yes.

34173. You say if the people had no share in the administration you would be in favour of the existing control of the Government of India over the provincial Governments?—Yes, except in regard to a few details; generally I would retain the existing checks and control.

34174. If you had some degree of popular control would you give the provincial Governments a freer hand both with regard to finance and with regard to administration?—If the provincial Governments have representative bodies to assist them in their functions, then they should be allowed a freer hand.

34175. Have you any particular proposals to make as to how a freer hand may be given—for instance, whether some particular heads of revenue should be made over entirely to the provincial Governments?—That would be a detail into which I have not gone.

34176. Would you still leave with the Government of India the power to lay down general principles of policy; would you still leave to the Government of India the power of initiating reforms in the different departments of administration?—According to my scheme it would be something like that of confederation, as exists in America.

34177. In regard to general administration would you leave the Government of India power to lay down the general policy and introduce general reforms. On all imperial questions, not on provincial questions.

34178. You have spoken strongly of the growth of departmentalism; will you explain exactly what you mean by that?—Take for instance the Forest Department, which has encroached on the rights of the village community. Whenever a Department is created it tries to absorb all the existing popular institutions.

34179. Is it your idea that in these matters the popular voice ought to prevail, and that the growing power of the departments ought to be stopped?—Yes.

34180. (*Sir Frederic Lely.*) You would not introduce all these changes at one stroke; but would begin with selected villages?—Yes.

34181. Would you entrust the control of the villages entirely to the District and *taluka* Boards?—Yes.

34182. To the *taluka* Boards in the first instance?—Yes, and to the District Boards on appeal.

34183. Would you trust to the *taluka* Boards in the first instance to prevent injustice?—Yes.

34184. As a matter of fact in villages, do not panchayats often assemble and adjudicate on matters?—Yes, but those panchayats are gradually decaying.

34185. But are there not practically village panchayats for a village now?—No, not for a whole village; if there are two or three castes in a village, then you have two or three panchas.

34186. But the mass of cultivators in a village are often all of one caste?—Not necessarily.

34187. I do not say necessarily, but do not the cultivators often consist of entirely one caste?—Yes.

34188. So that in those cases the caste panch is practically co-terminous with the village panch?—No, it is not even so then; although they belong to one caste they may be of different trades.

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34143. You would give them a portion of the land cess?—Yes, and if that is not enough I would make them an assignment from the *taluka* revenue.

34144. You would not give them power to impose local rates of their own in the villages?—No, unless they were voluntary contributions.

34145. Suppose a District Board found it had not enough money, would you allow it to raise the cess?—Not at first at any rate, but in time they might be entrusted with that power.

34146. Would you allow municipalities full power of taxation, or would you have some control over them?—They have that power.

34147. But they are limited under the Act to a certain maximum for house-tax, and to certain scales of octroi—would you keep that control or would you give a municipality an entirely free hand?—With certain restrictions; they should only raise taxation for a particular purpose and within a particular limit.

34148. Supposing they wanted to increase the taxation beyond that limit, should they have to get the consent of the Government?—Certain legal powers must be made over to local bodies, and they might pass a resolution or rule to that effect.

34149. (*Mr. Hichens.*) You said that the Government of India should be responsible for matters of general principle, and that the provincial Government should in matters of detail be responsible for carrying out the policy?—That is the present position.

34150. If it was the case to-day that that policy was not being fully carried out, would you, under existing conditions, be prepared to enforce it?—I think that principle ought to be carried out.

The Hon. Mr. IBRAHIM RAHIMTOOLA was called and examined.

34228. (*Chairman.*) You are a member of the Legislative Council of Bombay?—Yes. I have been so for eight years. I live in Bombay. I have been a member of the Bombay Municipality for over 15 years, and I am so still.

Under the existing provincial contract the entire revenue from salt, opium and customs goes to the imperial exchequer. Besides this amount a further contribution is determined, under an elaborate system of calculations. It would be much simpler if, in addition to the entire revenue from the three sources mentioned above, a lump sum contribution was fixed on some equitable basis as the contribution of this province towards imperial revenues. After determining the amount I would make it fixed for a period of 30 years. I suggest this period because land revenue, which forms the principal source of provincial income, is revised every 30 years. At each of these revisions the lump sum payable to the Imperial Government should also be revised.

Having fixed the lump sum contribution to the Imperial Government, I would leave provincial Administrations a free hand to administer local affairs in the best manner they can, in view of their extensive local knowledge and experience, subject to any general lines of policy laid down by the Supreme Government for the guidance of the provincial Administrations, and subject also to the right of appeal.

Under the present system of administration, the entire authority is centred in the Government of India, while the provincial Governments are working as their departments. I do not think this system conduces to the best advantage of the people living under provincial Administrations. Whenever sugestions are brought forward for introducing reforms and improvements involving expenditure, it is always the Government of India that is stated to stand in the way. The Local Governments are obliged to administer the provinces within the limited resources that are placed at their disposal, and in regard to such resources in most cases the sanction of the Imperial Government is necessary.

The effect of greater freedom vesting in Local Administrations will be that they will be more amenable to public opinion. I would take away from them the excuse that it is the Government of India which always stands in the way of carrying out necessary reforms and improvements. I think only one instance of this kind will suffice. It relates to the provision of sanitary school-houses for the accommodation of children attending primary schools in Bombay.

The Government of India is not very amenable to local public opinion. The whole power is at present centred in them, and they are much too far removed from Bombay to feel the force of any strong opinion prevailing here. I refer to two instances, viz. :—

(1) Government contribution towards plague expenditure to the Bombay Corporation.

(2) Government contribution towards the cost of the improvement of Bombay. A small place like Simla has obtained a grant of Rs. 20 lakhs, while Calcutta was promised 50 lakhs, which, I understand, has since been raised to a crore of rupees. Both these contributions are in cash. In the case of Bombay the contribution amounts to something between 9 and 14 lakhs, and even this represents the capitalised value of the net income which the Improvement Board will obtain from vacant pieces of land which they have had to develop at a great expense of time, labour and money. The general tax-payer pays large sums of money in cash to Calcutta and Simla, while in Bombay, whose needs are far greater, he largely benefits not only by the development of vacant pieces of land, by the carrying out of reclamation schemes, but also by the acquisition proceedings of the Trust.

While strongly advocating greater freedom to local administrations in financial matters, I would provide efficient safeguards in the interest of the public. A right of appeal to the Government of India on the judicial system which should be conceded to all public bodies constituted by law, and the non-official members of the Provincial Legislative Councils. I include the latter in the list as with the enlarged Councils most of these gentlemen will be representing by election various important interests and districts. The right of appeal is no doubt enjoyed at present by every one, but it is not of much value. The provincial Governments are at present working as departments of the Government of India and the tendency at headquarters is naturally to support the action of local administrations. Under the altered system there will be a greater probability of the Imperial Government considering these appeals more carefully and with greater sympathy towards the public. In order to make the right of appeal really effective in the public interest, I have advocated above the application of the judicial system to appeals preferred by certain bodies and individuals. The distinction between judicial and administrative appeals is very important. In the latter case the appellants remain ignorant of the reply which it forwarded, and have no opportunity to meet any arguments which may be advanced why the appeal should not be allowed. In judicial appeals, the appellants come to know of everything that the other side advances in support of their case, and have the right to offer a rejoinder. I would give this right of meeting the arguments of the Local Governments in the form of a reply to the bodies and individuals named. In support of this view, I refer to the following instances:—(*a*) the system introduced in regard to the return railway fares for pilgrims proceeding to Mecca on pilgrimage; (*b*) the sanction to Improvement Scheme No. V. as originally submitted and which included a large portion of the Mahim woods.

Local Governments should not be given borrowing powers. The Government of India should alone have the right of raising the loans for the requirements of the country. In all cases in which the Local Governments require funds for capital expenditure they should be supplied by the Government of India. I would, however, strongly advocate the transfer to the Local Administrations of the power at present exercised by the Imperial Government in the matter of loans required by public bodies. In future the local administration should determine the amount of each loan proposed to be raised by an authorised public body, the rate of interest of the loan, and the period of its currency. Under the existing system serious difficulties have arisen in consequence of the arbitrary decisions of the Government of India in fixing the currency of some of the loans proposed to be raised by the Bombay Municipality. I cite the following instances:—(*a*) relating to the loans for the acquisition of set-backs for widening existing roads; (*b*) relating to the loan required for building sanitary *chawls* for the accommodation of *halalkhores* and scavengers.

34229. You tell us that it would be much simpler if the entire contribution of the province to the imperial revenues was given over in a lump sum. In what way would it be simpler?—At present revenue and expenditure are divided under different heads, and in some cases revenue from certain sources goes entirely to the provincial exchequer. If a lump sum was determined, having regard to the needs of each province, and sufficient revenue was provided, it would not only be much simpler so far as the accounts are concerned but would conduce to a more efficient administration of the province.

34230. Do you mean that it would be simpler in account-keeping or the collection of revenue?—Simpler in the keeping of accounts, and it might enable the Local Government to husband its resources; the contribution to imperial revenues being fixed, the hands of Local Administrations will be freer, and they will have a larger amount to deal with.

34231. Is it that you think that the provincial Government would have a larger and expanding

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revenue, or it is purely a matter of account-keeping?—It is both.

34232. You mention that the Government of India has rather stood in your way in the matter of providing sanitary accommodation for the primary schools of Bombay. In what way did that happen?—That is an instance of how the hands of Local Governments are tied in the matter of incurring expenditure for works of great importance; the local authorities have not a free hand to deal liberally with the public needs under the present system. That particular question has recently been solved to a considerable extent. But I want to emphasise that in connection with various suggestions the non-officials bring forward for larger expenditure they are met with the argument that "We have no funds; the Government of India will not let us do it."

34233. Have you ever heard of other Governments being in the same difficulty, viz., that they wanted money which they had not got?—I would take away from the Local Administration the excuse that it is the Government of India that stands in the way.

34234. Do not the Local Government tell the truth?—Doubtless. But it seems that the Government of India apparently were taking away from the provinces considerably larger sums than they ought to.

34235. Is there the same difficulty with regard to plague expenditure?—I refer to two classes of expenditure—one plague expenditure, and the other the general improvement of the city.

34236. Is this again a question of whether funds are, or are not, available?—We have always claimed that a substantial contribution towards the plague expenditure of the city should come from imperial funds.

34237. In what way does the Government of India interfere in the raising of local loans?—They have at present to determine the amount of each loan a local body can raise, the rate of interest, and the time the loan has to run; and then the sanction of the Imperial Government has to be obtained, and we have found that in carrying out works of great public usefulness the Government of India put serious difficulties in our way.

34238. Who raises the loan?—The Municipality.

34239. On the security of its own revenues?—Yes.

34240. What rate of interest does it pay?—4 per cent.

34241. And for what term?—We want to raise it up to 40, 50 or 60 years.

34242. How do you raise that now?—According to the sanction of the Government of India. Some of our loans have been for 60, some 50, and lately the Government of India has been insisting on 20 and 30 years' currency.

34243. Are most of these loans for considerable sums?—Yes.

34244. As a rule is the money which is received by the Municipality mainly found in the local money market?—Mostly.

34245. Has the Local Government any control over you in the matter of raising these loans?—None, beyond passing remarks and representations.

34246. (*Mr. Hichens.*) You want a financial settlement fixed for 30 years? Would it be possible to have a settlement fixed for such a long period as that?—I think it would be certainly possible.

34247. It very frequently happens that sources of revenue fluctuate. Might it not happen that a settlement which appears reasonable to-day, will prove unsuitable in a few years?—It is a matter of opinion.

34248. Then you would give the Imperial Government and the provincial Government independent and separate powers of taxation? In what form would have that taxation?—At present we have taxes levied variously—imperial and local.

34249. Would you like the Local Government to have the power to increase or lower taxation, or would you give that into the hands of the Government of India?—I prefer the Government of India.

34250. Would you explain in more detail the system of financial safeguards which you suggest?—I mean that, having given to the Local Government a considerably freer hand in financial matters, I would provide some safeguard against the exercise of these powers extravagantly; and I would have some form of appeal to the Imperial Government.

34251. (*Mr. Dutt.*) Suppose you had a high school here and wanted to make it a college and appealed to the Local Government for sanction; assume that the Local Government said, "No, the circumstances do not justify it." Would you allow an appeal to go to the Imperial Government?—That is a matter which I have not considered, but I am relying on the good sense of the local bodies.

34252. Do you think such appeals would be very frequent?—That depends entirely on how the Local Government manages its affairs.

34253. If they were frequent, would it not be harassing to the Local Government even more than the conditions now, and involve the Local Government and the Imperial authorities in complicated correspondence?—That would depend upon how obstinate the Local Government was.

34254. When you say that would leave the provincial administration a free hand to administer local affairs, do you still desire that the Imperial Government should retain the power to lay down general lines of policy?—I say so.

34255. And also to introduce reforms from time to time as they have done in the past?—Certainly.

34256. And these reforms would have to be carried out by the Local Government?—Yes.

34257. Supposing some of these reforms affected the sources of revenue, and the Local Government said, "You have assigned this revenue to us, and now you suggest a reform which causes a difference in our estimates; where are we to get the balance?" ?—If the reform is applicable to the whole of the country, then the Imperial Exchequer should contribute largely.

34258. Then the settlements would have to be revised?—These would be special grants.

34259. You have found fault with the Government of India as not being very amenable to the requests and necessities of local public bodies and the suggestions embodied in local opinion. Has the control of the Indian Government practically interfered with the interests of the City of Bombay?—In some senses, certainly.

34260. For instance, in the matter of preventing you from contracting loans?—The Improvement Trust has been authorised under the Improvement Trust Act to raise loans with a currency of 60 years.

34261. (*Sir Frederic Lely.*) Is there a general belief in Bombay that the interests of the rival port of Calcutta are favoured by the Government of India at the expense of Bombay?—I have heard that mentioned.

34262. Can you give any instance?—I know nothing about it personally.

34263. (*Sir Steyning Edgerley.*) The point of your scheme is practically the same as we have got from other witnesses—eventual popular control?—Possibly.

34264. Regarding this matter of appeal, you say that it should be applicable to all public bodies and Associations and to the non-official members of the provincial Legislative Councils. Do you mean that any single non-official member of the Legislative Council could appeal to the Government of India even if he was in a minority of one?—Yes, for the reason that he would be representing an important interest by election.

34265. You would give that power to a single individual?—Yes.

34266. Even though he has been outvoted by the non-official members of the Council?—Yes.

34267. What do you mean by the expression "public bodies"? Those which are so constituted by law?—Yes.

34268. And "Associations"?—Regarding these I would, for instance, suggest the Millowners' Association.

34269. Would you include the All-India Moslem League?—That is a matter of detail. I would personally prefer the power to be given to authorised public bodies, and the non-official members of the Legislative Council: with that I would be quite content.

34270. Would you accept the suggestion that if you trust a body with greater power you would increase their feeling of responsibility?—Yes.

34271. Therefore you are not afraid of trusting the Local Government with more power, with the safeguards which Mr. Gokhale suggested?—I have not carefully studied what he suggested.

34272. (*Mr. Meyer.*) You desire that the Government of India should surrender a very large amount which they now have in the matter of revenue?—Yes.

34273. May not the Government of India be thus put to serious embarrassment in the matter of meeting imperial charges? Supposing they have to spend more money on the army, for instance, or on imperial matters generally, would they not be rather crippled through lack of funds because of the reduction of their revenues?—My view is that as there should be a control over the Local Government, these powers should be fully vested in the Government of India.

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34274. You prefer, if it is a question of choice, that the Government of India should be hard up rather than the Local Government?—I should certainly prefer not to have my Government hard up.

34275. Let us imagine some imperial emergency—a great war—will the Imperial Government have the liberty to ask the provincial Government for a contribution?—Certainly, if their resources permit.

34276. But if the provincial Government says that it cannot contribute?—The Government of India must know what is the position of the Local Government.

34277. Is the Government of India to have power to say in the last resort, "We are absolutely involved, and you must contribute towards us in our expenditure," or are the provincial Governments to be given the power to refuse?—Imperial needs must come first.

(*The witness withdrew.*)

Adjourned.

FIFTY-FIFTH DAY.

BOMBAY, *Tuesday*, 10*th March*, 1908.

PRESENT:

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

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

Mr. C. S. CAMPBELL, I.C.S., was called and examined.

34278. (*Chairman.*) You are the Registrar of Co-operative Credit Societies in Bombay?—Yes, since October, 1906.

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I am of opinion that the following call for urgent notice:—

(1) The position of Commissioners.
(2) The strengthening of the Collector's position, as responsible for the peace and progress of the district.
(3) The necessity of personal assistants (to Collectors).
(4) The imperativeness of a personal selection of officers.
(5) Modification of our system of "revenue" appeals.
(6) *Sine-quâ-non* of the vernaculars.
(7) Retention of officers in one billet.
(8) Closer connection between Revenue Officers (and Magistrates) and the Education Department.
(9) Re-introduction of the "panch" system through the medium of Co-operative Credit Societies.

Commissioners should take no *direct* part in the administration of a district; but should merely be a Board of Advisors, passing between the Collectors and His Excellency the Governor.

No appeal should lie beyond the district under "Chapter VIII., Criminal Procedure Code."

A Personal Assistant is needed for *every* Collector; to relieve when necessary, prepare for the billet, and supplement the deficiencies of the ordinary Assistants.

I would not only allow a free discretion in the selection of officers; but in the selection, also, of the powers to be given to such.

I would substitute a system of *reference* for our present system of appeals.

I believe half our failure is due to ignorance of the vernacular: the other half may be due to our distrust of one another.

I deprecate transfers as unnatural and distracting. I would encourage specialization by special powers or privileges.

34279. Will you tell us how these Co-operative Societies work?—They are very tentative and experimental at present. Our funds are to a great extent dependent on the grant from Government which we can give out on specified terms, namely, the amount that Societies deposit up to Rs. 2,000; any Society may deposit up to Rs. 2,000, and we give a grant of the same amount. Then there are one or two gentlemen who have very kindly helped us by starting a Financing Society themselves and offering loans to us of Rs. 3,000 or Rs. 4,000 or more, as the case may be; the difficulty is in the financing.

34280. Is the account of each Society kept separate?—Yes.

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34281. Is there any limit to the total grant by Government?—There is a limit to the total grant, as well as a limit to the total for each village. The total of the Government grant is one lakh for the Bombay Presidency.

34282. Is that from imperial or provincial funds?—I think from imperial funds.

34283. When you are going to start one of these Societies in a particular village, what is your *modus operandi*?—Probably I do not go to the village until they call me, in order not to have any apearance of pressing. When they ask, if I am near the place, I go and see what they have in their minds; otherwise I prefer not to appear at the first stage.

34284. When you visit the village, with whom do you confer?—I find those who have sent in the original application; I meet them, and the other villagers collect, and we talk over things.

34285. Does the village appoint a committee?—The applicants themselves form a committee; they are generally few in number, and undivided for the time being; there would be perhaps 10, 15 or 20; the original applicants would be so few that there would be no division amongst themselves.

34286. Do you make them responsible for the advances?—I make the Society responsible as a whole; they select particular members to sign.

34287. Do you form a committee?—The first thing is to frame their bye-laws. There would be provisions in the bye-laws for a committee and a Chairman of the committee, either to be elected out of the body of members at each meeting or to be appointed by the Society; we leave them as much as possible to choose the way they prefer.

34288. Do these committees work well?—The committees differ, but in most cases they have power to work well; occasionally factions will come in, or one man will make himself too important and there will be friction, but there is no necessity for that except in individual cases.

34289. Are there people in the villages of sufficient education and standing and influence to work the committees well, or do you have to dry-nurse the whole thing?—To begin with there is a considerable amount of nursing, but one always makes them understand that it is only the teaching of a child to make him walk alone in time. The difficulty is rather the state of mind than the state of intellect; that is to say, the factional spirit; otherwise the material is probably there for good committees and good Societies too.

34290. Is the factional spirit so strong that it would upset the usefulness or the impartiality of the committee?—I do not consider it absolutely a bar at all, because I would leave the opposition party out, and allow only one side in for a particular Society; if the other side were strongly opposed they should have a committee or Society of their own.

34291. Is the factional spirit so strong that you cannot afford to disregard it in actual working: is it irreconcilable?—Almost irreconcilable in most cases.

34292. In a large village you are bound practically to have two committees?—One would always be prepared for a committee and its opposition probably; any work of any kind in any village would always divide itself into at least two sides, which will work not for the common good but against each other.

34293. Merely in order to wreck what the other faction is doing?—Merely in a spirit of opposition.

34294. Are advances made to individual cultivators?—We only advance to Societies.

34295. What do the Societies use the advances for?—They vary very considerably, but the general rule is only to lend for profitable purposes; people are quite sensible enough not to be keen about lending their money to people for unnecessary expenses. The exact use of the money we cannot guarantee yet, because we have not seen the results. On paper we know that they have spent it for seed or for manure and so on, but the results we do not know yet.

34296. Has the money, so far as your information goes, been honestly used?—The money, I think, is likely to have been honestly used.

34297. On the whole, do the people know what they are about, and are the objects to which they devote their resources good objects?—In most Societies that is so, but in parts of the country they are apt to mistake the meaning of the movement and to say that they are ready to accept everything; I get numbers of applications saying that they will agree to anything I like so long as they get the money. It is a matter of paying off existing indebtedness to a great extent, and in those cases one has to be more careful, of course, in order to see that there is not only the proper spirit, but that the applicants have the means to go on. Speaking generally, I am always ready to accept anything that I can and let them start a Society, and see how they can get on with it. It is very tentative, and my successor may possibly disagree with my policy and adopt a different one, and I may be prepared to support him in his different policy.

34298. Your work has taken you very largely into the country districts, and you have visited a great number of these hamlets and villages?—Yes.

34299. Looking to what you have learnt from these Credit Societies, is it possible to start in most of the villages a panch for ordinary purposes for communal government?—A committee of my Societies might form a panch in themselves. They do not represent the whole village by any means, but they constitute a panch in the village, anyhow for a portion of it, and they might be supported and given more powers.

34300. Taking this nucleus of a Co-operative Bank, you would extend its functions from financing of the raiyats into something like a village authority?—I would be inclined to do so.

34301. Would you have to create a panch for each faction or caste owing to the difficulties with regard to factions?—I generally prefer to avoid anythink like creation. The Societies start on the voluntariness of a certain section of the people. Where the people are voluntarily coming forward we should give them all the power we can to manage their affairs, which might extend probably to the affairs of the whole village. It is a matter of experiment; I prefer, instead of a superior authority impressing an idea on them, to draw them on and see what they can do themselves with help from us.

34302. Assuming all that, would you have to create in each village a double panch?—It would depend on the nature of the opposition. If it is strong, defence would have to be given to the Society already existing; if it is weak, the opposition might be ignored; those who do come forward and seem worthy should have all the defence we can give them against unnecessary opposition.

34303. Owing to this faction you refer to would you require two panches side by side in order to satisfactorily control different parts of the village?—I would not think that necessary by any means, but if the other faction wanted a similar concession, I would consider their case as well, and perhaps they might have a panch in addition to the one already established. It would only be where they, too, expressed a voluntariness to work on their own lines.

34304. If a section of the village repudiated the authority of the panch, you would say "Very well, you can have a panch yourselves"?—Perhaps I have given a wrong idea as to the authority of the panch. The authority of the panch would extend only to those members whom it included; those who were excluded might remain without a panch; those who are willing to be included would get all the privileges and protection we could give them, and those who do not choose to be included should either remain outside as they are now, or, if they liked, they could have their own authority in their own panch.

34305. (*Sir Frederic Lely.*) Are these factions that you describe to be found in every village?—It would be rather difficult to imagine a village that was so much at one that factions could not occur at any moment.

34306. But as a matter of fact there are villages where they are not acute?—They might not occur at all possibly.

34307. If you could devise some plan of harmonius co-operation probably the appearance of factions would be all the less likely?—It might be done. I should have thought that if anything would have a harmonious effect it would be Co-operative Societies, but they do not apparently have that effect; that is in some villages more than in others.

34308. If you were an officer whose business was to promote village government by means of panchayats, would you begin with some villages where the spirit of faction was not obvious?—One would naturally suppose that.

34309. You would have the most chance of success by beginning at villages of that sort?—Yes.

34310. Could you give us any idea of how you would begin?—Suppose you selected a village where there was not much faction, how would you begin to introduce a system of panchayat among them; would you ask them to elect members of the panchayat by formal vote?—Beginning in a cold-blooded way is a thing I have never done; it seems to me so difficult to start the people on an idea that is not natural to them to begin with. My dealings have all been practically from the other side; the impulse has been on their side; they have called me in as it were to help them.

34311. Would you call it an unnatural suggestion to make that if their village well, for instance, wanted repairing, they should take the money and do the work on their own responsibility?—No, I think not.

34312. How would you set to work to carry out a suggestion of that sort in the village; would you make over the money to the *patel*, the headman himself?—I think it would almost come to that, except that one would on their selection appoint assessors, as it were, to the present authority of the *patel*.

34313. You would not suggest any formal election in the English sense of the word?—I think not.

34314. You would set yourself to find out the general sense of the village as to the most reliable and most respected men in it?—In most cases I have done that. I have asked who were likely to be the leaders, and who were likely to help and give the best opinions and to circle round the *patel* in order to support him, where he was a man apparently who was afraid to exercise influence alone. I stated that if there were five men in the village who were agreed that it was right to be a panchayat they would be able to help the *patel*. That was not in connection with my present work: it was some time ago in connection with magisterial cases.

34315. You think that that would be a most likely way of securing the help of the leading people in the village?—For specific purposes. One might leave a definite work in charge of a definite number of men who would have to be nominated possibly by the villagers, that is to say, they would choose the men for some reason or other; one should confine it to a certain number.

34316. You think that that would be the best instalment to begin with, that is to say, to give them a certain grant from local funds and leave them to expend it in their village on a village work on their own responsibility?—That would be presuming that the local funds could give a grant to any given village.

34317. Take a particular village, if you give the people a grant to spend on a village work, would you begin in that way?—I would at once call together those who are now in authority and I would ask them to choose; I would ask them to form a committee. Then I would openly entrust whatever funds were given by the Board and say, "You are responsible for these moneys." I would do that in the presence as it were of the general body of villagers, saying, "These are your representatives; they are entrusted with so much money for the good of your village."

34318. Would you go on to explain to them that their disposal of the money will not be interfered with by anyone, and that the only result of their not doing the work will be that they will have to go without a well, or whatever the work might be?—That would be very much on a par with the explanation that I give to my Societies now; I explain that after all they are the ones to suffer, not ourselves personally.

34319. You would leave it in that way, explaining to them that they would suffer from their own malfeasance?—Yes, that could certainly be made intelligible to the villagers.

34320. Would you go on to give them powers over the school?—There is a school panchayat at present existing, but it is dormant.

34321. Has it any real power?—I think not.

34322. Then it is no wonder that it is dormant?—There is a great deal of influence that they might exercise in getting parents to send their children to school, but they do not exercise it.

34323. They have no powers over the school management?—Except recommending for free scholarships.

34324. That is not very much to give to a committee of responsible householders?—There are very few things in connection with the school that need local power; there may be a question of furniture and building, but that is generally left to the villagers as far as buildings are concerned, unless there is a specially built school.

34325. Would you be inclined to say to the villagers, "If you want a school you must provide the building yourselves"?—I would like, if possible, to provide the building. In some cases it has been left to the villagers.

34326. But is it not preferable to leave it to them; would it not be a great saving to the public purse?—But there is not always a building suitable. I generally do suggest that if they want a thing they must shew some activity on their own part and shew that they are worthy to be entrusted with it, that they really want it, and not merely for show.

34327. If the provision of the building in the first instance is thrown on the authorities, would it not be a fair thing to throw on the village the burden of maintaining it?—That is an ideal; I have not thought whether it is practicable.

34328. Would they not respond to it?—I do not think they would in all cases.

34329. As a matter of fact, in the districts you know, is there a building specially built for a school as a rule?—In several places there are buildings, in other places there are not.

34330. Are they built by the Public Works Department?—Yes.

34331. It would save a great deal of money if the villagers provided the school-house themselves; they provide their own dwelling-houses for their children to live in; why should they not provide a house for the children to be taught in?—That is generally the view I explain to them.

34332. Might not a good deal be done in that direction, giving them more power over the school?—The power would depend a great deal on the funds at their disposal, and also a great deal on the village. In some cases it is right to say that one should impress upon them the necessity of education, although they did not like it at first, and in other cases one might say that if they were unwilling one could do nothing. Villagers differ very much.

34333. Would they not take much more interest if, for instance, you threw upon them the burden of providing the school-house to begin with, and then give the power to grant holidays, power to regulate the time of attendance, to a certain extent even, perhaps, the power of modifying the

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curriculum?—I think it would certainly not work well; they would not either appreciate the power or use it properly; they like to see their schools looked after well, but they feel and express their own helplessness in the matter; they like one to take an interest and see to things, but they depend almost entirely on outside direction.

34334. You do not see your way to making the school a more integral part of the communal life of the village?—I would like to, but I do not see my way, except that in connection with the Co-operative Societies I impress upon them the importance of having members who can read and write.

34335. Can you suggest any means by which we can stimulate village life beyond giving them a little money to spend on a public work?—I would like to confine my ideas to the line I have taken up with regard to Co-operative Societies. There are one or two disabilities we might remove; there is one I have pressed for myself in connection with our Societies, namely, summary procedure in the case of default on the part of those belonging to the Societies; in that way it might spread to the whole of the village in time—coming from them, not from us.

34336. You have no more definite suggestions to make?—No, I think not.

34337. (*Mr. Dutt.*) You mentioned that if the villagers were to build a school-house possibly it might be unsuitable?—I was referring to the present buildings. As a rule they do not think of building one, because it is a matter of expense; sometimes they say they will do it, and sometimes they say there is no building to provide.

34338. When they do provide one it may be unsuitable?—I do not lay much emphasis on that; the building may not be suitable from our point of view, there may be not enough light and air, and it may be stuffy.

34339. Who decides whether a building is suitable or not for a school-house?—The visitors generally make their remarks.

34340. When the villagers provide some sort of accommodation where 30 or 40 boys can sit and read together, do the authorities go round and say, "This is not suitable, and another house must be provided"? Would that not greatly discourage the villagers from coming forward?—Sometimes criticisms are necessary, but the best thing is generally to go on with what you have, and do the best you can with it.

34341. The children might sit under a tree even in the cold season?—I have myself adopted that system in one or two cases.

34342. Is it not possible to do in this province as is done in some other provinces, namely, for the Local Board to give a monthly sum of money to the village panch for the fee of the teacher and say, "You take this money and provide everything else yourself"? If that system was followed, might not the villagers be willing in the course of time to do everything if they got the fee of the teacher from the Local Board?—There might be an opening for them to do that; it would anyhow have the advantage of enabling them to exercise their will of sending their children to school. At present one sometimes goes to a village, and they say they have not got a school; one does not know what they would do if they had one. At the same time, to give them a teacher is one of the main things to begin with.

34343. Would you not give the village panch the power of saying, "It is harvest time, when our boys have to work in the fields the whole day; we would rather have the school hours 2 or 3 hours in the morning and 2 or 3 in the evening." Would you give that sort of discretion to the panch?—If the suggestion came from the panch I should adopt it, but where they express no desire to take an interest in the hours one should not leave it to them.

34344. Is that not because the orders always come from other people; they have never failed where they have had such powers?—That may be so; it would be a matter of history.

34345. With regard to these Co-operative Societies, how long has this work been begun?—The Act was passed in 1904; I do not think we began till 1905.

34346. In how many villages have these Societies been established up to date?—There are 143 Societies; they would not cover more than 120 villages; one might say perhaps 110 or 115.

34347. Anyhow considerably over 100 villages have these Societies now?—Not counting cities—speaking only of villages—I think about 100.

34348. What is the average capital of each of these village Societies?—The average capital would be about Rs. 1,000 or Rs. 1,500.

34349. You say that it is mostly advanced by the Government, in some cases supplemented by help from public-spirited men?—Yes, and the members' own capital in the way of deposits from themselves.

34350. Is it too early yet to judge definitely of the results?—I think so.

34351. You have not found the necessity in any case of grouping two or three villages and forming a Society for those two or three villages?—Certainly, we have.

34352. Are they small villages which are grouped together?—They would probably be grouped by neighbourhood rather than by size; if one village likes to take the lead it would get other villages to join and form a group.

34353. So that where you would follow it up by the establishment of panchayats you would follow the same system?—If it followed on the same lines one would probably take the same course of grouping a number of villages, besides having independent villages.

34354. (*Mr. Hichens.*) Is the district machinery of Government to-day sufficient to cope with the work of promoting panchayats?—I think if it is to follow the line I have suggested, certainly the department of Co-operation Credit Societies requires strengthening at the present time, and will require continued strengthening in the future, possibly, if it increases. At present District Officers have not found time to enter into the question perhaps in the way that it will require to be gone into if more use is to be made of these Societies.

34355. Your view would be that it should be done through the medium of your department?—That is the line I have suggested.

34356. Suppose you had a voluntary panch, what powers would you give them; would you give them small criminal powers?—I would be prepared to give them almost anything in time, as they showed themselves worthy, but I would be quite eclectic in differentiating between different Societies and different villages in different conditions, according as they showed capacity for taking up the work. The school is one thing, and even revenue and police and criminal matters might well come in time if they showed the right spirit.

34357. It would be rather difficult to give a school to a voluntary panch?—I mean more or less substituting the co-operative system for the present system. Where there is a school panchayat they might not be members of our Societies, and they might take no interest in the Society. If I go to a village I meet with the villagers and ask them whether their children are going to school, whether they are pleased with the education, and so on; if the panchayat has no connection with our Societies they may never have the same interest in the school. If one pointed out to them that they were responsible for the well-being of the school, they might have enough public spirit to take it up. It is a matter of public spirit to a great extent. I have known in a village sometimes, where the people have been public-spirited, they have done a great deal of school work from their own purses and taken a keen interest.

34358. What additional staff would be required in order to make a reasonable beginning; would you say one or two officers?—According to my present plan of working it would have to be progressive, increasing as the movement progresses. At present I have asked for three Audit Officers to see that the accounts are correct, and also for a personal assistant who would be able to take over the work at any time; if the work progresses there might be no end, so to speak, to the increase of staff. I prefer, as a rule, not to have a staff that may be too big to begin with; I would let the staff follow the progress of the movement.

34359. (*Mr. Meyer.*) You speak of factions prevailing all through the Presidency; are they more prevalent in the Deccan than in Gujarat, or the other way round?—I should feel inclined to say that they are more prevalent in the Deccan, but perhaps that is because I know the Deccan better.

34360. But there are factions in other parts too?—Certainly, one sees them elsewhere.

34361. The essence of your co-operative banking system is the absolute volition of the villagers?—That is the one great essential.

34362. They can join the bank, or stand outside, or leave it, exactly as they wish?—Yes.

34363. You propose to apply that same system to village affairs generally?—I would rather put it in this way, that those who come forward of themselves to form a panchayat (as I would call this Society with its committee) might in time be entrusted with powers that would extend possibly to the whole village eventually.

34364. Provided the rest of the village had not any rooted objection?—If the rest of the village were in an insignificant minority, they might be neglected.

34365. The minority is to have no representatives at all?—It would depend on the reasonableness of the minority.

34366. One of the things that have been most prominently put forward to us as desirable is for the panchayat to dispose of its petty civil and criminal cases. At the outset would you allow that to be optional?—Would a man who belonged to a union say, "My panch can try me for theft," but if he did not belong to that union would the panch have no power?—I rather want to convey the idea of the possibility of granting them these powers where they showed themselves worthy. It might be done in that way where now they do informally settle cases; directly our laws come in, the cases are dragged into Court. If the villagers agreed among themselves we should acknowledge the agreement.

34367. If they do not agree, a person who has not joined your co-operative system can still claim to go to the Courts?—Certainly, unless the panch was sufficiently approved by us to command the whole village.

34368. Then at the outset a man would join the Society entirely voluntarily; finding that his neighbour could go to the District Magistrate and that he could not, would he not be likely to withdraw from membership of your Society?—He would presumably know the bye-laws before he joined.

34369. But people sometimes do not appreciate bye-laws until they begin to touch themselves; suppose a man found that the result was that his neighbour had liberty to go outside to our Courts and he had not, do you think he would like it?—It would be a very good thing for him, although it might be inconvenient to him for the time being.

34370. But if it was inconvenient to him, no matter whether it was for his ultimate benefit or not, might he not withdraw from the Society?—He might do so, and in that case he would not be desirable to have as a member.

34371. As to working on a purely voluntary basis, is there not a material difference between banking, which is a pure matter of individual interest, and administration, which is a matter for the community?—But the idea of Co-operative Societies is not merely to do simple banking, it is rather a matter of general education in thrift and self-reliance and self-help, and moral qualities of that kind.

34372. Indirectly through the tangible method of loans for cultivation and so on?—They would not all necessarily be people wanting to borrow; the majority would be, presumably, but it is not necessary to confine the membership to such; it might include all the big people of the village, who would not require to borrow at all.

34373. Suppose you had these associations, would you adopt the mediæval system in Europe and the old system in India, namely, that of making the Association collectively responsible for any damage caused by crime or theft in which the individual offender could not be traced?—It would depend on how representative the particular Society was of the village as a whole.

34374. If it was representative of the village would you revive that old Deccan system?—I do not think I should object to it.

34375. You say you desire to substitute reference for appeals; what is the precise meaning of that?—I drew up a list of subjects in particular, and in that I tried to point out some points in the revenue system in which the Assistant Collector might be made responsible for the decision, with the option of referring heavy questions to the Collector, instead of deciding them himself and then being upset on appeal.

34376. If he was a self-confident person and thought he would not apply to the Collector, what would happen?—In a particular case the decision may be wrong, but, as a general principle, if he did not exercise his authority rightly I would not give powers to him; I would make him refer all cases until I was sure that he could decide for himself.

34377. In the meantime it would be rather adding to the Collector's work?—Not more than at present with the appeals.

34378. Would you do the same in respect of the Collector and the Commissioner?—I would have the same system.

34379. When a Collector first came into office, every order he passed would go up to the Commissioner for sanction, and after he had won his spurs there would be no appeal unless he specifically referred the case?—I suggest that the selection of the officer should also be accompanied with the selection of powers, so that it would depend on the powers he had.

34380. Every Collector might be having a different set of powers?—That might be so.

34381. Would that not be rather confusing to the people?—That I think is not so, because they do not know from whom the order comes until it comes in its final form; if the Commissioner allows the Collector to give the order it is really the Commissioner's order though it comes from the Collector; it is a decision from the Government; that is the way they look at it.

34382. At any rate, the people now know in what matters they have an appeal and in what matters they have not, and who is the deciding authority of first instance?—If it was known that the Collector was the final authority, there would be no doubt in their own minds, and they would understand.

34383. Would it not rather weaken the Collector's position in the district, or the position of the Assistant Collector for that matter, if it was known that every case might be referred to a higher authority?—I did not mean every case by any means. I pointed out a certain set of cases in which they would adopt the procedure; but in any case it seems to me that the position of the officer would be very much stronger than it is when he gets upset on appeal.

34384. It would be a little invidious to discriminate between a number of men of the same Service and the same standing and say to one "You shall have powers" and to another "You shall not"?—I would be perfectly willing to submit to the system myself.

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34385. (*Sir Steyning Edgerley.*) You said that you did not know whether your money was imperial or provincial; does it ever make any difference to you in any way whether the money that you are administering in a district is imperial or provincial?—For practical purposes, no. I have since ascertained that it is imperial revenue lent to provincial account.

34386. You do not for instance say to yourself "Well it is not Bombay Government money, therefore I need not be so careful of it"?—No, I do not think that idea would come in.

34387. When you want a little extra establishment you do not stop to think whether that is to be paid for provincially or imperially?—No.

34388. (*Chairman.*) You say "I believe half our failure is due to ignorance of the vernacular, the other half may be due to distrust of one another"; what do you mean by distrust of one onother?—The man on the spot very often will see things in one light and give his opinion, and no other opinion really can replace his, because nobody can see the same things; yet for some reason or other, either because he is not considered to have had enough experience, or for some other reason, it is not thought proper to trust him.

34389. It is a question not of personal distrust, but of official distrust?—Yes, of official distrust.

(*The witness withdrew.*)

Mr. M. KENNEDY was called and examined.

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34390. (*Chairman.*) You are the Acting Inspector-General of Police?—Yes, I do not belong to the Civil Service; I am an Uncovenanted Civilian, a member of the Indian Police. I have acted as Inspector-General twice before.

The Inspector-General of Police does not exercise any control over the police in the City of Bombay or Sind. The Presidency is divided into a number of districts and railway police charges. To each is posted a District Superintendent of Police. Provision has been made for a Deputy Superintendent in each district charge and for an Assistant in the larger or more important district and railway charges.

The direction and regulation of the police throughout a district is vested in the District Superintendent of Police, as executive Head of the force, under the command and control of the District Magistrate. The District Superintendent of Police is in fact an assistant to the Magistrate for the superintendence of the police of the district. On railways, the direction and regulation of the railway police is vested in the Superintendent of Police under the general control of the Inspector-General of Police. Assistant Superintendents of Police hold charge of divisions of Superintendents' charges, while Deputy Superintendents are personal assistants, so to speak, to the Superintendent of Police.

The Presidency and Sind are divided into three ranges, Northern, Southern and Sind, over each of which a Deputy Inspector-General of Police exercises jurisdiction. Similarly, over the four railway systems, the police on which are under the control of the Government of Bombay, a Deputy Inspector-General of Police exercises jurisdiction. This officer is also in immediate control of the Finger Print Bureau, Criminal Investigation and (under the orders of the Secretary to Government) the Special Branches.

At present, the duties of the Range Deputies in the Presidency proper are chiefly connected with inspection and supervising matters connected with the discipline and housing of the force and the prevention and detection of crime. The only functions of the Inspector-General of Police that they exercise are inspection and control of Line and Conservancy Funds; for the rest, correspondence on certain matters passes through them between the Inspector-General and District Officers.

The Deputy Inspector-General of Police in charge of the Railways and Criminal Investigation Branch besides controlling the Criminal Investigation Branch and Finger Print Bureau Staffs, exercises, subject to the orders and control of the Inspector-General of Police, most of the powers of the Inspector-General of Police with respect to police on railways.

The province of the Inspector-General of Police is to watch over the recruitment, drill, education, housing, and equipment of the police and so to regulate their internal organization and their methods of working as to render them the most efficient instrument possible for the use of the District Magistrate in the safeguarding of his charge. In relation to the District Police force, certain spheres of duty have been assigned to the Commissioner, Inspector-General of Police and District Magistrate respectively. Since the orders of the Government of India on the Police Commission's Report, the Inspector-General of Police's sphere of duty has been enlarged with a corresponding narrowing of the spheres of the Commissioners and District Magistrates. In respect to railway police, the Inspector-General of Police is vested with the full control. The duties of the Inspector-General of Police in respect to Agency police, Kathiawar excluded, are confined to inspection, reporting and equipment.

The power to punish sub-inspectors, head constables and constables is vested in District Superintendents of Police. Appeals from orders of punishment in the case of sub-inspectors lie to the Inspector-General of Police; in the case of head constables and constables to the District Magistrate. Punishment Returns are submitted by District Superintendents of Police to the Inspector-General of Police, who is empowered to call for proceedings thereon, and in the case of head constables and constables to move, if necessary, the District Magistrates in cases where, in the opinion of the Inspector-General of Police, the punishment requires revision.

Lastly, the Inspector-General of Police is an advisory authority to Government in all police matters on which Government may desire to consult him, and as Head of the Department is consulted regarding the posting, transfer, leave, etc., of all Gazetted Officers.

Strict uniformity in important details without due regard to local conditions and requirements is too often imposed with results fatal to efficiency. In police organization it is hardly possible to institute *safe* general comparisons based on figures and statistics, even those relating to the ratio of police, to men, population or crime, between the requirements in the regular police of any one administration and those of other jurisdictions. Still less is it safe to take any one Presidency or province as a model for the rest of India. The physical characteristics of different parts of India differ largely; in criminality, habits, temperament and nature the population varies; the system of village police and the management of their affairs by village communities is not the same in any two administrations, and even crime and the dealings of the police in respect to it are unlike. Then certain forms of crime, such as dacoity—which may be more prevalent in one province than another—require more police both for purposes of prevention and detection. Again, the regular police in some provinces and Presidencies receive more assistance from auxiliaries, such as zemindars, chaukidars, and other organised rural police, than in others. In short, the conditions under which police work is carried on in different parts of India show many variations. A system or method which may prove effective in one province will not necessarily work well in another, and what is sufficient in the way of establishment, salary, etc., in one place is inadequate or excessive in another. Considerable latitude must be allowed to local administrations in the matter of adapting measures of police organization to local conditions and requirements.

India is not a country suited to rigidity and uniformity in administrative details, and, politically, it is a mistake to aim at too great uniformity. In matters of police organization and reform let, if need be, the Government of India lay down the broad outlines, but let Local Governments and

Administrations be given a freer hand in working out the details and determining what is necessary to secure reasonable efficiency.

Police conferences between Heads of the police in the various provinces may be relied on to bring about greater uniformity where such is found, by experience, to be essential to the efficiency of the Police Service in India as a whole.

So far as the police is concerned, the Director, Criminal Intelligence, Simla, is the only officer under the Government of India who deals with us direct in this presidency. His sphere of work should be confined, in matters dealt with by direct correspondence, to suggesting and advising, care being taken to avoid anything suggestive of an order. Matters requiring orders should be referred to Local Governments, with a view to the latter being given an opportunity of considering the questions and, if they think necessary, issuing their own orders to the officers serving under them.

In the absence of any evidence of abuse of the power of appeal I do not think it would be desirable to prohibit appeal unless accompanied by a certificate as to its admissibility, from the officer whose decision is appealed against. The suggestion, if adopted, would practically block the way to appeal in nearly every case, as the authority passing the order appealed against could hardly certify to reasonable grounds of appeal existing without stultifying himself. I do not consider that any curtailment of the right of appeal is necessary or desirable in the case of Gazetted Officers.

As a rule police officers are fairly familiar with one vernacular but we have four in our Presidency, and it does not always follow that an officer has the requisite knowledge of the vernacular of the district he happens to be serving in. But officers of to-day have not the same colloquial fluency in the vernaculars than they used to have 30 years ago. I attach the greatest importance to the possession by police officers of complete familiarity with the vernacular for the efficient discharge of their duties. Aptitude for languages should be an important qualification for appointment to the Police Service.

In Bombay City the Police administrative staff is, in my opinion, quite inadequate to secure efficiency. There should be at least one more Deputy Commissioner and a personal Assistant to the Commissioner. In respect to the *mufassal* police, the Inspector-General of Police requires another Assistant Inspector-General of Police badly. Neither the Commissioner of Police, Bombay, nor the Inspector-General of Police has sufficient time to devote to outdoor work and keeping in personal touch with the Indian public. They are overwhelmed with office work. One or two of the district charges and all the railway charges are too much for one officer to do justice to.

I do not consider that a need exists for Advisory or Administrative Councils in police administration. An efficient officer who knows his work, and is in touch with the people, ought to be able to find out all that is necessary in the course of his tours and work in his charge. Moreover, it would be impossible to evolve any satisfactory system of Councils to assist in the administration of the police. Sufficient and efficient supervision is the basis of good police administration.

34391. Has the provincial Government liberty to increase the force when they think the requirements of the Presidency demand it?—They have to go to the Government of India.

34392. Whether for the rank and file or for the officers of the force?—Yes.

34393. Even to so small an extent as the increase of a single constable?—Yes; to the best of my belief they have to go to the Government of India for any permanent increase.

34394. Are you sure of that?—I rather think so, but it is scarcely within my province; I simply ask my own Government.

34395. Does the necessity of having to refer to the Government of India hamper you as Inspector-General in the maintenance of order?—It causes delay, and that causes administrative inconvenience.

34396. Has it ever caused serious injury to the efficiency of the force or the maintenance of order generally in the Presidency?—Not to my knowledge.

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34397. Therefore, from your point of view, there is no reason why the Government of Bombay should not refer to the Government of India if they wish to increase the strength of the police force in the Bombay Presidency?—There is an objection, because it is so extremely difficult to convince the Government of India of the necessity for any increase, and serious injury is now being caused to the efficiency of the force by this very difficulty.

34398. It is easier to convince the Local Government, who know the requirements of the Presidency, than the Government of India, which is at some distance?—Precisely.

34399. Since the Police Commission have things been more easy?—We are in the throes of this very question; we cannot get anything out of the Government of India at all that we want in the way of extra police, as the result of the Police Commission.

34400. Have you in consequence of the recommendations of the Police Commission made certain representations to the Government of India?—We have.

34401. Have those been rejected, or are they under consideration?—They are under the consideration of the Government of India at present. Our proposals have just come back from the Government of India in two sets, one for railway police and the other for the district police; in the first case the Government of India kept the papers for thirteen months; then we got a letter objecting practically to everything that we proposed.

34402. Every single proposal?—Not quite, but the objections ran right through our proposals.

34403. Then in the second case?—In the second case, the papers remained with the Government of India for eleven months, and they have come back with the same sort of criticisms precisely as were made in the case of the railway police proposals.

34404. Detailed criticisms?—Absolutely detail.

34405. Who would be responsible for the increase of expenditure entailed by the acceptance of the proposals of the Government of Bombay?—I suppose it would be the Imperial Government; that is a matter of high politics upon which I am not competent to reply.

34406. You tell us that the command and control of the police force is under the District Magistrate. I do not quite understand the meaning of the word "command"?—That is the word in the Act.

34407. Is that an Act local to Bombay?—The local Bombay District Police Act.

34408. Does the word "command" in the Act practically interfere with the disciplinary control of the force by the District Superintendent of Police?—Not at all.

34409. The District Magistrate is wholly responsible for the peace of the district under that Act?—The Act gives him the power to exercise his authority, should he ever require to do so, over the District Superintendent of Police, but as a matter of fact he never does.

34410. For instance, could the District Magistrate call upon the District Superintendent of Police to remove an inefficient constable?—Certainly.

34411. Would that be an interference with your executive control of the District Superintendent of Police which you would object to?—Not in occasional and isolated cases, but if it was constantly being done without any rhyme or reason then it would be objectionable.

34412. When a subordinate police officer is fined or otherwise punished, are there two lines of appeal by him against that punishment?—There are two lines of appeal for different grades of officers. From the sub-inspectors grade the appeal lies to the Inspector-General of Police; in the case

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of the rank and file, the head constables and constables, the appeal lies to the District Magistrate.

34413. Is that a good system?—Personally I think it is very bad.

34414. Have any representations been made by the Inspector-General to the Bombay Government on the point?—Cases have cropped up where the inconvenience of the procedure has been pointed out, but it is in the law, and we have been rather watching for the Government of India Police Act that was promised, before making any proposals of the sort, because our law would presumably be then repealed.

34415. You have no reason to complain then particularly against the Bombay Government for the continued existence of this double line of appeal?—The lines of appeal were carefully thought out at the time and were embodied in a law, and it was not therefore right that we should question the Government of Bombay in the matter; but personally I think it is quite a wrong system.

34416. It is obsolete?—Quite.

34417. Does correspondence pass between the Deputy Inspector-General of Police and the District Officers?—All correspondence does not, only as to certain subjects, buildings, drill and discipline, and so forth; the Deputy Inspectors-General of Police have not yet been given direct powers, because we are waiting for this Government of India Act, which never comes; they are the creation of the Police Commission.

34418. Have the Government of India made a general announcement that an Act is not likely to come?—I think probably they have not; I do not know, but I am afraid it has been indefinitely shelved; unofficially I learned that when I was in Calcutta.

34419. Suppose the Act is not likely to come into existence, is there any reason why these matters should not be pressed on the attention of the Government of Bombay?—Not at all; I think they should be, and I think they will be.

34420. With regard to the Director of Criminal Intelligence, do you ever, in your capacity as Inspector-General, come into contact with him?—Personally I have not done so as Inspector-General, but as Deputy Inspector-General for Railways and Criminal Investigation, I have.

34421. Do you get orders from the Director of Criminal Intelligence?—Yes.

34422. Upon what subjects?—Subjects connected with finger-print work, and reporting to him certain classes of crime that occur.

34423. Do you mean orders to you as Inspector-General of Police in Bombay or orders to one of your Deputies?—As acting Inspector-General I have not received any orders from the Director, but as Deputy Inspector-General for Railways and Criminal Intelligence I have received orders, and those are the orders I refer to.

34424. Were you, when appointed Deputy Inspector-General for Railways and Criminal Intelligence, placed in any way under his orders?—Not in any formal manner.

34425. Were you led to believe that you would receive orders from him?—Yes, I was led to believe so.

34426. By him or by your Government?—Certainly not by Government.

34427. By him?—No, I was not, except that the orders came and one carried them out and obeyed them.

34428. Then you expected to receive orders from him?—That is how we have always looked upon it.

34429. Is that an assumption of undue authority on his part?—Certainly, I think so.

34430. Imposed upon you as Deputy Inspector-General by a gradual growth of practice more or less unconstitutional?—Yes; knowing the position he held in the Government of India with reference to all police matters, there was nothing to do but accept the situation and make the most of it.

34431. Are the action which has been taken, and the orders which have been given, generally speaking, detrimental to your work in the province?—I do not say that, but they cause unnecessary work. I have been able to discover nothing that the Director of Criminal Intelligence has done for us down here or has been able to teach us or anything else; he calls for returns and reports, and we submit them. He himself came down during the Royal visit and he wanted to go round and see where all the police were to be posted and so on.

34432. That is hardly a matter of Criminal Intelligence?—I do not think it is, nor do I think it right for an officer from Simla to come down here and tell us where to post our police.

34433. Was it the Director himself who came down?—Yes.

34434. Therefore, instead of the work of the Director being confined to advice and suggestions, it has actually come to this, that he issues orders which you are practically bound to obey?—Yes; we got some orders, not a large number.

34435. Suppose you refused to obey these orders?—I suppose we could have a fight over the question, but it is not right in a disciplined force that one should refuse to obey the orders of one you regard as your superior.

34436. Then you regard him as your superior?—Naturally, from the position which he holds.

34437. He is an officer of the Government of India, not of the Government of Bombay?—Yes.

34438. To whom are you responsible?—To the Government of Bombay directly.

34439. Have the European officers of your force a good knowledge of the vernacular?—Some of them have a very excellent knowledge of the vernacular; some are rather deficient, and some never will have a knowledge of the vernacular.

34440. Is a police officer of any use if he has no knowledge or an insufficient knowledge?—I do not think he could be a really good police officer unless he is fully acquainted with the vernacular colloquially.

34441. Have you any power of getting rid of such an officer?—No, none at all.

34442. Without mentioning names, if you had a free hand in this matter, are there a certain proportion of your officers whom you would like to dispense with on the ground that they are inefficient?—There are some officers whom I certainly would retire on a modified pension.

34443. And you have to retain them in the Service, more or less to its detriment, because you have no power to get rid of them?—We cannot get rid of them unless they are invalided out, or unless they put in their full time for pension, 30 years.

34444. (*Sir Steyning Edgerley.*) Is not the correct channel of communication of the Director of Criminal Intelligence with this Presidency through the Secretary to Government?—That is the recognised channel.

34445. You were a local member of the Police Commission?—Yes.

34446. And you afterwards went to Simla and worked through certain figures?—Yes.

34447. The *formulæ* which you had to use were supplied to you there?—Yes, it was a rule-of-thumb arrangement.

34448. When the Police Commission came round you had already been on special duty for some months and had practically prepared a scheme of re-organisation?—I had.

34449. The Bombay Government had also been working at a re-organisation scheme for Sind?—That is so.

34450. When you were at Simla you knew perfectly well that the figures which you were given to work on at Simla were quite insufficient in the lower grades for the needs of the Presidency?—Yes.

34451. As for the Police Commission scheme, broadly speaking, except as regards Bombay City, the Bombay Government accepted the principles of the scheme all through?—Yes.

34452. There was considerable hesitation before accepting the sharp line of division between the head constable and the sub-inspector?—I could not say what the Bombay Government thought about that; it is not within my knowledge.

34453. And before accepting the divisional training schools for constables?—There was a very sharp division of opinion there; we were very doubtful about the divisional schools.

34454. Because it was thought it would interfere with recruiting?—Yes.

34455. Speaking very broadly, the differences which really arose between the Bombay Government and the Government of India were relative to the numerical strength of force of head constables and constables, in order to give what was considered adequate relief for guards and adequate force at police stations and adequate clerical assistance?—Yes.

34456. And we also had some difference of opinion as to the superior force necessary for certain charges?—Yes.

34457. But there was really no difference of principle—it was a question of numbers rather than principle?—That is so.

34458. While that was under consideration the then Director of Criminal Intelligence came here and discussed these matters?—Yes.

34459. As the result of that you were sent to Calcutta?—I was sent to Calcutta in order to compare the Great Indian Peninsula Railway and the Bengal Railway system of police.

34460. The Inspector-General was sent with the intended Principal of the Training College to Bhagulpur, with orders to stop in the United Provinces and examine their system of *taluka* guards?—Yes.

34461. The Bombay Government were told as regards your deputation to Calcutta that they should examine the system in force in one of the provinces where a relatively smaller staff of railway police officers was found adequate?—Yes.

34462. In Calcutta did you find the Inspector-General satisfied with the adequacy and efficiency of his force?—I did not discuss with the Inspector-General the adequacy of the force, but he had inspected the railway and he had recorded a note to the effect that the system there was wrong; that the Superintendent was not sufficiently in touch with his crime at all; that the work was too much in the hands of subordinates, and that he disapproved of the system.

34463. I do not want to go into particular details, but as a system which you were to be sent to learn from as a model, it was not much good?—No good at all, and the officers up there did not altogether like it themselves.

34464. As regards the railway police, the Government of India objected amongst other things to constables being posted at the Byculla Station in Bombay?—The wording of it was, "The Government of India did not consider it necessary to have police at such suburban stations as Musjid, Byculla and Dadar; there are no police at similar suburban stations in Calcutta."

34465. As a matter of fact the long distance traffic leaving Howrah Station, Calcutta, runs without a stop to Hughli, 50 miles out?—I could not say for certain about that.

34466. But the chief long distance trains from Bombay all stop at Byculla, which is in the middle of the city, and serves the northern half of the city more conveniently than the Victoria Terminus?—Yes.

34467. Therefore, is not this comparison altogether misleading?—Yes; the traffic at Musjid Station alone is 11,000 per day, and at Churchgate Station 18,000.

34468. The Government of India also objected to your putting police to regulate law and order on the platforms of the Bombay Baroda railway stations south of Grant Road?—Yes.

34469. Is not the traffic through those stations over seven millions of people per year?—The average daily figures are 9,000, 10,000, 12,000 and up to 18,000.

34470. You regard questions of detail of that kind as having nothing nothing to do with principles?—Exactly.

34471. Then as to the strength of *taluka* guards, the Inspector-General visited districts in the United Provinces and examined the system, and found that, owing to the presence of paid chaukidars, the guard was independent of the *taluka* stations, and that the tahsildars were only Third Class Magistrates, so that the system was absolutely different?—Yes.

34472. As a matter of fact the United Provinces has a force of paid chaukidars which costs 22 lakhs, and which is paid from local funds; it does not come against the police fund at all?—That is the fact.

34473. In deference to the Government of India, the Local Government have been trying the proposed system of guards in Sind to some extent?—I do not know that.

34474. Have you any information about a recent escape of desperate criminals at Hala in the Hyderabad district?—Yes.

34475. Was that not due to a very inadequate guard in the middle of the day?—I am given to understand that the guard were away, excepting the sentry.

34476. As a result, two men were killed and eight or ten desperate prisoners escaped and were re-captured with difficulty?—Yes.

34477. If you have an inadequate guard you must occasionally expect incidents of that kind?—Of course.

34478. Is it putting it too strongly to say that the Government of India have been forcing the Police Commission scheme through, not merely in principle, but in all details, by the aid of the Director of Criminal Intelligence and in disregard of the Local Government's recommendations?—I should say that that describes it accurately.

34479. The Local Government are responsible for law and order and police administration?—Yes.

34480. The result has been very great delay, and in Sind public indignation meetings have been held as to the want of adequate police force?—We have had much the same sort of thing here.

34481. You were Inspector-General of Police before this reorganization scheme came on?—Yes, I was Acting Inspector-General.

34482. The Inspector-General of Police in this Presidency is the Controlling Officer for travelling?—He is now, but was not before; it was always the Commissioner who controlled the travelling allowance in those days.

34483. It was the Inspector-General's duty to see that the men travelled?—Yes.

34484. Did you find any difficulty in enforcing that under the old system?—No.

34485. You have now been Inspector-General under the daily allowance system; do you find that you have any greater facility for enforcing travelling under this system than you had before under the old permanent allowance system?—No, there is no greater facility at all.

34486. (*Mr. Meyer.*) Did not the report of the Police Commission go very much into detail?—It did.

34487. It set out what they thought proper scales of establishment for constables and head constables and sub-inspectors and all the rest of it?—In more or less a broad way.

34488. That report was referred to the Bombay Government as well as to other Local Governments?—I presume it was; I have no personal

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knowledge in what way it was referred; we all had copies of the report.

34489. Did not the Bombay Government accept it in general terms?—That I could not say; I was not in a position then to know.

34490. After the Local Governments had reported on the recommendations of the Police Commission, there was a resolution issued by the Government of India?—There was.

34491. And upon those recommendations of the Commission, and after consultation with, the Local Governments, the Government of India came to the conclusion that they would, in the course of a series of years, give a crore and a half to the provincial Governments for the development of police administration on these lines?—That is so.

34492. Are you aware that the Local Governments generally had sent up schemes on these lines, and that after a little give-and-take they were accepted? Is it the fact that the Bombay Government, having originally accepted the recommendations of the Police Commission, suddenly turned round and said, "This grading and this pay will not do for us; we must have a larger and more expensive force and more money"?—I am not aware of that; they sent up their proposals for establishment, and those are now under consideration.

34493. I put it to you that those proposals for establishment, whether rightly or wrongly, were on quite different lines from those which the Police Commission had laid down, and which the Government of Bombay had previously accepted?—I do not think so.

34494. They were a good deal more expensive for one thing?—I do not think so, it was a question of the units.

34495. You wanted more men in certain places? Sir Steyning Edgerley has given you some instances. You wanted a larger force in various respects than the scale of the Police Commission would have allowed you?—I think the only question was one of reliefs to the guards, and perhaps the clerical establishment.

34496. You mentioned the posting of railway police among other things?—We had to send up something, and we sent up something.

34497. Did that affect the total number of the railway police?—It reduced the total.

34498. Did you not want more highly paid head constables?—That did not enter into our proposals at all; we took the grades that were sanctioned by the Government of India.

34499. You say that the previous scheme and the scheme you sent up were almost entirely in accordance with the recommendations of the Police Commission?—Certainly.

34500. Except as to numbers?—Except as to numbers; we said what we thought was necessary.

34501. I put that to you just now and you said you wanted more men?—We drew up our requirements on the scales proposed and on the principles laid down by the Police Commission.

34502. If you take a certain scale you get to number X. You said, "X will not do, we must have X plus Y"?—Only as regards the question of the relief of guards.

34503. Not as regards the general force for the preservation of law and order throughout the districts?—No, not that I am aware of; we wanted more clerical establishment and more orderlies than the Government of India were prepared to allow.

34504. Except in those three matters, you stuck to X?—Yes, as far as I am aware.

34505. Anyhow, suppose for a moment that the Bombay proposals had involved a considerable advance over what the Government of India contemplated on the report of the Police Commission, there being only a limited amount of money to go round, it would have meant that if Bombay got more, the United Provinces of the Punjab or some other place would have got less?—It does not necessarily follow; they might have taken up reforms one by one and not all at once.

34506. The imperial grant was fixed for all India at 150 lakhs. If you have a fixed total quantity and you give more to one province, you must necessarily give less to some other province?—Quite so.

34507. As regards the Director of Criminal Intelligence, your point is that he is not concerned with the matters of police establishment?—I think he is not; I think he ought not to have anything to do with them.

34508. Are you aware that the Secretary of State specially agreed to his being consulted because he had been Secretary of the Police Commission?—I was not aware of that.

34509. Taking him in his proper function as Director of Criminal Intelligence, he is at the head of what you might describe as a Scotland Yard for India?—I should not say that at all.

34510. Has he not got a Central Criminal Investigation Bureau?—I believe he has some subordinates, but I have never seen any of them.

34511. Have you read the Resolution appointing him?—Yes.

34512. Did not that lay stress on the fact that the modern criminal did not respect provincial boundaries and that it was necessary to have co-ordination of police arrangements?—That we all know.

34513. Was that not the reason that we had this central department introduced?—I think probably it was.

34514. Then why do you dispute the suggestion that he is at the head of a sort of Scotland Yard for India; is not that exactly what Scotland Yard does at home?—He does not perform any of the duties that Scotland Yard undertakes; he does not send men here and there to help us to detect crime.

34515. Anyhow, it is his function to look after crime in India?—Special forms of crime.

34516. Note forgeries, and rupee forgeries, for instance?—Yes.

34517. Is it not necessary, in order to track certain forms of crime, that he should get information locally?—Yes, if he is going to do anything with the case.

34518. Do you object to his asking for such information?—Such information as he asks for in a general way I do object to, because it gives a lot of trouble, and we get nothing in return for it.

34519. But he may get something in return for it?—If he had got anything worth having in our cases, we should have heard of it I should have thought; we ought to have heard of it.

34520. You admit that he may require a certain amount of information, but he asks you for too much—is that your point of view?—I object to the way in which we are called upon to supply information.

34521. Would you say it is too peremptory?—Yes, and I do not think it comes through the right channel.

24522. You say that you had never complained to your own Government about it?—My dealings with the Director have been as a Deputy; I have complained to my own Inspector-General in an informal way; I have not put it on paper and made a formal complaint about it.

34523. Now that you are yourself Inspector-General, have you used that position to protest to the Director?—Lately nothing has come from him; since I have had charge I have had no complaints at all.

34524. The Bombay Government mention a case in which the Inspector-General of Police in this province wrote up to the Director of Criminal Intelligence suggesting that he should convene a

conference to consider the question of police pensions; was that in your time?—I was not Inspector-General, but I know the instance.

34525. Do you think that that was a proper thing for the Inspector-General to do?—Under the particular circumstances I do not see that there was any harm in it; it was a question of the 30 years rule or the 25 years rule. We had a police conference of the province in Poona, and at that conference a lot of the officers asked the Inspector-General to move in the matter of reducing the term of service from 30 to 25 years, as it is an old burning question. He said that he thought it was a question that should be dealt with all over India, as there are police all over India, and he said, "I will write and ask Sir Harold Stuart whether we can discuss this question at a conference of other Inspectors-General." He said he should like to take the same line as other Inspectors-General were going to take.

34526. What was Sir Harold Stuart's answer?—To the best of my recollection he said that it was not a subject which ought to be dealt with at a conference of Inspectors-General.

34527. Was that not an eminently reasonable answer?—I am not prepared to judge in the matter.

34528. Suppose he had acceded to that proposal, would he not very justly have exposed himself to the reproach of interfering with the functions of Local Government?—The conference of Inspectors-General was a proposal that was put forward by the Police Commission, and the Government of India, I think, endorsed it; the proposal was that there should be periodical conferences of Inspectors-General all over India; it was in pursuance of that suggestion that our Inspector-General wrote.

34529. Has there been such a conference?—No, not yet.

34530. Have the Bombay Government taken any notice of this matter?—Not that I am aware of.

34531. Have they intimated their displeasure to the Inspector-General?—Not that I am aware of.

34532. (*Mr. Hichens.*) Is it desirable to have a uniform pension scheme for the police all over India?—Yes. Whatever scale you sanction for one part of India should hold in other parts; why should officers be differently treated?

34533. Would you apply that to officers only, or would you say it applied to the men as well?—I should apply it to the men as well as the officers.

34534. Would you apply the same to their scale of pay?—No, because the rates of living are so very different in different parts of India and the conditions and circumstances are different.

34535. Their salaries differ in different parts of India?—They have done hitherto.

34536. Some parts of India are much more unhealthy than others?—Some parts are more unhealthy for Europeans, of course.

34537. May not those factors, namely higher pay and unhealthiness and various other similar factors one might mention, influence the class of pension that you give to a man?—I should not say that it is necessary to vary the rates of pension. Pensions actually vary as it is, because, broadly speaking, they are calculated on the average pay of the last three years of service; so where the average differs, the pension differs.

34538. The Government of India gave a certain grant for carrying out the reforms recommended in the Police Commission Report. Have those doles to be separately accounted for?—I do not know.

34539. Are District Superintendents of Police empowered to make promotions?—Yes, they do promote and appoint the rank and file; head constables and constables they appoint, promote and dismiss.

34540. Have they power to give small rewards?—Yes, they have a small grant for that purpose; up to a certain limit it is in their own discretion, beyond that they have to come to me in the case of larger rewards.

34541. (*Mr. Dutt.*) You have told us here that under the orders of the Government of India on the Police Commission's report the sphere of duty of the Inspector-General of Police has been enlarged and there has been a considerable narrowing of the powers of Magistrates; is that a move in the right direction?—I think so.

34542. You say that appointments and transfers of inspectors and sub-inspectors are now within the sphere of duty of the Inspector-General. The principal work of sub-inspectors is the investigation of crime?—That is their chief work.

34543. And that constantly comes to the notice of the District Magistrate?—No, I do not think it does necessarily; he does not try many cases himself.

34544. But he keeps himself acquainted with it?—He tours in a district and comes across all the officers of police; he has means of finding out and keeping himself informed.

34545. Would it be a good thing that the Magistrate should be officially consulted in matters of transfers and promotions in the police?—I do not think it is necessary at all.

34546. Then you say that the creation of police stations and outposts is also within the sphere of the Inspector-General's duties; in that case ought the Magistrate to be consulted?—Yes, certainly.

34547. As a matter of fact is he consulted?—Yes, always.

34548. Is it in the orders that he should be officially consulted?—Yes.

34549. The power to punish sub-inspectors is now vested in the District Superintendent of Police?—Yes, it is left with him.

34550. Should a Magistrate have a voice in the punishment of sub-inspectors?—I think not.

34551. Or in hearing appeals from sub-inspectors?—I think not.

34552. You think the Magistrate might be entirely set aside so far as the punishment of sub-inspectors is concerned?—Yes.

34553. So far as your experience goes, has the appointment of the Director of Criminal Intelligence been of any help to you in this province in the detection of any serious crime?—Not the faintest.

34554. Or in the prevention of any class of crimes or the suppression of any class of criminals?—No, not at all.

34555. So that that appointment, so far as this province is concerned, has been of no use to you in any of the objects or functions of police administration?—No, we have derived no benefit at all.

34556. (*Sir Frederic Lely.*) On the whole how would you characterise, shortly, the general effects of the Police Commission's Report as carried out?—The effect in this particular province has been somewhat mixed. It has been disastrous in the case of the lower grades. As regards the higher grades they have benefited. We have got a considerable amount of supervision now; we have more inspectors and Deputy Superintendents, and consequently there is more supervision. As regards the rank and file it has absolutely ruined them—blighted their prospects. The pay of the head constables having been reduced from Rs. 35 as the highest to Rs. 20, and a practical barrier having been raised against their advancement in the Service, they have absolutely no prospects whatever.

34557. That is a direct order imposed on the Local Government?—Exactly. We have now the sub-inspectors going through the school; the result is we have inexperienced sub-inspectors, boys from school, and a disaffected rank and file and between the two I really do not know how crime is to be detected.

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34558. In the Central Provinces the re-adjustment in the lower ranks has been a great boon?—That is because they drew lower pay before the orders came out. Every other part of India in fact has benefited except Bombay.

34559. You deprecate appeals of police officers to the District Magistrate—on what ground?—The appeal ought to be to the Inspector-General, for the simple reason that the Inspector-General understands these matters better.

34560. You mean even those appeals which go to the Magistrate now?—Yes. I should remove those to the Inspector-General.

34561. That would be distinct centralization?—It would be decentralization as well as centralization, because it would relieve the District Magistrate of the work.

34562. It would be departmentalization?—Yes; the Inspector-General can better appreciate cases of police default than the District Magistrate.

34563. Is not the District Magistrate deeply concerned with the police of his district?—Most certainly.

34564. Does not the success of his administration depend as closely upon the police as upon the efficiency of his revenue subordinates?—I should say the efficiency of the administration, both in the district and the Presidency, and in India in fact, depends on the efficiency of the police.

34565. I am speaking now of the District Magistrate's special interest in the police. His administration depends for success as much upon the police as upon the efficiency of his revenue subordinates?—I think probably more so.

34566. Is it not an advantage to any department to get co-operation on as broad a basis as possible?—Yes.

34567. Would you not say that it is an advantage to the police sepoy to be able to appeal to a man accustomed to treat matters judicially?—They do not like it, they prefer going to their own officers.

34568. On what ground do you say that?—There are reasons within reasons; I do not think always that the District Magistrate looks into the case in the same way that the Inspector-General would.

34569. It is not a matter as between the District Magistrate and the District Superintendent or the Deputy Inspector?—No, the District Superintendent punishes the man in the first place, and the appeal then lies to the District Magistrate.

34570. You would transfer all appeals to the Inspector-General?—From the District Magistrate I would transfer them all to the Inspector-General, because at present the Deputies have no legal status.

34571. You think that that would be more popular in the force?—I am positive of it.

34572. Is the status of the police as good as you would wish it to be at present? I mean the general social status of the police in general estimation?—No.

34573. Would it be improved by transferring the last word on their careers from a man accustomed to judicial work to the Head of a Department?—I think so, because the Head of a Department understands them very much better than the District Magistrate does.

34574. (*Chairman.*) Do you transfer your Inspectors?—Yes.

34575. Without reference to the Commissioner?—Yes. As a matter of fact transfers are very rare, but I can make them.

34576. If an inspector comes back from furlough can you, as Inspector-General, place him in any district you like, without having to get the leave of the Commissioner?—Yes.

34577. With regard to the scrutiny of what is called civil budgets, of which you make mention, what does it mean?—All the district budgets go up through the Inspector-General of Police and he scrutinizes them and forwards them to Government with his remarks and opinions.

34578. Who is responsible for the composition of those budgets?—The District Superintendent in the first instance; then they go up through the Inspector-General, and certain items are subject to the scrutiny of the Commissioners.

34579. Before they come to you or afterwards?—Before they come to me; then they go finally through me to Government.

34580. Are you satisfied as to the scrutiny of the Commissioner?—We get on very well, we never have very much difference.

(*The witness withdrew.*)

Mr. F. G. SELBY was called and examined.

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34581. (*Chairman.*) You are Acting Director of Public Instruction?—Yes, on this occasion since about a year; before that I was for 15 months in the same position. I came out to India from Oxford to the Deccan College.

Principals of colleges are responsible for the internal arrangements, the distribution of work, and the maintenance of discipline in their colleges. The same is true of the head masters of schools. Principals of colleges and head masters of high schools correspond directly with me. Principals of vernacular training colleges are immediately subordinate to the inspecting officers of their divisions. Professors and lecturers in colleges have no defined work beyond teaching. But they are expected to give such general assistance to the principal as he may require.

Inspectors are generally responsible to the Director for the state of all forms of education in their divisions except collegiate education. They do not directly administer the high schools, but they inspect them and are expected to advise the Director as to their requirements. Their chief concern is with primary education. They advise municipalities, frame Local Board budgets, administer Local Board primary schools through their deputies, and inspect all schools in receipt of aid and recommend to the Director the grant to be assigned. The inspectresses are expert advisors of the department. They have no financial or administrative powers. Deputy inspectors administer Local Board Schools, under the general control of the inspector, and assist in the work of inspection. At present I have, by my own wish, no personal assistant in the Indian Educational Service.

Ultimately I am responsible for everything which affects education. There is nothing, no matter how trifling, which may not be referred to me. But my chief duties are:—(1) to bring to the notice of Government educational requirements generally, and to advise Government on any matter which they may refer to me; (2) to suggest appointments either in colleges or to head masterships of schools, or to inspectorships or deputy inspectorships, and to make subordinate appointments either in schools or in training colleges or in the inspecting branch of the Service; (3) to make recommendations with regard to courses of study or the nature and conduct of examinations; (4) to report to Government upon books the authors of which seek departmental patronage; (5) to control the sums allotted for building grants and grants-in-aid of educational institutions; (6) to act generally as arbiter in matters which may be subject of dispute or appeal; and to decide matters referred to me by Heads of colleges or inspectors.

There is a tendency towards undue uniformity. The other day the Government of India wished to insert a conscience clause in the new Code for European Schools, apparently for no other reason than that it was not objected to elsewhere. Again, some years ago, in opposition to the advice of the Local Government, the Financial Department insisted on forcing upon the Deccan College a mode of dealing with caution money which involved loss

to the college. This was done simply because a universal rule was thought necessary. This was a case in which it was quite unnecessary for the Government of India to interfere at all. Such interference would not occur often if officers were more willing to act on their own responsibility instead of asking Government for rulings. A desire to secure uniformity in a country like India ought never to be put forward as a justification of any proposal, and when it is a question of applying a principle to local conditions or of utilising locally a grant made by the Government of India for a specific object the opinion of the Local Government ought to prevail.

I can see no justification for the existence of a Director-General of Education. So far as this department is concerned he might as well not exist. An individual may occasionally do a useful thing, but he is not worth the cost of his upkeep. I suppose that one way and another he costs from 50 to 75 thousand rupees a year; and I am certain that the money could be better spent.

Sometimes I have found that whether I got what I wanted or not depended on the mere accident of whether the Member dealing with a question sent for me to discuss it personally or not. I think that a proposal to which the Head of a Department attaches importance ought not to be negatived without giving him a chance of discussing it with the Member in charge. There is occasionally too much eagerness to make higher education more self-supporting. For instance, a mistake was made recently in raising the rate of room rent in certain colleges.

The people with whom it is becoming more and more important that high educational officers should be in close contact are the educated leaders of native opinion. If a man wants to know them he can know them. What influence an individual will have with them will depend on the range of his intelligence and his sympathy. An inspector probably knows enough of the vernacular to understand what the villagers want to say to him on his tours: but of course in his inspection of a primary school he is at a disadvantage, just as a Marathi inspector is at a disadvantage if he has to examine a Canarese or Gujarati school. The examination in vernaculars according to the Higher Standard might be improved.

With the opening of new primary schools it will be necessary from time to time to add to the subordinate inspecting staff.

In colleges transfers are very rare. I have submitted a proposal which has been approved by the Local Government, which will render the transfer of head masters equally rare. Transfer of inspectors is not common. There are more frequent transfers of assistant deputy inspectors than I could wish. Something might be done to stop this by making salaries personal instead of local. Transfer of assistant masters in schools are undesirably frequent but this is inevitable.

Municipalities have full powers already in educational matters. The department does and can do little more than offer advice.

It is not desirable to increase the powers of District Boards. The present system works without friction.

34582. Had you had any experience of Indian languages before you came here?—No.

34583. Had you any difficulty here in understanding the vernaculars spoken by the students?—None, so far as the college goes, one does not depend much on the vernaculars.

34584. Were you teaching Indian students?—They were all Indians.

34585. What were your means of communication?—English. What you find in a college as a rule is that boys of ordinary acumen and industry learn in a month to understand an Englishman readily.

34586. Is that a good system?—It is desirable that those who lecture to the junior classes on English should know the vernacular, because then they could see how students come to make the mistakes they do.

34587. Do these lecturers come out as inspectors of schools?—No, but there is nothing to prevent a man being transferred from the professorial to the inspecting staff. Inspectors come out first either as schoolmasters or as professors.

34588. If a man prefers he can go from the professorial to the inspecting line?—He can do so.

34589. In what capacity does the ordinary educational officer arrive in this country?—Never as an inspector. Sometimes as a schoolmaster, sometimes as a professor.

34590. Then he rises from the grade of schoolmaster or professor to be inspector?—I should not call it a rise from a professorship to an inspectorship; I should call it a transfer.

34591. Does the inspector receive a higher pay?—It depends upon his seniority.

34592. Is there any motive for transfers to an inspectorship from a professorship?—It is a matter of taste. Some people prefer one kind of work to the other. It is also possible that a man may see promotion earlier in front of him in one line than the other.

34593. Is there any examination in the Indian vernaculars for members of the Educational Service?—Yes, in the language of the province in which the officer is serving, but in Bombay a man is allowed to take up Urdu if he likes.

34594. Is the standard of examination sufficiently high?—It is faulty in that a man may pass without being able to talk much. The vocabulary of the books is useless for conversation. I represented that to Government years ago, but my suggestions were over-ruled by the permanent Director.

34595. Does that rest with the Government of India or the Government of Bombay?—My impression is that it rests with the Government of Bombay.

34596. When the inspectresses come out do they actually examine the pupils in the schools upon their arrival?—They examine the European schools first. An inspectress in Bombay is not given an inspectorship in the native schools until her work has been proved.

34597. Would you say that you are responsible for Indian education?—If there is a matter for decision it comes up to me.

34598. When you formulate a scheme for the consideration of the Government, do you, before you reduce the scheme to paper, discuss it with the Secretary of the Department with which you are concerned?—I do, if I happen to be in the same place with him.

34599. Do you move about with the Government of Bombay?—I do not come down to Bombay, for instance. My headquarters are at Poona.

34600. Therefore you are separated from Bombay for certain months of the year; during that time you have to conduct all your correspondence with the department by letter?—Yes.

34601. Do you find that that is an advisable method of conducting all the preliminaries to a scheme?—I think it is as a rule. Of course, sometimes points arise which you would like to talk over with a man, but for nine-tenths of the business I have to do I do not find any difficulty.

34602. When you are in Bombay are you in the same office as the Secretariat?—I have no office at all here.

34603. When you are at Poona, are you in the same building?—I do my office work mostly in my house. There is no Secretariat in Poona.

34604. You do not see any particular advantage to be gained by oral, in preference to written communications?—Not in nine-tenths of the matters which arise.

34605. Cannot anything be done to check these frequent transfers?—I think it could, by making pay personal, not local. I have submitted proposals to the Government suggesting the power to give a man better pay without moving him. There should be a general power given.

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34606. (*Mr. Hichens.*) You think that the Government of India should be entitled to lay down general principles in the matter of educational affairs. How far do you think that the Government of India is entitled to interfere?—We are dependent of course on the Government of India for large grants of money, and the Government of India should lay down general principles regarding how that money should be used.

34607. Do you think that the money should be given generally, and not for any specific educational purpose?—What I object to about the system of doles is that we do not know when they are coming. If they are suddenly thrown at your head it is rather difficult to make the best use of them. In the case of the last grant but one, the Government of India made a reduction of half a lakh which we wanted to carry over; and generally there is difficulty in getting money transferred from one year to another. That is one of the weakest parts of the system.

34608. Would you say, generally speaking, that the Government of India should give the money and allow the Local Government to spend it as they liked, or would you prefer that the Government of India controlled the expenditure?—If the Government of India gave money for primary education, the Local Government should be left to see how it should be used.

34609. Would it be desirable for the Government of India to lay down the principles upon which grants-in-aid were to be distributed?—No, that depends upon local conditions which the Government of India do not know as well as the local people do.

34610. For example, should the Government of India determine whether they should be based upon results or not?—As a matter of fact the Government of India did concern themselves with that through the Committee which sat at Simla.

34611. But have not the Government of India some responsibility with regard to general education?—Yes, without doubt. The Government of India may fairly decide for what purpose they give money, and they may generally approve of the scheme for which that money may be used.

34612. What are the relations between the District Boards and the department in educational matters?—The District Board has the framing of the budget.

34613. They pay and you manage?—They do not pay. They contribute, and we manage except in so far as they must pass the budget.

34614. Are they entitled to say what number of schools they support?—The *taluka* Local Board can decide in what place a school shall be fixed, and what class of school it is to be.

34615. Do the District Boards have Visiting Committees?—They have a committee in every village, but the District Board cannot do the inspection themselves because the area is too large.

34616. But the *taluka* Boards might do it?—They might ask one of the men in the village to do so regarding the village in which he lives.

34617. What do these committees do?—They do not do much. They turn up on the day that the inspector comes round and have a talk with him, and so on. But what they are chiefly interested in is about getting new schools where there are none.

34618. Do they take any interest in the educational work?—I think they do.

34619. Would they take more if they had more power?—I do not think they would.

34620. Would you advocate giving to the District Board and the authorities subordinate to them further powers in educational matters?—I would not.

34621. Do you appoint teachers in municipal schools?—I give them teachers when they ask for them. Actually of course I have no power over them beyond such influence as I can exercise through the Collector or the Commissioner. If a municipality refuses to listen to me I have no means to exercise my authority. I have the right of inspection simply. That follows from the grant. The curriculum is prescribed as a condition of the grant being given by the department.

34622. Would you give the District Boards the same powers as the municipalities have?—If you transfer powers, they should be given to the *taluka* Boards.

34623. Would you be in favour of doing that?—I think not.

34624. (*Mr. R. C. Dutt.*) Why not?—We have more knowledge than they have, and we have more time to give to the work. The masters, too, are more contented under our administration than they would be under people in the same village.

34625. But, on the other hand, would it not stimulate a little interest in the members of the *taulka* Boards themselves?—I do not think they are deficient in interest.

34626. But the members, if they had some little work to do, would take a little more interest generally in the welfare of education in the *taluka*?—They do not exercise the powers they have at present.

34627. But the powers are very limited now?—You seem to think that they have no powers. I think that a school is hardly worth keeping up in a village because of the attendance, and I want to transfer it, but the *taluka* Board says "you must not transfer it"; and I have no power to do anything.

34628. Do they say that?—They did the other day, and they are protected by the Act.

34629. The education budget is made up of one-third of the Land Cess?—Yes; everything else they get is from Government.

34630. Do you prepare a budget for the whole district?—Yes.

34631. Is the money sufficient for the purposes of education?—Certainly not. The people are always clamouring for new schools.

34632. Do you maintain and support these village schools or do you aid them and assist the villages to maintain them?—We do not expect the villagers to give anything in addition to the one-third anna cess.

34633. You have said that many villagers are anxious to get schools in their own villages. Supposing the *taluka* Boards agreed to pay the salary of the schoolmaster, and you provided a house, might not the number of schools be increased, and the schools placed under the management of the villagers themselves?—No, I do not think so.

34634. In other provinces the District Board simply pays the salary of the teacher and the villagers often find the house and furniture?—But what would become of the rest of the money?

34635. It would give you the chance of increasing the number of schools?—That is to say, that all the income we have now would go in salaries. I do not think that would do because I doubt if people would combine continuously to keep up a school.

34636. Supposing you were not able to build a school-house, would not a well-to-do man in a village give his outer room in which to hold the school? An arrangement like that would not cost much money?—That is the arrangement we do have now very often, but they do not like it.

34637. But suppose they do not have money for furniture the boys can squat on the floor?—We are supposed now-a-days to keep up to requirements, and how a boy should sit at work is considered a serious question.

34638. Anyhow you do not think that that system is workable in this province?—I do not think so.

34639. With regard to the establishment of schools you say that the final power rests with the *taluka* Boards?—That is a power they have, but I do not mean to say that it is always exercised in that way. The matter is as a rule discussed in the

District Board. It is passed in the budget discussion of the District Board.

34640. And no changes are made afterwards?—A supplementary budget can be produced.

34641. But in the case of a supplementary budget who has the power of passing the order?—The *taluka* Board has the power to do it.

34642. How are members of the Provincial Educational Service appointed?—They are appointed by Government. I recommend.

34643. Are the promotions and transfers in the hands of Government also?—They are.

34644. And you do not propose any alterations in the method of transfers and appointments?—No, I think it is quite right that the Government should have the power of promotion and transfer.

34645. Has the Director-General of Education sometimes sent you advice or suggestions about new methods of education which might be introduced with advantage in this province?—No.

34646. Might he not be useful in that way?—Why is he likely to know more about them than I do?

34647. You do not think that he is more in touch with these things in Europe or in India?—I do not think so.

34648. So you do not think he can be of any use in that way?—He has been of no use whatever.

34649. (*Sir Frederic Lely.*) With reference to the control over municipal schools you can withdraw the grant for a good reason?—I cannot; but I might recommend the Government to do so.

34650. That must give you a considerable control in the last resort?—Only in a very indirect way. Of course, under the Municipal Act, municipalities are bound to make and give reasonable facilities for primary education. But this is a vague requirement. Of course I can proportion their grant to their expenditure.

34651. Is the examination in the vernacular the same for Educational Officers as it is for Assistant Collectors?—I do not know. My impression is that Civil Servants pass certain departmental examinations in their own sphere. Our officers have to pass in the Higher Standard.

34652. Have you approved of a new scheme for the colloquial examination?—I approved of a scheme some time ago.

34653. It has been before Government, but was not accepted?—It was not accepted.

34654. What are the relations between the Education and Revenue Departments?—My relations with the District Officers have always been most pleasant.

34655. But do you think you can get, or do get, what help you need?—Yes, I have no doubt every Collector is quite keen about primary education.

34656. About secondary education?—I have suggested to Government that Collectors might assist us more by way of giving advice to the headmasters of secondary schools.

34657. There are no committees for secondary and high schools?—No.

34658. Might it not be well to make District Officers visit these institutions and acquaint themselves with the tone and general management?—It would be a very good thing and it is done to a great extent. I am constantly getting letters from Collectors, calling my attention to points they have come across.

34659. But is it generally done?—Yes.

34660. Does the Collector feel that he is responsible in the matter?—I do not know that, but when his attention is drawn to any question he draws my attention to it.

34661. But suppose anything was going wrong in a secondary school and it did not come to his knowledge for a considerable time, would Government blame the Collector?—No; I do not suppose the Government would blame him.

34662. (*Sir Steyning Edgerley.*) Did your scheme of examination ever reach Government?—It was rejected by Government.

34663. I think you said that it was disapproved of by the Director of Public Instruction?—He disapproved of it, and the Government agreed with him.

34664. (*Mr. Meyer.*) Are the majority of secondary schools maintained or aided by Government, or through District Boards and municipalities?—District Boards practically have nothing to do with secondary education. Municipalities have a certain interest in them. There is a Government high school in every district and there are a number of Anglo-Vernacular schools in every district.

34665. Your higher secondary education is given in English, generally?—Yes.

34666. Is it given at schools directly maintained or aided by Government?—There are some schools maintained in part by municipal grants; there are also schools maintained by Government and private schools maintained out of purely private funds.

34667. So municipalities do spend some of their funds on English secondary education one way or another?—Yes, by grants-in-aid in general.

34668. Still, taking the bulk of the expenditure, the support is chiefly by Government?—Yes; except in the city of Bombay, where the larger schools are private.

34669. Regarding the vernacular secondary schools?—We have no secondary vernacular schools.

34670. As regards primary education, is the aid local or provincial?—It is local in the sense that there is a grant from the Government to the Local Board, but the provincial Government gives a sum equal to half what the Board itself spends.

34671. Practically, the district expenditure is one-half directly from local funds and one-half from Government grants? Besides maintaining schools of its own, does the District Board aid private schools also?—Government may give a grant-in-aid to private primary schools out of provincial revenues. The District Board does not aid private schools.

34672. You refer to the Finance Department interfering with the use of money?—Yes; it was a matter in which I had the money in my hands myself and had put it into the Post Office. I was told that the money should have been put into the Government treasury.

34673. But there is a general rule that Government money should be put into the Government treasury?—Yes; but the interference was petty in the case of a small thing of that kind.

34674. But might not such suggested liberty lead to the injudicious investment of Government money?—Yes; but if they asked for an account I would have understood it. For instance, a Collector wrote the other day to say that the villagers had contributed money for certain schools, for which they had to wait for years, and he put me this question, "Why cannot I invest this money for them?"

34675. Did you raise that question?—That was only the other day.

34676. You do not agree with the appointment of a Director-General of Education; do you think you can learn all about other provinces from their reports?—I think so.

34677. You approve of conferences of Directors?—I think they might be useful.

34678. Is it not an advantage to have a man with a personal knowledge of the different provinces?—But my point is that he would only have a superficial knowledge.

34679. You have a practice now of sending Educational Officers abroad to acquire a knowledge of other systems. A gentleman was sent some time ago to Japan. Did he come from your province?—He did so.

34680. Do you think that that was an unnecessary expenditure, and that he could have got all

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the knowledge he required from the Japanese blue books?—No; I do not think so. I am not so intimate with Japan as I am with India.

34681. If money is not spent in the course of the year the Government of India do not take it: it goes to the provincial balance?—Not necessarily. The Government of India may take it.

34682. What particular grant was this to which you refer?—My impression is that it was one of six lakhs.

34683. May it not reasonably happen that the Government of India will not give money if they think you will not spend it?—It was a case of our wishing to transfer the money from one year to another; the balance was about half a lakh.

34684. It has been suggested to us in other provinces that it would be a good thing if the Secretariat notes on your proposals concerning education should come to you for reply before final orders are passed?—That is a practice which is very often followed.

34685. Would you like that to be recognised as the proper method of procedure?—I should like to be able to ask that an unofficial reference might be made to me before a case was finally decided against me.

34686. (*Chairman.*) Have you seen the case sent in by the Bombay Government, containing delegations which they purpose to make to the Director of Public Instruction, and which the Director of Public Instruction should make to his subordinates?—Yes; they are mostly my own proposals.

34687. Do you agree with them?—Yes.

34688. Are there any further delegations which the Local Government might make to you or your subordinates?—No.

34689. Do you think that these proposals cover the whole case?—I do not know, because I do not know whether these proposals include all mine.

34690. But so far as they go you agree?—Yes.

34691. Have you seen the proposed delegations from the Government of India to the Government of Bombay?—Yes.

34692. Do they cover what do you think is necessary?—Yes; I think so.

34693. Regarding the control exercised at the present moment over the various grades of schools, are you satisfied with the existing arrangements, or do you desire that the control of schools should be transferred?—No.

34694. If panchayats were established, would you give them the control of the primary schools?—I would not give them control over the curriculum at all. I think, too, the masters would be discontented if subject to panchayats. They would not feel sure of fair and impartial treatment.

34695. You are satisfied with the present arrangement?—Yes.

(*The witness withdrew.*)

Mr. G. S. CURTIS, I.C.S., was called and examined.

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34696. (*Chairman.*) You are Settlement Commissioner and Director of Land Records?—Yes, and Inspector of Registration.

A Provincial Government should have full authority to deal with regulations affecting expenditure which is entirely a provincial charge. For instance, it should be able to decide whether service is superior or inferior. At the present moment, to take an example, it is urgently necessary to grant pensions to stipendiary village accountants as superior servants (their duties have largely increased; while the supply of candidates has diminished). The extra charge would be small and would fall entirely on provincial funds. But the Government of India have consistently declined to give the requisite sanction, and the result is that the Government will be forced to raise pay, which will cost far more than the grant of pensions on the higher scale.

The particular matter in which I would advocate larger powers for the Local Government is the collection of subjects dealt with in Section 78, Act III. of 1877. The question of fees to be levied under the Registration Act is one which must depend on local circumstances, and which can therefore be best decided by the Inspector-General of Registration. There is nothing to be gained in enforcing uniformity, and, as a matter of fact, uniformity is not insisted on by the Government of India; the fees taken in the various provinces differ in the most marked way.

The position of the Commissioner in the Presidency proper is not satisfactory. It is felt that partly owing to defects in the law, partly owing to the unwillingness of certain recent holders of the office to undertake responsibility, the Commissioner is not utilized, as he should be; that he tends to become a mere channel for the transmission to Government of communications from the Collectors in his Division. The Bombay Government have proposed to get over this difficulty by arranging to delegate to each Commissioner the powers now exercised by the Commissioner in Sind; but the Government of India have so far, I understand, refused to accede to this proposal. I am entirely on the side of the Government of India in the matter. The delegation may have been successful in Sind, but, firstly, the circumstances of Sind are peculiar, and, secondly, the Comissioner in Sind is always a picked officer of exceptional capacity and administrative powers. None who has had experience of Divisional Commissioners and their ways can deny that they are, as a rule, inferior in ability to the general run of Commissioners in Sind.

The abolition of the Divisional Commissioners and the substitution for them of a Revenue Board similar to that which has existed for some time in Madras, is a proposal which ought to receive careful consideration. I was nearly 5 years in Madras, where, for an outsider, I had a very fair opportunity of watching the working of their system; since I left the Presidency I have studied very closely the manuals issued by the Board of Revenue, and in my present office I have exceptional opportunities for observing the defects in our own arrangements. My conclusion is that the creation of a Board of Revenue is the only measure which will secure the object aimed at, *viz.*, the constitution of an authority between Government and Collectors which will relieve the former of the mass of details now imposed on it, and by their supervision of, and control over, local officers, maintain the efficiency of the administration without impairing the dignity of those immediately connected with it. My reasons are as follows:—

The appointment of Commissioner dates from January, 1830. There was originally only one of them. His duties are described in the original order as being "to secure a general supervision over the revenue administration, to prevent the infringement of established right and custom, to receive complaints against the acts of Collectors: to devise means for the improvement of the conditions of the people, the modes of agriculture and the resources of Government: to promote economy in public expenditure, secure uniformity, conciseness and other improvements, by which labour may be abridged, efficiency promoted, and the revenue of the different districts settled with reference to usages and seasons: to submit to Government suggestions calculated to promote the grand object of improvement in the fiscal administration of the country." Every branch of the administration was to come under his observation—schools, salt, excise, police, opium, post office: nothing was withheld from him. He was, as far as possible, to visit every district in the Presidency in the year.

The control of the multifarious branches of the public service proved too heavy a charge for one

officer, and in 1843 it was found necessary to appoint a second Commissioner, the Commissioner, Northern Division, taking Gujarat, Khandesh, and Thana, together with the control of continental customs and excise throughout the Presidency: and the Commissioner, Southern Division, the rest of the Presidency. The headquarters of the Commissioner, Northern Division, were fixed at Surat during the touring season: but he was required to spend the monsoon at the same station as the Commissioner, Southern Division, *viz.*, Poona. In the words of the order passed at the time Government observed:—

"The Honourable the Governor in Council desires that the freest and most unreserved communication be kept on all subjects between the two Commissioners, and each Commissioner is authorized to call for the advice and opinion of his colleague on all questions of general nature. During the monsoon the Commissioners will meet at such station as Government may previously determine in each year, in order to take into consideration any questions which may be referred to them by Government, and consult generally on matters of general application."

The duties of Commissioners were, in fact, to be twofold, partly administrative, partly consultative and advisory. Their control extended to every branch of the administration.

In 1844 the Commissioners wrote to Government, stating that they had both passed the monsoon at Poona, and had derived considerable advantage from being at the same place in the facilities for personal communication, and still more in the opportunities of access to each other's records They added:—

"The station to be selected for our ordinary monsoon residence is a point to which we attach less importance than to that of its being fixed somewhere. If we are to be together, we conceive that there can be little doubt that Poona would be considered the most eligible situation, there being already office buildings there and its vicinity to the seat of Government tending greatly, as we have experienced this season, to expedite the revenue business of the Presidency, almost the whole of which passes through our hands."

Government replied that though they were unwilling to deprive Gujarat of the advantage to be derived from the presence of the Revenue Commissioner there during the monsoon, yet having regard to the Commissioner's opinion, they were pleased to approve of their continuing to make Poona their headquarters, so long as it appears to Government that advantage results from the arrangement.

In 1855 the post of Director of Public Instruction was created which involved, of course, the transfer from the Commissioners of the supervision of schools; but otherwise their connection with departments other than the Revenue Department remained a close one.

In 1867 Mr. A. Rogers moved Government to allow him to remove his monsoon headquarters to Surat, but Government refused to accede to his request, and finally placed on record that considerable advantage was gained by the Commissioners meeting in Poona during the monsoon and considering important questions together, and that the possibility of creating a central office for them in that place should be considered. From 1868 onwards opinions wavered between the appointment of a third Commissioner or an Inspector-General of Police, but eventually in 1876 the occurrence of famine in the Carnatic necessitated the deputation of a special officer to control those districts, and this officer became the Commissioner, Southern Division. The Presidency was thus divided into the three divisions which exist at present, except that Kolaba was placed in the Northern Division.

About the same time the work of the Alienation Commission, which had been progressing for a number of years, was wound up, the post of Alienation Commissioner abolished, and the central office placed in charge of the Commissioner, Central Division. Further, a fourth Commissioner was created for the control of Salt, Excise and Customs work, which was therefore transferred from the Divisional Commissioners. The monsoon headquarters of all these Commissioners continued to be Poona.

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In the discussion which arose round the proceedings of the Finance Committee in 1887, the Honourable Mr. Peile suggested that, in order to relieve Government of work, the Commissioners should be formed into a Board at Poona during the monsoon and dispose of business in the same way as the Boards of Revenue in Bengal, United Provinces and Madras. Enquiries were made as to the practice prevailing in those provinces and the possibility of delegating powers to the Commissioners, and in the course of discussion which ensued it was suggested that they should live in their divisions during the monsoon. This suggestion was considered and finally adopted, with the result that in 1890 orders were issued that the Commissioners, Northern Division and Southern Division, should thenceforward make Ahmedabad and Belgaum their headquarters. Nothing was said in the orders directing the change regarding the measures necessary to maintain the joint consultative and advisory action of Commissioners, on which so much stress had been repeatedly laid by Government during the previous half-century. It was probably thought that this disadvantage would be more than counterbalanced by the relief which would be afforded to Government from the delegation to the Commissioners of the powers exercised by the Commissioner in Sind. If this was so, the expectation has not been fulfilled. As already stated, the Government of India refused sanction to the legislation necessary for this delegation, and at the present moment, except as regards the municipalities and a few minor subjects, the powers of the Commissioners are much the same as they were in 1890. At the present moment of course the headquarters of the Commissioner, Northern Division and Southern Division, are at Ahmedabad and Belgaum, respectively, and these officers only pay visits of a few days' or hours' duration to headquarters during the year.

The subsequent stages in the history of the Commissioners may be shortly described. In 1901 the Survey Department was wound up, and the appointment of Survey Commissioner was abolished, the responsibility of Settlement work and Land Records being transferred to the Divisional Commissioners. But in 1906, owing to the introduction of the records-of-rights and the necessity, which experience had fully demonstrated, of appointing an officer of higher status to advise on these subjects, the appointment of Settlement Commissioner was revived and matters connected with this branch of the administration are now fully dealt with in the Settlement Commissioner's office, this change relieving the Commissioner of a certain amount of responsibility. Furthermore, as a result of the recommendations of the Police Commission, the post of Inspector-General of Police was created and the duties of the Commissioners with reference to the police were in consequence very largely restricted.

I submit that two facts stand out very clearly. The Commissioner's duties were originally partly administrative, partly consultative and advisory. As far as administration is concerned, his sphere of action, which originally included all departments, has been much narrowed. The Collector, as District Magistrate, is still the Head of the police; he is still responsible for excise administration; as President, District Local Board, he is largely concerned with education, sanitation and medical relief; as Chief Executive Officer of the district he must necessarily have relations with Heads of Departments, like the Inspector-General of Jails and Director of Agriculture; as District Registrar he corresponds with the Inspector-General of Registration; as Chief Revenue Officer with the Director, Land Records, and Settlement Commissioner. But the Commissioner has not necessarily any connection with these branches of administration. A great deal can be done, and is done, without consulting him at all.

Secondly, his consultative and advisory duties are reduced to a minimum. Conferences of Commissioners are held from time to time in Poona

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during the monsoon; but no one who has had experience of them will say that they are satisfactory. The Commissioners, Northern Division and Southern Division, have constantly shown the greatest unwillingness to visit Poona for a longer period than two or three days. Subjects, which require sustained deliberation, are rushed through, or at any rate are disposed of with more haste than would be the case if the Commissioners were permanent residents of Poona. Moreover, the Commissioners, Northern Division and Southern Division, are largely cut off from Government and Heads of Departments under Government. The latter are often unable to discuss matters with the Commissioners during their hurried visits to Poona and, when they in turn visit the Commissioner's headquarters on tour, the latter are frequently away. Personal interviews thus become rare and correspondence increases.

If these two facts are admitted, if it be recognized that the Commissioner's usefulness lies largely in his advisory duties, that his direct interference with administration is confined to certain specified branches, he must reside with other Heads of Departments at the place where his usefulness as an advisor will be greatest, viz., at Poona. The orders of 1890 must be cancelled, and all the Commissioners summoned to Poona for the monsoon.

But this is not all. The Commissioner has become an officer concerned only with certain branches of the administration. This being the case, surely the logical course is to specialize still further and make each Commissioner deal primarily only with a few of those branches; in other words, to convert the Commissioners into a Revenue Board. Let us consider a few of the disadvantages which attend our present system. In the first place an enormous amount of work is done twice or three times over. There are, roughly speaking, alienations of land and cash allowances in the Presidency, which amount to a crore of rupees annually or nearly one-sixth of the whole income of the Presidency. Every single change in the amount or nature of these alienations in the Northern Division and Southern Division, after it is approved by the Local Commissioner, is scrutinized once more in the office of the Commissioner, Central Division, even though in many cases (where the grants depend on settlements) this change may have already been approved by the Settlement Commissioner as well. Would it not be better to have a single branch of the Board to deal with and settle the matter once for all, instead of passing the matter through three offices?

The exact relation of the Commissioner to settlements and land record work is at present in a state of uncertainty, but the number of correspondences dealing with revenue matters which are found to affect land record work in some way or other, is increasing and will probably eventually amount to 75 per cent. of the whole. All these have to be dealt with at present by two offices. Would it not be better to abolish the post of Settlement Commissioner and make the senior member of the Board responsible for everything?

Most questions connected with stamps come before me as Inspector-General of Registration in the first instance—though I have no power to dispose of these—because Registration Officers collect four-sevenths of the whole, and their action is constantly called in question in inspection reports. The officers who decide these questions are the four Commissioners and they all act independently. It thus may happen, as it has happened if I am not mistaken, that the same question may be referred by different Collectors to four different Commissioners and may be decided in four different ways. In practice the position is not quite so anomalous as it appears, because Collectors generally prefer to settle the matter in consultation with the Inspector-General of Registration in the light of the rulings of the Madras Board of Revenue, which appear from time to time in published works on the Stamp Act. But this is merely an accident. As far as the Bombay system is concerned, there is nothing to prevent the anomaly arising. Cases which arise out of the Watan Act and Acts allied to it are constantly being dealt with on different lines in different divisions. Would it not be far better to place every case arising out of hereditary rights before one single officer? In the second place there is a very large amount of petty detail which now has to go before Government, but which might be disposed of by the Board. A conspicuous instance of this is the preparation of forms. At the present moment every single change, be it an extra column to an Assistant Collector's diary or a new abstract for the record of rights, has to go up to Government for sanction, a course which involves an immense amount of work and delay. Commissioners could dispose of such matters now under the orders in Government Resolution No. 7569, dated 17th December, 1907, but it is not difficult to foresee that this new system will never answer. There are certain classes of more or less routine work, of which the preparation of forms is one, in which uniformity is absolutely necessary and, with three separate Commissioners working independently, uniformity will never be secured. In a recent case I suggested the preparation of certain forms to be filled up by *mamlatdars* and others for my annual report. Two successive Commissioners of the Northern Division, one of the Southern Division, and one of the Central Division, agreed to them; but when it came to using them, another Commissioner, Central Division, refused to do so without express Government orders and insisted on referring them to the Commissioners again. If each Commissioner was independent, this sort of thing would be happening every day. There is no question that, with our present elaborate administration, uniformity is necessary, if the machine is to move properly. A system of three petty Local Governments, as the Commissioners would be (if they are given the powers of the Commissioner in Sind), working independently, and without reference to one another, will result in confusion and chaos.

Thirdly, in one particular respect, viz., in the amount of attention which it secures on the part of Revenue Officers in general towards settlement and land records work, our present system is very bad indeed. The responsibility for advising Government and Revenue Officers generally on these matters lies on the Settlement Commissioner and Director, Land Records, but he is a junior officer of Collector's rank, a sort of fifth wheel in the Commissioner's coach, and has no power of giving orders. The result of the arrangement is that land records work is throughout the Presidency regarded with indifference and contempt, the term "land records" is never used except in a depreciating way, and the work of maintaining the revenue record on which the whole of our system depends is carelessly and indifferently performed. With a Revenue Board all this would be changed. Land Records would fall to the charge of one of the senior members and it would follow as a matter of course that Land Records work would receive the same attention as other branches of the administration.

I contend therefore that the time has come to abolish our Divisional Commissioners as such and establish a Board of Revenue. The Board would have its headquarters at Poona, where it would be within easy reach of Government and of every part of the Presidency proper (except Kanara and Ratnagiri) at all times of the year. It would consist of four members who would undertake control of different branches of the Administration on the following lines:—

1. Opium, Abkari, Salt, Customs, Stamps, Income-Tax.

2. Settlements, Land Records, Registration, and Agriculture.

This Member would have two, possibly three, Deputies on Rs. 1,500 or Rs. 1,800, one for Agriculture, the others for Land Records and Registration and Co-operative Societies.

3. Land revenue, alienations, *watan* cases, pensions and cash allowances, &c.

4. Forest, municipalities and local funds, political cases.

There would be at least one Civilian Secretary to the Board on Rs. 1,800 a month.

The advantages of this arrangement over the Divisional Commissioners' arrangement would be enormous, *e.g.*—

(1) Greater uniformity.

(2) Better style of work. Each member would be dealing with one sort of subjects only.

(3) There would be none of the present duplication of work, the office of the Settlement Commissioner and Director, Land Records, would be abolished; there would be a single Commissioner for settlements and a single Commissioner for alienations.

(4) The arrangement would restore the advisory character of the Commissioners. The Board would be in Poona for the whole of the monsoon and, acting collectively, would be a very powerful factor indeed; they would form a useful counterpoise to the Secretariat, which in Bombay is generally recognized to have been far too strong.

(5) The arrangement would secure the advice and assistance of the Excise Member on all "Full Board" questions. He has always been in my opinion the strongest and most able of the four: and at present he takes no part in the discussion of general questions.

(6) The Collectors of Ahmedabad and Belgaum and to a less extent other Collectors near them would regain their independence. At present they are over-shadowed and swamped by the proximity of the Commissioner: they are also subject to interference to a very unnecessary extent. This interference varies from time to time according to personality and circumstances. It was acute, I remember, 15 years ago at Ahmedabad and, I am informed, at Belgaum also at the present moment there is a tradition in one of the divisions that in the time of a recent Commissioner the Collector was not free to appoint his own *chaprassis*.

(7) Collectors generally would acquire a greater sense of responsibility, and more independence, which would be a good thing. The Madras Collector is a much bigger man than the Bombay Collector.

(8) There would be far less difficulty in delegating powers. Government would lay down the broad principles; the Board would fill in the details.

My scheme contains no provision for the inspection of district and *taluka* treasuries, *mamlatdars'* cutcherries and other offices. As regards treasuries I doubt if the inspection at present performed by the Commissioner is productive of very much good. It is carried out almost entirely by clerks under the supervision of the native assistant, none of whom are experts. It would be much better if the work was handed over to an Assistant Accountant-General, just as the audit of District Local Boards and municipal accounts has been.

Members of the Board would have to tour in connection with their own special branch of work, just as the Settlement Commissioner does now; they could easily, by arrangement with one another, perform routine inspection of offices outside their own department, if it is really necessary; at present the only offices which seem to be regularly inspected are *mamlatdars'* cutcherries, and they might very well be left to local officers. The important inspection of higher offices (*i.e.*, Collectors' and Assistant Collectors'), which is systematically neglected in Bombay, could easily be done by the various members on tour. Another objection will be that members of the Board will be out of touch with local feeling. If this means that the public will be compelled to resort to the Collector, instead of going behind him to the Commissioner, as they are tempted to do at present, it is a good thing. The members of the Board would travel for six months a year and meet members of the public in the districts which they might visit. Moreover, Poona is so central, and communication from every part of the Presidency (except Ratnagiri and Kanara) is now so easy, that anyone who has business can always get there. A third objection will be the extra cost of the Board. As far as I can see, however, a Board is a cheaper institution than three Divisional and one Abkari Commissioners. Judged by the Madras figures it would certainly not cost more. There would be a big saving in travelling allowance and contingencies as the members would travel with smaller establishments and smaller records than the Divisional Commissioners. A fourth objection will be the cost of the central office in Poona. But this will not be greater than the cost of similar accommodation elsewhere. A fifth objection will be the loss of the political and local influence of the Commissioners. There is force in this; but it is discounted by the fact that the Commissioners' influence is often secured at the expense of the Collectors', and that when the Commissioner and Government disagree on local questions, even if the Commissioner is right, as he is apt to be, the local influence of the Commissioner is to a certain extent an actual disadvantage.

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34697. You were at one time Under Secretary to the Government of Bombay in the Revenue Department; for how long?—For practically three years.

34698. As Settlement Commissioner you say your duties are merely advisory; have you any final power of appeal?—No.

34699. Settlement questions go up through the Divisional Commissioner?—They may go through him or through the Head of another Department. There is no settled routine. But generally anything touching settlement comes to me ultimately, and then through the Revenue Secretary to the Government.

34700. Is that a satisfactory system?—I do not think the system is satisfactory. It means an unnecessary duplication of work.

34701. You want to have the final power of decision regarding fees under the Registration Act?—I want the Local Government to have the final power of decision. We should not have to go to the Government of India; it should be settled locally.

34702. You tell us that the position of the Commissioner is not a satisfactory one? Did you find that so during your tenure of office as a Collector?—I only speak generally. I think that in certain cases the Commissioner is unwilling to exercise his power.

34703. He has the power, but does not use it?—I think so.

34704. In your judgment is there any selection made in the choice of Commissioners and Collectors?—I have known men passed over.

34705. Would it be feasible to exercise that power of selection and supersession at an earlier stage of an officer's career?—Now-a-days a man does not get a Collectorate until after about 14 years' service, and then he has presumably shown whether he is fit for his position or not.

34706. How are officers selected for promotion to 1st and 2nd Assistantships?—It is purely a matter of pay. So far as revenue matters are concerned an officer's revenue duties do not change until he becomes a Collector. An officer begins at Rs. 500, which generally lasts about three years, and then he becomes an acting Second Assistant, which means another Rs. 200.

34707. Would you make a point of selection then?—No, I would not.

34708. What is the next grade of promotion?—Rs. 900 as a First Assistant.

34709. Would you stop at that point? An officer has had eight or nine years' service; is it time for the Government to decide whether he is worth keeping or not?—Yes. If necessary there should be temporary supersession or temporary reversion. It might have a good effect.

34710. You make a general proposition that the Commissioner should disappear and that a Board of Revenue should take his place. Have you seen the workings of a Board of Revenue?—Yes; I was five years in Madras as Postmaster-General.

34711. Do you come very often there in touch with the Board of Revenue?—As an outside officer; and I have studied the Madras system a good deal. Its principal advantages are those of specialization.

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34712. You can divide the work into departments and have a man as Head of each Department. What would that mean?—A much better style of work.

34713. You attach much importance to forms?—I have to in my present position.

34714. Could they not be altered under the present system where you have a Divisional Commissioner?—No. The disadvantage is that I have to consult every one, even the Sub-Divisional Officer, concerning a form, and that might take a year; whereas if you have a Board of Revenue I could consult an individual member and the matter might be done in a month.

34715. You tell us that Commissioners' conferences are of no particular use. How many have you attended?—I have been present at several as Settlement Commissioner.

34716. Do the Divisional Commissioners have a conference every year?—Sometimes; not always.

34717. Who presides?—The Senior Commissioner.

34718. Are the three Commissioners present?—Yes, and myself as regards my own particular subject.

34719. You think these conferences would be of the same value if the three territorial Commissioners became members of a Board of Revenue?—I think we should do more useful work. The result of the present system is that we talk things over and we come away and start on independent lines, so that at the finish we are where we were before. The work of a Board of Revenue would be more definite and final.

34720. (*Mr. Meyer.*) How are your settlements managed now?—By Assistant Collectors mainly, and by Superintendents of Land Records.

34721. There used to be a separate department?—Yes, about 15 years ago; but the system was bound to go.

34722. The present system brings the Civilians into direct contact with the settlement?—It is excellent so far as that is concerned.

34723. Does your Settlement Officer's report go through the Collector?—Yes; then to me; then to the territorial Commissioner; and then to Government.

34724. In the matter of registration have you got adequate powers concerning sub-registrars?—Yes; but the Collector is Registrar.

34725. Does that impose much duty upon him?—Yes. I hope that he will be relieved of that.

34726. Registration is in your opinion a technical matter which it would not be hard for the Collector to be quit of?—Yes. But it depends on the extent of the connection between the Registration and Land Record Departments, whether it will be possible to relieve the Collector of them.

34727. You say that you would like to give the Local Government powers under section 68 of the Registration Act. There is a section which deals with references to the Government of India about establishments?—As far as appointments are concerned there is no trouble under the Registration Act. I submit my reports once a year and they are accepted.

34728. You say that every alteration in any form has to receive the sanction of the Local Government. Is that not very undue centralization?—That is my main point about the Board.

34729. But apart from a Board, surely the Local Government might trust its Commissioners to introduce new forms?—The Commissioners might not always agree.

34730. But does this order affect the Bombay Presidency generally?—Yes. The general order is that no new forms shall be printed. I should like to have the power myself. There are dangers in delegation, but that power might very easily be delegated.

34731. Is it not a fact that the Madras Collector is a much bigger man than the Bombay Collector?—Yes.

34732. What revenue can the Collector in Bombay remit direct without going to anybody else?—He can give suspension in the first place for, I think, two years; but they have altered the rules so much lately that I am not quite sure.

34733. In revenue matters the Madras Collector has greater powers than the Bombay Collector. District decentralization has gone a good deal further there?—I think so.

34734. Have you studied the position of the Sub-Divisional Officer in Madras?—Only in the matter of how he conducts abkari sales.

34735. In Madras the Sub-Divisional Officer lives in his sub-division. In Bombay he tours for seven months in the year, and in the other five he lives at headquarters. It is possible that during these seven months the people who have to do business with him have to be following him about?—There are advantages in both systems, but I prefer that of Bombay, as it keeps the Collector more in touch with his Assistants.

34736. But just as the Commissioner lives in the same place and overshadows the Collector, would not the Collector overshadow his assistants?—No, I do not think so. There are generally four or five of them.

34737. Do you think from your experience in Madras that a collective Board furnishes a counterpoise to Government?—I think so.

34738. And that is more difficult for Government to override a collective Board than a Collector?—Yes.

34739. Have you studied the Sir A. P. MacDonnell's Famine Commission Report?—Yes.

34740. Could the difficulties therein referred to in connection with territorial Commissioners each going on different lines be obviated by a better method of co-ordination?—The work would be better done by a Board. I doubt whether in 1899 in Bombay any one Collector or Commissioner could personally have done the whole of the work.

34741. (*Sir Steyning Edgerley.*) The Commissioner of Sind is always selected from among the Commissioners. The position has really more pay attached to it, and the man appointed is probably the best of the Commissioners?—That may be so.

34742. But probably the other Commissioners are likely to attain to the same position?—No; only one in three or four.

34743. As regards the Board of Revenue, are you acquainted how far the members work together?—No, I cannot say. I understand they meet pretty frequently.

34744. And work in consultation?—I understand so.

34745. Would you be surprised to hear that that is not the impression we have gathered in going through the provinces?—The custom might vary.

34746. And they are moving towards a different system in the Board of Revenue in Bengal?—I have not heard so.

34747. With regard to the question of forms coming up to Government, are these forms numerous?—It is simply a matter of printing.

34748. And there is a man put on special duty with a view to systematizing and remodelling the forms?—Yes.

34749. Have you found it make any difference in the establishments whether the funds with which they deal are provincial or imperial?—No.

34750. Are not the men who really have charge of the spending of the money ignorant of where the money comes from—whether it is provincial or imperial?—I am certain they are.

34751. (*Sir Frederic Lely.*) I understand you propose that there should be a central Board of Revenue which should take in the whole Presidency and be a substitute for the Commissioner. Surely you do not call that decentralization?—I do. The best method of transferring power from

Government to some lower body would be accomplished by the institution of a Board; if you transfer full power to your territorial Commissioner you run a risk of acute centralization.

34752. But your proposal is really a proposal for centralization?—It might be, but there is a good deal to be said the other way.

34753. You say that a Board of Revenue conduces to a better style of work. Do you not mean that it conduces to a better class of office work?—I mean that that particular branch of work is better done by a Board of Revenue than by the territorial Commissioner and his Assistants trying to cope with all branches of work.

34754. By dealing with special branches of work, I presume you mean dealing with paper work?—You do not mean they come more face to face with the people?—No.

34755. Then you do not think that the Commissioner is much wanted?—No. In my opinion the Collector is sufficient.

34756. As a matter of fact a Board of Revenue would not come into such close contact with the people as the Commissioner, and not so much as the Collector?—It could be easily arranged that the Board of Revenue should meet the Collectors and come into close contact with the people.

34757. Would you be surprised to hear that an Assistant Collector of Madras said that he had never set eyes upon a member of the Board for seven years?—I think it would be quite possible for an Assistant Collector at Kolaba or Thana to say that he had not set eyes for seven years upon a Commissioner.

34758. A useful knowledge of the people is only to be obtained by contact with them?—Yes; certainly.

34759. Therefore, as the Commissioner has more general contact with the lower classes, he is likely to know more of them?—Yes, to a certain point.

34760. (*Mr. Dutt.*) You do not approve of the proposal for a general delegation of powers to other Commissioners as has been done in Sind?—No.

34761. And you seem to have your doubts as to the future there?—I am looking to the future. Sind is to be one of the wealthiest parts of India, and I do not know whether the officials will be able to cope with the work under existing arrangements.

34762. You do not think that the existing system of Government is conducive to future progress?—I do not say so at all. Sind is going to progress, and it is possible that the form of Government they have there of the single Commissioner may not be equal to the enormous volume of work which will arise.

34763. Is it generally necessary to reclassify lands before the settlement is undertaken?—We do no classification now except where land has deteriorated.

34764. Are the rates generally published on the spot or made known to the people before they are submitted to the Government for sanction?—Always.

34765. Are any objections offered by the people considered by the Collector and the Commissioner and yourself?—Yes. *Mr G. S. Curtis.* 10 *Mar.*, 1908.

34766. Have the people every opportunity of bringing these questions up for consideration?—Yes.

34767. In this province is the water-rate consolidated with the land-rate?—In most parts. We have two systems. We have the consolidated soil and water-rate; in some parts of the provinces we have the crop and season rate. But the consolidated rate is the simplest.

34768. That is the sub-soil system. The subsoil water system has been remitted as a rule.

34769. (*Mr. Hichens.*) I see that among the functions of the Board of Revenue which you propose you would include that of supervising municipalities. Would you also include education?—No, because there is a specialist in the Director of Public Instruction.

34770. But if you prefer the specialist theory with regard to education, what makes you object to it in the matters of opium, salt and customs?—I object to that because in those instances the supervising official's experience and knowledge might be used for general purposes.

34771. When does a Bombay Collector get his collectorate?—Officers of about 12 years' standing are now acting.

34772. When does an officer become a permanent Collector?—I became a Collector after 17 years' service; I became an acting Collector after 15 years' service.

34773. After what service does a Madras Collector become a Collector?—About the same; but he is a much better paid servant.

34774. What is the area of an ordinary Collector in Bombay?—It varies a good deal. The average area is between 5,000 and 6,000 square miles.

34775. What is the average area of the Madras Collector?—That is much bigger; it runs up to 17,000 square miles.

34776. Do you ever get young officers sent to you for training?—Yes, I get them only for one month at Poona.

34777. Might that time be advantageously increased?—No. I think that they might be trained in their districts by my own men. All the practical work they can learn just as well under the local surveyors as I can teach them at Poona. All that I should have to teach them is the theory.

34778. And besides the training which a young Civilian receives from you as Settlement Commissioner, he receives training in settlement work from your subordinates?—No. I do not know that they do. They are generally put under a senior Civilian to learn their work, and if he knows something about settlement, as he often does, they learn from him.

34779. Should a young Civilian on joining be given a greater amount of attention in the matter of settlement work in the district where he lives in order that he may learn more about the habits of the people than he does?—I do not think so. I do not think it is necessary. I think he picks it up as a matter of course.

(*The witness withdrew.*)

Mr. W. D. SHEPPARD, I.C.S., was called and examined.

34780. (*Chairman.*) You are the Municipal Commissioner for the City of Bombay?—Yes. I have been so continuously for the last three years, and before that for fifteen months in 1901-02. *Mr. W. D. Sheppard.* 10 *Mar.*, 1908.

Three years ago the Commissioners and the Collectors had practically no expenditure to control as they had no funds from which expenditure could be incurred. In the Poona district some Rs. 20,000 were then needed for *petty* necessary works and, as far as I can remember, the district was fortunate in obtaining a grant for the year of Rs. 300. I believe the total sum at the disposal of the Commissioner for discretionary minor works was only some Rs. 2,000. This sum should be largely increased. The obligation of referring almost all petty expenditure in a district for the orders of Government should be removed, and the Commissioners trusted to see that money is not wasted.

The staff ordinarily provided for *mamlatdars'* offices is very rarely sufficient and the pay of the clerks is miserably small, while their promotion is excessively slow.

It seems to me that the time has come to consider whether our present impersonal system of Government by departments has not ceased to be the most

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effective and the most desirable. We occupied the Deccan, the Southern Maratha Country and the Konkan,—after these countries had been harassed for many years by war and marauding bands, and we set ourselves to restore order and evolve conditions favourable to the development of a prosperous and contented peasantry. The raiyat was —as he still nominally is—the object of our greatest solicitude. We found him suffering from a multitude of evils, the spoliation of war, the looting of robbers, the oppression of a corrupt administration. These evils we have gradually removed, till now, without war, with only occasional outbreaks of dacoity, and with an administration which is attentively overlooked, he suffers but little from his original evils. We have, however, during all this time allowed him to encumber his land to whatever extent he might choose, we have introduced our Civil Law under which the money-lender is enabled to extort in safety any interest he thinks fit, and to finally become the real owner of much of the raiyat's land. If the raiyat has gone to law, he has expended as much on his legal advisers as he used in earlier times to devote to the bribing of the officers in power. Economically therefore the raiyat is in much the same position as he was when our protection was imposed upon him, and this in spite of unremitting labour intended for his benefit. For the efforts of Government on his behalf have never ceased. The whole of the land in these countries has been minutely surveyed, valued and assessed. Each holding has been noted on a map. The village accountant has the results carefully recorded in a number of forms. The raiyat has a receipt book. At fixed seasons he pays, or ought to pay, his rent. As a result, therefore, of our system of administration, it is known when and what each raiyat has to pay for the use of his land. What should happen to the raiyat or his land in any ordinary or extraordinary contingency is all laid down either in laws, codes or rules promulgated by Government or the Secretariats, after deep thought and most prolonged discussions.

Meanwhile, from being a more or less permanent officer in charge of a district with almost plenary powers in all matters of revenue administration, and with the fullest powers in all other matters, the District Officer is now an individual, often of very limited acquaintance with his district or its people, with practically *no power at all*—except an obligation to apply in each individual case as it arises some section of an Act or some rule of a code affecting Land Revenue matters. There is nothing for which a raiyat can ask that can be granted unless his request falls among the cases provided for by such Act or code or rule. With one Collector to each million of the population, it is obvious that this enquiry cannot be made by the Collector himself, and it therefore descends through the Assistant or Deputy Collector to the *mamlatdar's* cutcherry, where the necessary statements are recorded after greater or less delay by a clerk on some very small pay. These statements, which may or may not be accurate, are the basis of the Collector's order under some code or rule. As far, therefore, as the raiyat is concerned, the Collector is an officer who is under the obligation to apply to his particular case the rules applicable to that case. He has no other power, except perhaps as a Magistrate. The raiyat should, therefore, regard him, and very probably does regard him, as a person neutrally unobjectionable, but of no great use to him.

The classes above the raiyat are the Baniya and the Brahmin. The Baniya has benefited considerably under our system. He has been shrewd enough to take advantage of our system of civil and criminal law, and is contented to live quietly under our rule. We cannot prevent his taking advantage of the simplicity of the raiyat, when the latter comes to borrow money, and his unscrupulousness in matters of this kind is only limited by the fear that his outraged victims may one day turn ferocious and deprive him of his nose. *Vis-à-vis* of the Collector or other District Officer, he has but few dealings with them and lives a quiet life.

The Brahmin's influence was predominant in the countries under discussion when we first took them over. The Government itself was at that time Brahmin. He has therefore lost his position and his prestige. The more important families have lost their privileges. He has, perhaps, consoled himself by the fact that it is mainly through Brahmin agency that the Government has since been carried on, and that a very large proportion of the civil and criminal posts have been filled from his community. Many Brahmins also have found lucrative employment in the legal profession, while others have derived from education a meagre subsistence. They have not decreased in numbers and have increasingly availed themselves of all educational facilities. They are very largely "unemployed," and having great brain power and but little to do, are rapidly advancing into a condition of discontent. They are too numerous to be overlooked. They too have little or no use for the District Officer. Bound, as he is, by the rules and codes, they know he can do nothing for them that he is not obliged to do if a letter be sent through the post; and as his patronage is small and mostly disposed of by rule, that possibly powerful incentive to acquaintanceship has little or no influence with them. They see in him an ordinary man carrying out prescribed rules and orders with conscientious regularity, but they do not wish to know him, or expect to be able to influence his decisions. They would like to govern themselves and to govern everyone else, though they cannot propound any feasible scheme under which this could be done, nor is there any apparent place for them in a joint administration except as parts of the present Government machinery.

The position therefore seems to be this: that the raiyat's conditions of life are practically fixed, and that no change will be effected in the relations of Government to him unless fresh developments should render necessary some modification of the rules under which he at present lives. That except as an enforcer of existing rules the District Officer is of no use to the raiyat, and cannot prevent him being adversely affected by the operation of the Civil Law. That the Baniya has no use for the District Officer at all, and cannot be prevented from exploiting the raiyat. That the Brahmin is becoming more and more highly educated and more and more resentful of a system of Government in which there is apparently no room for him except as a minor Executive Officer.

What is the necessity for the British District Officer in such a scheme of Government? With little or no original power, with little or no discretion except as to the application of a rule to a case, why should he be chosen to only nominally administer a district? I can reply that it is because he is honourable, capable, very hard-working and ordinarily exceptionally conscientious. If taken away he cannot—except in rare instances —be replaced by Indians who would be as capable and reliable as he. Yet with all his qualities and all his endeavours, the raiyat is poor, the Baniya is indifferent and the Brahmin is discontented. Popular feeling is not with him, and of popular Government there is not a symptom.

Some system should be devised by which the raiyat would become no poorer than he is, that law and order should be maintained while the mercantile and the educated classes might feel that they are being governed in consonance with their feelings and their position. To know that this can be done we have only to look at the Native States, where the raiyat is certainly no poorer than in British territory while all the other classes obtain among themselves that social position and those degrees of dignity which we, British Officers, are so unable to assess or award.

Is there any valid reason why the whole of these countries to which I have referred should not eventually be placed under some Native Ruler? I would advocate the gradual leasing of all these countries to these Native Rulers, making each portion given be a reward for good government in the latters' States, and to be retained so long only as that government was not unsatisfactory. The British Government has itself held Berar on a lease from H.H. the Nizam. On similar conditions we could hand over the districts under consideration. Our paramountcy would not of course be affected, and for purposes of control we could retain in our

hands, as ex-territorial jurisdictions (similar to Bangalore and Secunderabad), such places as Poona and its cantonment, Ahmednagar, Satara (if necessary), Belgaum and perhaps Dharwar. At such centres we would maintain as advisers to the Chiefs and Political Agents of the leased territories a small and well-selected number of British Officers. The duties of these officers would be mainly advisory as far as the leased territorials would be concerned. In the ex-territorial jurisdiction they would exercise the present powers of British Collectors and District Magistrates.

I have made no recommendation for the mere modification of our present system, which might maintain efficiency while drawing more closely into association with the bureaucracy representatives of the various local interests and castes. I do not believe that any useful joint arrangement is possible unless Government is prepared to entirely alter its system and change the Head of a district from a Land Agent and Magistrate tied by rules into the President or Executive Head of a Local Parliament (similar to a Presidency Municipality) with the fullest powers of administration over the whole revenue and expenditure of the area entrusted to its charge. In the present state of India I do not believe that anywhere could a satisfactory local body be formed on these lines—nor do I suppose that Government would ever agree to the devolution to such a body of the powers which it at present exercises through the officers of its bureaucracy.

34781. What is the exact relative position of the Municipal Commissioner to the Municipality of Bombay?—The Municipal Commissioner is the Chief Executive Officer of the Municipality of Bombay, and all proposals for works that have to be done in the city have to come up from him. They may come of his own initiative, or after some resolution has been passed in the Corporation; but nothing can be done without his having to submit financial proposals. The financial question goes through a second body called the Standing Committee, which is the one permanent committee of the Corporation. That body criticises the matter from a financial point of view, and passes it either in the form suggested by the Commissioner or some varied form as approved by them. Then it goes to the Corporation, and they pass orders on which the Commissioner proceeds.

34782. Does the Commissioner attend meetings of the Corporation?—He is not legally bound to do so, but he generally does so.

34783. Is he entitled to do so?—He is.

34784. He does not vote?—No.

34785. He is practically the Executive Officer of a deliberative association?—I think so.

34786. The President is simply the Chairman?—Yes.

34787. On the other hand, the Municipal Commissioner cannot without the assent of the members of the Corporation lay any charge or cess upon the city?—No.

34788. Nor can the Government?—Government can in an extreme case; but it never has.

34789. Would it be possible to extend something of that sort of control to *mufassal* municipalities?—That would depend on the position of the Executive Officer. If he was a man who could be dismissed by the local body whenever they thought fit and if he was to be elected by the local body, his position would be so insecure and he would be so troubled by factions and intrigues and interests that the system would probably fail. But if he was an officer appointed with some certainty of tenure of office and with the approval of Government, the system might be a success.

34790. How is the Municipal Commissioner of Bombay appointed?—By Government.

34791. Is he a Civil Servant?—He is ordinarily, but not necessarily so.

34792. Is he appointed for a term of years?—He is appointed for a term of three years renewable, and he can be removed on a vote of three-fourths of the Corporation.

34793. Whether the Government support his policy or not?—They must remove him then under section 54 of the Municipal Act of 1888.

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34794. (*Mr. Dutt.*) How long has Bombay had its constitution?—The present municipal constitution dates from the Act of 1888. But before that the city had municipal government for many years.

34795. Is there an executive council of the Corporation?—No. There is a Standing Committee which has specific powers given to it under the Act; those powers are mainly financial.

34796. Are the members of the Standing Committee chosen from among the members of the Corporation?—The Standing Committee consists of 12 members—eight elected by the Corporation themselves, and the other four nominated by Government from amongst the Corporation.

34797. What is the total number of the members of the Corporation?—Seventy-two—partly elected and partly nominated by Government. Thirty-six are elected by the seven wards; 16 are nominated by Government; 16 are elected by the Justices; two are elected by the University; and two are elected by the Chamber of Commerce.

34798. Are there any servants of the Municipality whose appointment requires the sanction of Government?—Two—the Health Officer and the Executive Engineer.

34799. With the exception of these two officers the other servants of the Municipality are appointed by the Municipality?—No; they are appointed by the Municipal Commissioner.

34800. Have you also the power of suspending or dismissing them?—Servants drawing more than Rs. 300 a month cannot be dismissed without the approval of the Standing Committee.

34801. Those drawing under Rs. 300 may be treated by the Commissioner as he thinks fit?—Yes.

34802. Have they no right of appeal to the Corporation as a body?—Not legally.

34803. But as a matter of fact can the Corporation pass a resolution reducing their punishment?—No; they could ask a Commissioner to reconsider their case, but the power rests with the Commissioner.

34804. (*Mr. Hichens.*) What independent powers has the Commissioner got? The Corporation I understand cannot force him to take back a dismissed employee. Is he independent in other ways?—He is hardly independent in other ways.

34805. For example, supposing the Corporation passed a resolution that a certain road should be remetalled; would you be obliged to carry that out?—Certainly, if I had the money. But if the Corporation were to pass a resolution which the Commissioner thought was unwise it would be his duty to say that it would cost so much, but he certainly would be obliged to comply with their orders.

34806. There are practically no limits to the resolutions they pass affecting municipal business?—Providing they do not clash with the financial standing rules.

34807. The President does nothing besides preside at the meetings?—He has to conduct the business of the meetings and has to decide points of order, and he generally behaves as a sort of Speaker.

34808. Are you satisfied with the borrowing powers which the Corporation has?—We have no borrowing powers. The limit to which we may borrow is very considerable. It is double the gross assessment of the city. But when we want to borrow anything we have to go through the Government of Bombay up to the Government of India, and I personally should have thought it would be sufficient to go to the Government of Bombay.

34809. (*Mr. Meyer.*) Has the Commissioner power over the municipal clock?—Theoretically he has.

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34810. The Corporation, however, may pass a resolution telling him that clock shall keep different time?—The Corporation have passed a resolution that in all their offices they want Bombay time to be kept and not standard time. I have respected that resolution.

34811. Are you equally bound by resolutions of the Standing Committee? Can they pass resolutions that you feel it incumbent on you to follow? —They only pass resolutions on matters I bring before them.

34812. They have no independent power of initiative?—They cannot oblige me to present a report even.

34813. Anybody can bring anything before the Corporation?—Yes, and if they pass a resolution I must follow it.

34814. Does the law give powers to the Standing Committee apart from financial powers?—Yes; but there are specific powers such as about removing buildings. Say, I order a part of a building to be removed. I may have to get their approval in cases of that sort before the man is forced to pull down the building.

34815. Is there an appeal from the Standing Committee to the Corporation?—No.

34816. The Corporation might pass a resolution saying that the action of the Standing Committee was regrettable?—They might, but I do not think they would.

34817. They might pass a resolution saying that it was desirable to do something different?—I think the President would rule that out of order.

34818. Speaking generally you have got three authorities—the Commissioner, the Standing Committee, and the Corporation. Do they work together harmoniously, or is there friction occasionally?—They generally work harmoniously and there is never any actual friction, but at times the Corporation have been somewhat jealous of the Standing Committee.

34819. The tendency is for the Corporation to encroach on the work of the Standing Committee and not the other way?—The Standing Committee is appointed by the Corporation.

34820. Who is the Chairman of the Standing Committee—the President of the Corporation?—No.

34821. As you put it, he is simply a Speaker?—Yes, except that he has a Secretary who is under him.

34822. Is an annual Administration Report drawn up?—Yes. I prepare it. I summarize the reports of the Executive Health Officer, the Chief Engineer, the Chief Accountant, Assessor and Collector, the Chief of the Fire Brigade, etc.

34823. Do you submit it to the Corporation for approval?—No. I submit it to the Standing Committee for information, and they criticise it.

34824. How far do you deal with education in the municipality?—I am not quite clear about that because there is a separate committee to deal with the subject. It is called the Joint Schools Committee.

34825. Is it within your functions as a Commissioner?—No. I simply find them a sum of money.

34826. Is it the same in other matters?—No; that is very exceptional.

34827. Do you maintain hospitals of your own? —That is a separate question. The Corporation used to make fixed grants to two or three hospitals and one dispensary, but the rest of the money was provided by Government. Now there is a new arrangement by which these institutions are maintained.

34828. Hitherto it has been the Government maintaining them with the aid of a grant from the Corporation and in future it will be *vice versâ*? —The particular institutions which we supported will now be entirely supported by Government, and any new hospitals in addition to these particular hospitals the Corporation will provide.

34829. There has been some discussion as to police matters between the Corporation and the Government?—Yes. The Corporation had to find about 5 lakhs a year for police. That sum was increasing, and the Corporation had no control over the police at all. This was resented by many members of the Corporation, and last year an agreement was come to by which Government took over that head of expenditure while the Corporation has taken over liabilities to the same extent in the shape of medical relief and vaccination. The constantly increasing charges became a burden which we had no chance of controlling.

34830. As regards loans, you say that the Government of India should have nothing to say to the Corporation?—I think the Bombay Government might be empowered to allow us to raise our loans in the local market when the Government of India loans have been satisfied.

34831. You admit then that the big loans of local bodies might interfere with the financial projects of the Government of India?—They might.

34832. But what you object to, really, is the Government of India interfering with the conditions of repayment?—I think if we could keep ourselves to our own Local Government we would be very much more satisfied.

34833. There is always a tendency on the part of local bodies to pass burdens on to posterity?— I do not know; but many local bodies require loans every year.

34834. Therefore, that being so, it is all the more desirable that they should pay them off as quickly as possible?—If you limit the number of years you limit the power of the people to carry out useful and necessary work.

34835. (*Sir Steyning Edgerley.*) The Municipality has to maintain a minimum balance?—Yes. It is one lakh.

34836. And the Municipality is subject to the control of the Local Government?—In certain matters it is.

34837. Have you observed any anxiety on the part of the Corporation to spend down to this limited minimum balance?—It is only on the advice of the Commissioner that it would be done, and no Commissioner would be likely to allow the minimum balance to be less than 10 lakhs. Even twenty lakhs has been considered a desirable minimum balance.

34838. The Local Government would never allow the Bombay Municipality to go bankrupt?—I do not think so.

34839. But at the same time in order to prevent it they do not find it necessary to restrict you in all matters about the budget and so on?—No; they do not even sanction the budget.

34840. But your financial stability is maintained?—Certainly.

34841. It is quite possible without requiring previous sanction for a different class of expenditure to maintain the financial equilibrium?— Quite so.

34842. Then as to this scheme you put forward concerning the Government of the country; it is very analogous to the system enforced in Java?— Yes.

34843. When you were Collector at Poona, were there any schemes put forward with relation to the Chief of Bhor?—Yes.

34844. Were there any proposals to exchange lands with him?—Yes.

34845. What attitude did the villagers take?— I do not know. Up to the time when I left Poona, no village had been selected for exchange.

34846. But supposing your scheme was put into operation, you could not altogether neglect the wishes of the people?—I suppose there will always be people who would object to a change.

34847. But if there were a widespread objection of that nature you would have to abandon it?—I suppose so.

34848. The second scheme which you suggest seems to me to have a very strong resemblance to the scheme of Mr. Gokhale. Do you think that anything in the shape of a District Council to manage the district would meet the case?—A difficulty would be caused by the movements of the Collector.

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34849. Of course that would alter the character of his work?—Yes; it might be possible.

(*The witness withdrew.*)

Lieut.-Colonel T. E. DYSON was called and examined.

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34850. (*Chairman.*) You are Sanitary Commissioner to the Government of Bombay?—Yes; permanently since the 16th of April last year. Before that I acted for 8 months in the previous year.

The gazetted staff of the Sanitary Department consists of a Sanitary Commissioner and 5 Deputy Sanitary Commissioners, each of the latter having a charge which comprises 4 to 6 British Collectorates besides many Native States. The Department, although called Sanitary, is chiefly concerned with the administration of vaccination. In sanitary matters the Deputy Sanitary Commissioners are Advisory Officers in their respective charges, and they also superintend the registration and compilation of vital statistics.

The duties of the Sanitary Commissioner comprise the administration of the Vaccination Departments; the control of plague operations; in times of famine he is responsible for relief measures in their sanitary aspect; and he is a member of the Sanitary Board.

His duties in relation to all questions of public health are laid down as follows:—

(*a*) Watching the sanitary condition of the people.

(*b*) Recording vital statistics.

(*c*) Reporting on the causes, prevalence and prevention of disease.

(*d*) Advising upon such schemes and questions of sanitary improvement as may be submitted for his opinion.

(*e*) Bringing to the notice of the Collector of the district concerned such sanitary defects as may come to his knowledge, together with his suggestions for their removal.

I desire to bring to notice the method of appointing Gazetted Officers to the Sanitary Department. The department is a small one, comprising a Sanitary Commissioner and 5 Deputies. Notwithstanding the recent revision of pay and allowances the department does not attract men; the life and work are not congenial to many, and the ultimate prospects are poor as compared with service in the ordinary medical line. Candidates for civil employ, whether in the purely Medical or Sanitary Departments, are all on the same list; vacancies are filled up in rotation and the Sanitary Department serves as a stepping-stone to civil medical employ for men who have a wish to do sanitary work. It has happened that an applicant for employment in the Sanitary Department is so far down in the list of candidates for civil employ that his chances of gaining his desire, always uncertain in a small department, become practically *nil*, since all the men above him have to be provided for first.

Twenty years ago vacancies in the Sanitary Department were only offered to those who were willing to remain in the Service, and I would advocate a return to the old system so that the Sanitary Department might be recruited in the same way as other specialized departments such as the Jail and Chemical Analyses Department.

The *cadre* of the department is to be shortly increased by the addition of a separate Superintendent for the Vaccine Depôt at Belgaum, and I would further urge the desirability of including in the department all the Port Health appointments in the Presidency.

The port of Bombay has its own Health Officer with a staff recruited from Secretary of State's doctors; and Karachi with its rapidly growing port will soon need a whole-time Port Health Officer. If all the sanitary appointments under the Local Government were linked together in one Service, a department would be created sufficiently strong to afford fair chances of promotion to candidates, a practical certainty of acting vacancies, which have now to be filled by Civil Surgeons as additional charges, and a varied field of work which would attract more men.

A conspicuous example of what may result from over-centralization is afforded by recent orders of the Government of India with regard to the Vaccination Department of this Presidency, and curiously enough these orders have decentralization as their effect. The orders of the Government of India were issued, changing the whole character of the Vaccination Department of this Presidency without any reference to the Local Government as to their expediency or practicability. The right of sole control of the vaccination establishment was taken away from the Sanitary Department, and vaccinators who had hitherto been enrolled as pensionable servants of Government were reduced to the level of Local Board and municipal servants who have no claim to pensions and as a rule receive none.

34851. You are a member of the Sanitary Board?—Yes, only a member, not a Chairman.

34852. How often does the Board meet?—That depends entirely on the business brought before them; sometimes twice or three times a year.

34853. It does not move about from place to place?—No. The meetings are always held at Poona.

34854. Is that a satisfactory system?—I think so.

34855. You never examine schemes brought to your notice as a Board on the spot?—No, I personally see as many of the schemes concerning water supply and drainage as I can.

34856. How many schemes come before you in the year on the average?—Really we have only just begun. There are but half a dozen being made up now, and probably there are a dozen or fifteen more under consideration.

34857. The Secretary to the Public Works Department is one of your members?—Yes.

34858. When he attends the Board does he give a fairly close attention to the schemes?—He goes through them with the Sanitary Engineer.

34859. Is there any necessity, therefore, for referring a scheme after it has left the Sanitary Board to the Public Works Department?—I think it is still necessary that all Public Works schemes have to go through the Public Works Department. As a member of the Board the Secretary to the Public Works Department criticises schemes at the Board, and they come to him as Chief Engineer.

34860. After the first consideration by him as an individual member of the Board, does it require his subsequent consideration as the Head of a Department?—He cannot, as a member of the Board, go into every detail of large schemes of water and drainage.

34861. Cannot they be considered at a meeting of your Board?—That would take too long.

34862. It would give the members of the Board too much to do?—I do not say that. There are questions he would go into that it would not be necessary for the other members of the Board to attend to—details connected with Public Works work.

34863. Are these schemes examined before they come up to your Board by any competent Engineer?—They are made out by the Sanitary Engineer before they come to the Board.

34864. The technical details are examined by an expert before they come to the Board. They are

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examined by four experts at the Board, and then they have to be examined by another expert after they leave the Board?—The details have to be individually gone through, which would take hours.

34865. Is that not all done by the Sanitary Engineer before they come to the Board?—Yes; if Government is prepared to accept his estimates for the work, that would be sufficient.

34866. Is the Sanitary Engineer under your orders?—No.

34867. Is he generally a competent officer?—Yes.

34868. Would his criticisms not be sufficient for the Board?—I think they would.

34869. Have you any relations with the Sanitary Commissioner to the Government of India?—Only unofficially, except as concerns the submission of monthly returns to him.

34870. You submit certain monthly returns under whose orders?—The orders of the Government of India.

34871. Do you have much official correspondence with him?—No; very little.

34872. Does he attempt to interfere with your Department?—Not at all.

34873. As far as you are concerned there might be no such an officer in existence?—I do not say that. There have occurred, and may occur, questions which prove him very valuable to the Government of India. One is that the pay of the department was re-organised about 3 years ago and raised, and the original proposal of the allowances to Sanitary Officers was negatived at the time, but it has since been admitted.

34874. So that he has rather stood by the Sanitary Department?—Yes.

34875. That is the principal use he has been to the department as far as Bombay is concerned?—So long as I have been Sanitary Commissioner, yes.

34876. Are candidates for sanitary employment interchangeable between the Sanitary and Medical Departments?—Not when they are permanently enlisted in these departments.

34877. But up to that time?—There is no rule hindering a man going back to the Medical from the Sanitary Department.

34878. An officer goes from military employment and he can be employed as a Medical Officer or a civil Sanitary Officer?—According as his position is.

34879. A man therefore may be a very considerable medical operator, but that is swept on one side and he is sent to be a Sanitary Officer?—Not as a rule, because although he may be gazetted to the Sanitary Department, if he does not wish to act, and another officer is available, they are exchanged.

34880. If there is no substitute available?—He would have to give up his medical work until there was another vacancy.

34881. Is that a good system?—No, I do not think so. I would prefer men enlisted for the Sanitary Department.

34882. Have you any power of veto upon persons sent to your Department?—None at all.

34883. Does that matter lie with the Local Government or the Government of India?—The Government of India.

34884. You suggest that the whole of the Sanitary Service of the Local Government should be linked together. Why do you want that?—To make a complete Service of it in itself. It would be a very small Service. It would not be more than 8 or 10 appointments, but at present the Port of Health Officer of Bombay does not come under the department at all. He is under the Bombay Government.

34885. And at Karachi?—There is no separate Port Health Officer there. The place is not at present big enough to maintain a separate Port Health Officer.

34886. (*Sir Frederic Lely.*) What is the official connection of the Sanitary Commissioner with the District Board?—I do not think he has any official connection whatever.

34887. Does he hold any communication with them at all?—Not with the Board. He does with the President of the Board—the Collector.

34888. His duties are advisory?—Purely advisory, in connection with any improvement in the sanitation of towns or villages outside the municipal areas—improvements in water-supply or the cleanliness of the villages or the drainage.

34889. He returns vital statistics?—Yes, they are compiled in his office.

34890. Does he superintend vaccination?—That is his main work as an officer of Government.

34891. What disciplinary control has he over the vaccinators?—Any representation made about them that they are not working satisfactorily in the opinion of the people is made to the Deputy Sanitary Commissioner, and every attention is paid to it. If necessary the man is removed from that particular place.

34892. The vital statistics are collected by the police?—By the village headmen.

34893. Have the police anything to do with it?—Not at all.

34894. In the case of municipalities what connection has the Sanitary Department with the municipality?—In the course of tours we inspect.

34895. And have you no further connection with them at all?—Not in connection with sanitation. They have the control of the vaccinator in the municipalities in the same way as in the District Boards.

34896. Some change has taken place lately in the position of the vaccinators?—An order has been issued. That has not yet financially come into effect. It will take effect from the 1st of April.

34897. Will it have any effect other than financial?—It will give local authorities complete powers over the vaccinators.

34898. Do you mean to say the disciplinary control which now rests with the Sanitary Board will cease?—Not altogether, but it is quite conceivable it will be seriously interfered with.

34899. You cannot say yet how it will work out?—No.

34900. In the case of an outbreak of some violent epidemic, such as cholera, have your officers any direct power at all?—Nothing except advisory.

34901. Would the Deputy Sanitary Commissioner go to the place if it was a bad enough attack?—Yes, and he would advise what measures should be taken.

34902. Do you think that the number of officers who have to tour in the year and the amount of kit they have to carry impose a burden on the people?—I think it does, and that it falls particularly heavy on certain areas. There are recognised places which are used as camps. I have known half a dozen officers in the cold weather visiting the same village.

34903. And in addition there are a large number of subordinates touring?—Yes.

34904. Do they constitute a burden to the people?—I do not think so. They pass on from village to village more quickly.

34905. (*Mr. Dutt.*) You have five Deputy Sanitary Commissioners under you?—Yes.

34906. And their charges do not exactly correspond with those of the Commissioners of divisions?—Not exactly. There is a sanitary inspector in each district, and sometimes in the larger districts there are two.

34907. They are also paid by Government?—Yes.

34908. Do District Boards employ any Sanitary Officers under them?—Not to my knowledge.

34909. Nor do municipalities?—Some of the municipalities have their own inspectors.

34910. So that all the sanitary work of the district has to be done by your sanitary inspector?—As a matter of fact it is very little. His chief work is inspecting vaccination.

34911. At the same time, when he visits villages does he note any defects in the sanitation of the villages, and forward these to the Collector as Chairman of the District Board?—Yes. But that is not done so much since the introduction of village sanitary books, in which the entries are now made, and any notice that is taken of these is taken by the District Officers in the village.

34912. Is there a village sanitary book in every village?—No.

34913. But there are many important villages which keep them?—They are not always the important villages. Some very small villages have them.

34914. What is the principle on which they are distributed?—I do not know.

34915. Supposing your inspector visits a village in which there is no book, does he send his report to the District Collector?—Yes.

34916. When the Sanitary Commissioner with the India Government was appointed, was it not the original order that he should correspond unofficially with the provincial Sanitary Commissioners?—Yes.

34917. And that order was changed three or four years afterwards and he was allowed to correspond officially with the sanitary Head of the province. What was the reason why the order was changed?—I do not know the exact reason unless it was considered that official correspondence would be sent to the Government without passing between the provincial and the imperial Sanitary Commissioners, unknown to the Local Government.

34918. You are aware that is the subject of complaint by the Bombay Government?—Yes, but that is only a copy of a letter.

34919. And the order passed in 1907 stands now?—Yes.

34920. You say that the Sanitary Commissioner to the Indian Government has been a useful ally to you?—Yes, in the matter of allowances to Sanitary Officers.

34921. But in the general sanitation of the province or in the suggestion of sanitary improvements, has he been of help?—I do not think there is any necessity for an imperial Sanitary Commissioner in that connection.

34922. As a matter of fact has he been of any help to you?—No.

34923. In the matter of plague, for instance, or other epidemics in this province, have you been in communication with him, or have you received any help or advice from him?—No, none at all.

34924. (*Mr. Meyer.*) Are you aware that the Bombay Government have occasionally asked for the advice of the imperial Sanitary Commissioner on various questions?—I am not aware of that.

34925. Has the imperial Sanitary Commissioner been down here in your time?—Not in my time.

34926. He has been before, perhaps?—He was here, I think, two years ago, or less than that.

34927. As regards official and unofficial correspondence, have there not been recent orders referring to the unofficial correspondence?—I have not seen them.

34928. You desire to include Port Health Officers and other people in one large Sanitary Service. The Imperial Sanitary Commissioner went a bit further and said he would like to make an Imperial Department and that the Sanitary Officers should be appointed by the Government of India?—I think that would improve the department.

34929. But might it not be said, on the other hand, that it would rather weaken the power of the Local Government?—No, if there was a proviso that the Local Government managed their own sanitary affairs themselves.

34930. You do not think it would matter if the Government of India selected the officers originally. But would you give them a voice in the subsequent promotion?—I should leave the control, including promotion, to the Local Government.

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34931. But originally they should be recruited by the Government of India?—Recruited from the whole of the Indian Medical Service or outside sources.

34932. Regarding this order about vaccinators, the District Boards, you have told us, pay and still pay for the vaccinators. It has been put before us as a sound principle of devolution that powers should come down to the lowest authority that is capable of exercising them. There is also another princivle which has been largely accepted; that the power that pays for an officer should control him as far as possible. Does the present system in Bombay agree with these two criteria?—I should make Government pay for them just as they pay for the Medical Department.

34933. You think that if Government wishes to control the vaccinators they should pay for them. On the other hand if the District Boards pay for them should not the District Boards have control?—Theoretically that is a good principle, but it would lead to a sacrifice of efficiency.

34934. But if the vaccinators are paid by District Boards they should be regarded as District Boards' servants?—Quite so.

34935. Therefore the Local Boards' servant should look to the Local Board and not to the Government?—Yes.

34936. What control have you over Local Board budgets in the matter of sanitary works?—None at all.

34937. Therefore, as far as you are concerned, a Local Board might spend nothing in sanitation?—Yes.

34938. Do you think village sanitary committees do much good?—I am afraid they have not been a success.

34939. How are they constituted?—A village committee for one village, and the village Board may include a group of small villages.

34940. But it is merely a question of name and area. The powers are the same?—The Boards have slightly larger powers. They may have a sanitary inspector and may do more work.

34941. But how do they get their funds?—Half the money comes by voluntary contribution, and the other half is from provincial and local funds in the proportion of one-sixth and two-sixths, the local funds paying the latter, which depends entirely on the village contribution.

34942. Do the villagers raise much in the way of contribution?—In some places there is quite a fair amount, but nothing equal to what is required to do effective work.

34943. Do they agree to levy a cess or do they open a subscription list?—It is voluntary subscription.

34944. There are two ways of doing that. People can meet and agree to pay a general levy or open a subscription list?—I think they get according to what people will give. I do not think there is any regular cess.

34945. Then local committees have the administration of these funds?—Yes.

34946. Are these committees non-official usually, or are they run by the *mamlatdar*?—As a rule they are non-officials. Occasionally where the *mamlatdar's* headquarters happen to be at a small place he may be Chairman of the Sanitary Committee.

34947. And what do they do with the money? Do they employ scavengers and keep the street clean?—They do as far as they are able, but it is inefficiently done and inefficiently looked after.

34948. Do they rise to lighting the town, or is it a matter simply of sanitation?—In some cases attention is given to both matters.

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34949. Is the institution popular among the people?—Very unpopular, because they get very little for their money. They do not like it because the members of the committee do not seem voluntarily to take to the work.

34950. Would you like to abolish these committees?—Better work might be done in other ways.

34951. Through the direct agency of the *taluka* Boards?—Generally *taluka* Boards have one or more sanitary officers.

34952. We have heard a good many suggestions about villages receiving certain grants from which they should among other things look after wells and drinking water tanks. Would that work here in Bombay?—No, I do not think they would spend it to the best advantage. They have wrong ideas as to where a well should be placed in a village. Their idea is to select in the first instance a spot most convenient to themselves.

34953. You do not think they are sufficiently advanced to work the principle?—No.

34954. (*Sir Steyning Edgerley.*) Has the Sanitary Board time to meet wherever it likes?—I think so.

34955. Did they not consider the outbreak of cholera at Pandharpur in 1904?—Certainly.

34956. They can go to a spot if they choose?—Certainly.

34957. (*Mr. Meyer.*) In this Presidency the Sanitary Commissioner is subordinate to the Surgeon-General. In other provinces he is independent. Do you agree with the present system?—I think he should be independent. The Surgeon-General in administering purely medical work has quite sufficient to do, apart from any question as to fitness for sanitary work.

34958. It is a question of division of labour, really?—Yes.

34959. (*Chairman.*) Under the existing arrangement a sanitary scheme is outlined by the District Board and the Collector, is put into shape by the District Engineer, is administratively considered by the Commissioner, technically considered first by the Sanitary Board and then by the Secretary in the Public Works Department, then administratively sanctioned in the Municipal Department, and financially sanctioned in the Finance Department and possibly in Council?—That is so.

(*The witness withdrew.*)

Mr. V. C. FRENCH was called and examined.

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34960. (*Chairman.*) You are the Examiner of Public Works Accounts?—Yes, I am solely concerned with the Public Works Department.

I would recommend for the Local Governments of Bombay and Madras full financial powers in the case of provincial funds, limited only by the funds available. A reference might be advisable, however, to the Government of India in cases where personal interests are concerned, such as an increase to the salary of an officer, the enlargement or improvement of churches, &c. Even a Local Government is liable to be prejudiced for or against a certain case in proportion to the popularity or otherwise of the officer whose personal interests are concerned. Other Local Governments and Administrations might have powers extended, but to a lesser degree according to their importance.

So far as imperial funds and funds pertaining to divided heads are concerned the powers of the Bombay and Madras Governments might be extended to the powers at present enjoyed by the Government of India. Full powers in these cases are not recommended as it is inconceivable that the Government of India should have no voice in the disposal of imperial funds.

In the Public Works Department the only works carried out from loan funds are railways and irrigation major works, ordinarily called in both cases productive Public Works, these being works which may be expected within a reasonable period after their completion to give good return for the outlay incurred upon them. In no single case to my knowledge has the Secretary of State refused to sanction such works that have been properly estimated as "productive." In the case of productive irrigation works money has been freely given and the complaint has generally been that the department has not been able towards the close of an official year to spend all the money allotted to such works. Under the above circumstances the advantage to the Local Government to be gained by having borrowing powers is not apparent. Moreover, there is not the least doubt that on occasions the arrangements for borrowing made by different Local Governments would clash and probably result in a tightening of the money market.

The limit for sanctioning new gazetted appointments, and to which enhancement of salaries in existing appointments is permitted, might be raised with advantage to Rs. 500. Experience has shown that the Government of India is averse to refusing sanction in such cases.

The case of non-gazetted appointments is somewhat different. Salaries given elsewhere for subordinate work are not easily ascertainable, and therefore raising the present limit of Rs. 250 is not recommended, as the Government of India, from its knowledge of the price of labour in other provinces, has the best means of deciding what salaries should be given for any particular kind of work done.

Restrictions in regard to deputations in Articles 78 and 79 of the Civil Service Regulations might be removed.

I consider it sufficient in the case of matters relating to an important Local Government like that of Bombay for the Government of India, by code rules or orders, to lay down the general principles to be followed. It should be left to the Local Government to carry out such orders having at the same time the discretion to make exceptions in particular cases that, in their opinion, merit special treatment. It may perhaps be advisable for the Local Government to submit to the Government of India a periodical report, say once in three years, of all exceptions to any rule or order granted by the Local Government.

As must be expected there is uniformity, but this is not in the direction of excessive rigidity. The Government of India has always appeared to be willing to favourably consider a case that has been clearly and strongly placed before it.

I consider that Directors and Inspectors-General should merely be Advisory Officers both to Local Governments and to the Government of India. The experience of other provinces they bring with them must be of the utmost value to the Local Governments in connection with the works and departments inspected. Inspectors-General should be allowed to issue no orders themselves to Heads of Local Government Departments. Any orders necessary should come through the Government of India. Inspectors-General and Directors should spend more time with each work or Department of the Local Government inspected than is at present done.

I would not recommend an interference with the present rules, the right of appeal to a higher and unprejudiced tribunal is absolutely necessary to the ends of justice.

So far as my office is concerned there is a *net* increase of three returns within the past ten years, but it cannot be ascertained whether this is due to the requirements of the Secretary of State or of the Government of India.

Executive Officers have sufficient opportunities for personal contact with the people, but a very large proportion of them do not take advantage of these opportunities. One of the reasons for this is the want of interest the average Englishman displays in the alien race; another very strong reason is that 90 per cent. of the natives of India either try to take advantage of any act of friendliness or consider such act is done with some

ulterior object, as the majority of natives are unable to understand a disinterested act.

Many Executive Officers have a perfect knowledge of the vernacular, but the majority have not a sufficient knowledge. In the Public Works Department sufficient stress is not laid on the colloquial part of the vernacular examinations, and the first or colloquial examinations are not wide enough. I have known officers to be held to have passed a colloquial examination on a mere smattering of stock phrases picked up from occasional conversations with their *munshi* and their servants.

Greater care in selection should be insisted upon. Owing to long residence in India and consequent diminution of health, an officer's powers frequently fail just when seniority establishes for him a claim to betterment.

34961. You recommend that Bombay and Madras should have full financial power in the case of provincial funds. Do you mean that the other Governments should not have those same financial powers?—Financial powers would naturally be less in the smaller provinces. You would not expect the Central Provinces, which is a small administration, to have the same financial powers as the Government of Bombay. It has not the same spending capacity, for instance.

34962. Within the limits of its revenue is there any reason why it should not have the same measure of financial freedom as the Governments of Bombay or Madras?—Within its revenues it might have the same.

34963. Is there any particular reason why a distinction should be drawn?—No. My opinion was that the more important Governments should have the more important powers.

34964. Is it a question of a Governor in Council or a Lieutenant-Governor; or what differentiates the Government of Bombay from the Lieutenant-Governor of Bengal?—The Lieutenant-Governor of Bengal is an individual: the Government of Bombay is composed of a Governor and Council.

34965. That is the distinction you draw?—Yes, that is the distinction.

34966. The Government of India is averse to giving sanction to new appointments. Is that because the Government itself has not got the power? Until recently it could only sanction appointments up to Rs. 500?—Until recently it could not go up to Rs. 500.

34967. Have the Government of India given you the full powers that they have themselves?—No, the Local Government have only power to sanction appointments up to Rs. 250 a month.

34968. There are all sorts of differences of limit as to what Superintending Engineers can sanction in the way of estimates and the accepting of contracts, whether the expenditure is from provincial or imperial funds or whether it is local. Is there any reason, from your point of view, as an Examiner of Accounts, why that distinction should continue?—No, not for a Superintending Engineer.

34969. You are a Public Works Accounts Examiner, and there is no reason from your point of view?—There is no reason.

34970. So far as your office is concerned there is a net increase of three returns in the last three years. What are those returns?—I cannot say exactly. We have had certain returns abolished and others introduced.

34971. Have you anything to do with the Inspector-General of Irrigation?—No, except what I see on paper.

34972. Is there any other Inspector-General in the Public Works Department?—No.

34973. Does the Inspector-General of Irrigation issue orders?—No, I have not seen any orders issued by him.

34974. (*Sir Steyning Edgerley.*) You say that you see no objection in leaving the Local Government discretion to make exceptions in particular cases meriting special treatment subject to a triennial report. Do you think that the triennial report would suffice?—I did not put down the limit of 3 years for any particular reason, but the Government of India should have a periodical report.

34975. So that they might see what is being done?—The Government of India should see whether any of their rules were being taken advantage of, and whether the exceptions granted were more than desirable.

34976. And it would also enable them to relax rules which were unnecessarily strict?—Yes.

34977. Have you ever had a regular overhauling of Public Works accounts from outside?—We have had our accounts inspected by a Civil Accounts Officer.

34978. Is that the usual thing, or was it a special inquiry?—The usual thing.

34979. Is the form of Public Works audit unnecessarily detailed for the purpose of security regarding expenditure?—No. I think if the Public Works got all its restrictions adhered to, the audit is not too deep.

34980. Do the codes, as they exist, provide too much audit for the safety of the Government funds?—I do not think so.

34981. You would not be prepared to recommend any simplification?—No, I consider the system itself as laid down in the Public Works Code quite simple and suitable. Difficulties and bulk of work are the result not of any weakness in the system itself, but of the manner in which the system is applied by the several officers responsible for its working, and the bulk of work is due also to the fact that the full latitude allowed by the rules is not always taken advantage of. As an instance of the latter the Public Works Code rules require the record of outlay to be kept *by sub-heads* for ordinary works and repairs that cost Rs. 2,500 and above. It is, however, left to the Local Government to raise this figure to Rs. 5,000. This latitude has been taken advantage of by the Bombay Government, only lately. The raising of this limit decreases the amount of work in an Executive Engineer's office considerably. Another factor which has helped to swell the volume of accounts work, and has caused it to steadily increase in bulk in the course of time, is the tendency on the part of conscientious Audit Officers towards ultra-refinement in audit. Extensions of audit in details have been introduced from time to time without consideration that the increase of efficiency gained thereby is by no means commensurate with the increase of work involved. As an instance it was lately found possible in the Bombay Public Works Department to require the record and accounting for repairs to buildings by *groups or classes only*, for buildings other than residences, instead of as hitherto by individual buildings. The latter system introduced many years ago, though in itself desirable, was found not to be absolutely necessary for the purposes of audit, and is not required by the Public Works Accounts rules. The reversion made lately has considerably reduced accounts work in all offices concerned. And if the Government of India could be prevailed upon to abolish the, to my mind, unnecessary return "The Capital and Revenue Account of Government Buildings used as residences" (which abolition would in itself make a great reduction in work) the change lately introduced could be extended to residential buildings also. Yet another instance of the way unnecessary work is done: In the United Provinces the abolition is being considered of a system which has grown up of keeping registers of works in both the District and the Divisional Public Works Offices. It is necessary that this record should be kept in one office only and it is not known how the system of an unnecessary double record came to be adopted. I give these instances to show that it is not the system of Public Works Accounts as laid down by the code rules that is at fault but the application of that system that is responsible for much duplication of work.

34982. Except your detailed schedule of proposals you have no other suggestions to make?—No.

34983. One witness suggested that allotments might be made not only to Commissioners but to

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Collectors to carry out Public Works and another tells us that that would probably lead to great difficulty in the matter of audit?—Yes, it would lead to increase of audit.

34984. So what you would save by allowing the Collectors to have little sums to play with in their districts, would be lost in extra trouble in the audit?—That might possibly be so.

34985. Any way you would have to consider that before adopting such a scheme?—Yes.

34986. (*Mr. Meyer.*) Why should it give greater trouble in the audit?—The larger the number of sanctioning authorities the greater would be the amount of correspondence involved.

34987. But take the Commissioner. Supposing a large part of the provincial funds went to the Commissioner, how would that materially affect audit matters?—We should have to consider each Commissioner separately.

34988. As to whether he was not outrunning the constable?—Not only that. We should have to see that his sanctions were not exceeded by those under him. The Commissioner would sanction a certain sum for certain minor work. We should have to audit on this sanction.

34989. But even now the Commissioner sanctions a certain amount and that appears in the Public Works budget?—Yes, but so far as minor works are concerned we can limit them altogether.

34990. Supposing the Commissioner had power to sanction Rs. 50,000 for a new road or a new tank, would it matter to you?—No, it would cause more work.

34991. On the other hand, in the matter of minor works, where there would be a larger working audit, it would save a good deal of delay and might be more satisfactory if the sanctioning authority were lower down than it is now?—I do not think it would save delay; it would probably add to it. Take the work at present sanctioned by the Local Government. We have all their sanctions practically beneath our eye. Where you have several Commissioners making sanctions it would necessarily increase the work.

34992. From the public point of view, do you not save considerable delay in the matter of sanction?—I do not know, because the estimates would still have to be sanctioned in the Public Works Department.

34993. Might you decentralise considerably in the matter of passing estimates?—That is being proposed at present.

34994. How far can a Superintending Engineer sanction now?—He can up to Rs. 10,000. The proposal is to increase his sanction to half a lakh.

34995. What power has the Commissioner to sanction buildings?—Up to Rs. 2,500 and it is proposed to raise it to Rs. 5,000 in Bombay. The Rs. 2,500 is for minor works under his own charge only.

34996. You have said you do not insist on a 3-years' list of sanctions?—No, I simply put that down as a convenient period.

34997. Would it not be very inconvenient? Suppose the Government of India wanted to stop some allowance which the Local Government had granted, would you not have got almost a vested interest in it?—No, it would be simply in the power of the Government of India to stop the Local Government's power being abused.

34998. If the Government of India is to interfere in that way, should it not be the sooner the better, both for the sake of the public and of the officers concerned?—Yes, but that is a very extreme view.

34999. You have seen a great deal of human nature in your career as an audit officer? Do you find that a man usually takes as much care of the Government money as he takes of his own?—No, he certainly does not.

35000. And when it comes to a Local Government dealing with its own money would it take as much care of it as it would of the Government of India's money if it came to expenditure?—I do not quite understand.

35001. Somebody comes up and says, "I want more appointments in my department." If that is entirely within the financial responsibility of the provincial Government, it finds, if it gives in to that request, that it is cutting down its surplus. But if it is the Government of India who will bear the expenditure, might not the Local Government sanction the charges somewhat more freely?—It might possibly.

35002. As a student of human nature from the audit side, do you think it would?—Possibly it would; I should not like to say that a broad-minded Local Government would.

35003. Are not some people very broad-minded with other people's money?—Yes.

35004. As regards the construction of houses for officers from provincial funds, if you give an officer for Rs. 100 a month a house which under commercial principles you should charge Rs. 200 a month for, you are really adding to his salary?—Possibly, but you also may be adding to his expenses. He would want a bigger establishment to keep up a bigger house, and he might thus be involved in a larger expenditure than might otherwise be the case.

35005. Has Bombay got a separate Public Works Code?—No. We follow the Government of India one.

35006. Is that the case with Madras also?—I think Madras has abolished its separate code.

35007. With the possible exception of Madras, there is otherwise one imperial code for the whole of India?—Yes, I think so.

35008. (*Mr. Hichens.*) You make some distinction with regard to the limit of salary for ordinary gazetted appointments under provincial Governments as against non-gazetted appointments?—Yes, because in the case of gazetted appointments each Local Government has definite lists, and these lists are published, whereas in the case of non-gazetted officers they have no idea what other Governments are paying for certain work.

35009. If an appointment of the kind was to be made the pay would depend very largely on the local conditions?—Yes, to a certain extent.

35010. Therefore the Local Government would know those best?—Yes.

35011. They certainly might prosecute inquiries as to what was paid elsewhere?—They could do that.

35012. They could satisfy themselves quite easily on the point in that way?—I do not know about "quite easily." They would have to refer to other provinces.

35013. There would be no difficulty in finding out?—If the Local Government would take the trouble to do that it would be an easy matter.

35014. But they would not object to take the trouble?—I think they would proceed on their own ideas of what a fair salary would be.

35015. But supposing they had a fair idea of what the salaries were elsewhere, would you allow them to have the same powers?—I do not think the matter is of much importance.

35016. You do not lay much stress on that point?—No.

35017. Would the best plans be that each Government should have its own regulations based on general principles laid down by the Government of India, or would you retain the present system whereby the regulations are those of the Government of India?—I should retain the present plan.

35018. If the Government of India laid down the broad principles, who would lay down the detailed rules?—The detailed rules are laid down at present. I suggest that only in the case of exceptional circumstances should any departure be made from these rules.

35019. You would allow the Local Government to make that departure?—Yes, if the circumstances were exceptional.

35020. Are the restrictions in regard to the grant of pensions excessive at the present time?

In your experience have you come across a large number of cases which have had to be referred to the Government of India?—No, I have not come across many.

35021. Are pensions a matter in which reform is desirable?—I think so.

35022. As between one province and another?—I think as between one Service and another. As between one province and another there is uniformity already.

35023. It might be desirable that a man should be allowed to retire earlier in one province than in another, or owing to the differences in climate a different rate of pension might be allowed?—There might be different conditions.

35024. Therefore, if certain broad general principles were laid down, would it not be possible to apply to pensions the suggestions made in regard to other regulations, leaving it to the discretion of the Local Government to carry out the general principles?—Yes, that might be possible.

35025. Take the case of a policeman who is killed in the execution of his duty under distressing circumstances, leaving a widow and children. It might appear in such a case that the pension was inadequate. Would you allow the Local Government to give any pension they liked under these conditions?—Yes, I would. But such cases would have to be very carefully looked into by the Local Government.

35026. But is there any reason to suppose that they would neglect to look into such matters carefully?—There has been no opportunity in the past of looking into them at all; the rules are so hard and fast that they work automatically.

35027. Any exception has to go to the Government of India?—Yes, and possibly to the Secretary of State.

35028. Might there be a good deal of relaxation?—Yes.

35029. (*Mr. Dutt.*) You would give Local Governments discretion in cases of exceptional hardship, but you would not make different rules for the different provincial Governments for the same Services?—I do not see how the latter could work.

35030. Take the Covenanted Service, for instance?—You would not make one rule for Bombay, one for Madras, and another for Bengal?—No; there should be uniformity.

35031. And if you have not uniformity there might be discontent?—It would cause grumbling, of course, about pensions as about any other matter. If one Government was very liberal about pensions the people in another province would feel annoyed if they had not the same privileges.

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35032. Is your appointment in the Accounts or the Public Works Department?—My post is in the Public Works and the Accounts, both. I am adviser to the Local Government in the Public Works Department, and I am also an Accountant under the Government of India.

35033. You are aware that most of the big works done by District Boards in this province are done by officers of the Public Works Department and that a certain percentage is paid to Government for the services of these men?—Yes, 12 per cent.

35034. Is that a fair percentage for the service of the Public Works Department?—In many cases it is a good deal too liberal.

35035. Might it be reduced?—No, it ought to be increased. It is too favourable to the Local Boards, taking into account the Public Works establishment.

35036. What is your opinion as regards the desirability of the Local Boards employing their own Engineers as they do in other provinces of India?—I do not think that the works of the nature which Local Board have to carry out would in many cases be of such dimensions as to justify the employment of an Engineer, that is, in the Bombay Presidency.

35037. But suppose they had sufficient work and they had a sufficient income would it not be desirable to have their own men who could go here and there at their own pleasure, instead of their relying upon the convenience of the Public Works Engineer?—The present arrangement is satisfactory.

35038. Have you any knowledge of the Engineering College in this province?—Not here. I went through the Engineering College at Roorkee.

35039. Does the Bombay College teach up to the same standard as Roorkee?—I think so.

35040. Have you many clerks under you?—I have 56 clerks under me, and 48 accountants.

35041. Are your clerks and subordinates in a habit of making frivolous appeals against your orders?—I have had no appeal against me yet.

35042. You are not in favour of having any restrictions placed on the right of appeal?—No.

(*The witness withdrew.*)

Adjourned.

FIFTY-SIXTH DAY.

BOMBAY, *Wednesday*, 11*th March*, 1908.

PRESENT:

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

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

The Hon. Mr. W. L. CAMERON was called and examined.

35043. (*Chairman.*) You are Secretary to the Bombay Government in the Public Works Department?—I am. There is a Joint Secretary for Irrigation along with me.

In the case of the provincial budget and expenditure this Government should be entirely independent of the Government of India. The budget should issue on the responsibility of this Government only, and should be only communicated to the Government of India. If any changes are subsequently required and a supplementary budget become necessary, it likewise should be only communicated to the Government of India without explanation.

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In the matter of sanction to expenditure from provincial revenues this Government have the same powers as the Government of India possess with regard to imperial expenditure, but all estimates for works costing more than 10 lakhs of rupees have to be submitted to the Government of India for sanction. If the sanction of higher authority be required it should, in my opinion, be that of the Secretary of State only. But the time seems to have come for raising the limit up to which the Local Government can sanction estimates for provincial works. A Government that is fit to be a Government can be trusted to see whether, taking into consideration the resources at its disposal and the demands in different parts of the Presidency, a certain work should, or should not, be undertaken. It may be argued that the Government can be trusted, but it may not be advisable to repose such confidence in the technical adviser of Government. If the Chief Engineer is not fit for his post he should give way to one who is, but the fear that he may be incompetent should not result in the curtailment of the powers of the responsible Government. In cases of difficulty the Local Government should be encouraged to obtain the advice of the Consulting Engineers to the Secretary of State or of any private engineer in any part of the world who has made a name in the particular branch of engineering concerned. Ordinarily, however, complex questions do not arise. Plans are now in course of preparation for a new jail in Bombay. There is nothing complicated in the design of any one of the buildings, but owing to the large number of buildings required, the high prices ruling in Bombay, and the cost of the land and of the filling necessary, the total cost of the jail will exceed 20 lakhs, and this Government have not the power to sanction the work, and the estimates must be submitted to the Government of India and the Secretary of State. If any limit is necessary to provincial expenditure on any one work without reference to higher authority, it might be fixed at 100 lakhs for works only and estimates exceeding the limit should be submitted direct to the Secretary of State without troubling the Government of India.

Full powers should be given to the Local Government in the accommodation to be provided for, and the rent to be recovered from, Government Officers when residences are constructed from provincial revenues. An objection may be raised that different standards may be set up in different parts of India. But under the existing rules there must be different standards. In the Bombay Presidency rates are high and the same accommodation cannot be provided within the limit of permissible expenditure as in other parts of India where the rates are low. Another objection may be that in the same province there may be different standards; the Government of India, among whose officials there may be no one acquainted with the local conditions, may have views with regard to accommodation and rent in the case of residences built from imperial funds which do not coincide with those of the Local Government. The solution of this difficulty would be for the Government of India to leave to the Local Government all matters of this nature.

Divided heads of account are in two ways objectionable: (*a*) they may give rise to irritating interference; and (*b*) they may be the cause of expenditure in any particular direction not proceeding as rapidly as the Local Government might desire. Irrigation is one of the divided heads, but it rests entirely with the Government of India to decide what the expenditure is to be. Whatever may be the grant that the Government of India give for say minor works this Government is required to give an equivalent grant. This Government, however, may be able to devote more money in order to spread irrigation, but, if the Government of India cannot give a larger grant, the Local Government must divert to other purposes the money they wished to spend on irrigation. In my opinion divided heads should be abolished and heads of revenue and expenditure should be entirely "imperial," or entirely "provincial."

In this Presidency very large irrigation projects have been investigated. Estimates for some works have been sanctioned, others have been submitted to the Government of India, and others again will before long be ready for submission. The cost of the "protective" works proposed in the Deccan and Southern Maratha country alone will be about 15 crores, and in Sind estimates are in course of preparation for "productive" works which are expected to cost about 10 crores. Works of such magnitude, or, at all events, the productive works, manifestly cannot be carried out from revenue, and money must be borrowed. "Protective" works, while they do not give a direct return on the capital expenditure, are indirectly beneficial by increasing the wealth of the country, and they afford a large measure of protection against famines. Measures for protecting local areas against famine and for increasing the agricultural wealth of the country are essentially the concern of the responsible Local Government, if their resources are sufficient. In the case of the Bombay Government, given that local revenue is wholly provincial, the resources will be sufficient, and therefore both famine and irrigation should be "provincial" and, on that assumption, Government must have borrowing powers. It would not be advisable to have Local Governments in all parts of India issuing loans without consideration of what is being done in other parts, and it might be objectionable to have the credit of one province different from that of another. Applications for loans, therefore, should be submitted to the Government of India, who should issue them at such times, and of such amounts, as might be justified by the state of the money market. The total amount raised by loan, if less than the sum of the demands, might be allotted, after deducting brokerage, to the provinces that had submitted applications, possibly, in proportion to the sums demanded.

In a country of the size of India it is impolitic, if not impracticable, to lay down a line of policy in detail which is applicable to all parts of the country. The Government of India should content themselves with enunciating general principles to be followed, and their application with the issue of detailed orders, which might vary in different parts of the same province, should be left to the Local Governments.

In matters of expenditure Local Governments might have power to sanction non-recurring charges up to, say, £100, which are not covered by rule. They might also have power, subject to the same limit, to sanction expenditure even in opposition to rules, when circumstances justify departure from rule. All such sanctions should be reported to the Government of India annually in tabular form.

The influence of the departments of the Government of India is undoubtedly in the direction of excessive rigidity and uniformity. The only salutary measure of reform that I can suggest is complete decentralization in giving real power to Local Governments, who alone know requirements and the best means of meeting them.

As far as my experience of the Government of India goes, it is far too impersonal, and the impression created is that it is wanting in sympathy and too much dominated by consideration of revenue.

In technical matters, such as irrigation, an Inspector-General may be invaluable as an adviser. He is, or should be, a man of wide experience and special knowledge and ability, and his advice should be available at all stages of a project. If he is not overburdened with office work he should travel freely over the country and enquire into the system of irrigation followed, and if he finds that in any province methods are being tried which have been tried elsewhere and found unsuccessful he should recommend their abandonment; or he can recommend the adoption of certain methods proved to be beneficial in some other province. To fill adequately the post of Inspector-General of Irrigation a man must unquestionably be broad-minded. He must take no offence if his advice is not followed, and he must be able to realise that, however much he may have travelled, India is a large country, and that it is impossible for one man to be acquainted with local conditions in all parts of the country. He must be satisfied that his advice will receive the fullest consideration, not only from the technical advisers of

Government but from Members of Government themselves, and that if it is not followed it is only because the local conditions are such as not to justify the application in full of the methods recommended.

Even under the existing system, the functions of the Inspector-General of Irrigation should be advisory and not executive or administrative. The Government of India provide funds for capital expenditure on both productive and protective works, but this Government is responsible for half the interest charges and half the working expenses, and their financial interests, therefore, are no less than those of the Government of India. Seeing that the works are in this Presidency and that the people to be benefited belong to the Presidency, this Government are more interested than the Government of India, and should therefore be allowed to carry out the works in the manner that seems to them most suitable.

In administrative matters there should be no appeal whatever from the decision of the provincial Government. If a Collector is not considered fit to be a Commissioner, or an Executive Engineer is not selected for promotion to Superintending Engineer, it is entirely wrong that a responsible Government should be required to justify their selection to the Secretariat of the Government of India, as they practically would have to do if they were obliged to give their reasons for superseding the particular individuals. In the, perhaps, more serious case of dismissal of officials whom the provincial Government have power to appoint, no good can result from appeals, and, in fact, it is conceivable that grave complications might arise if the Government of India directed the re-appointment of a man whom the provincial Government did not consider fit for Government Service, and had, in the exercise of their powers, dismissed.

At present Commissioners can sanction, from lump sums placed at their disposal, allotments for works costing not more than Rs. 2,500. The limit might be raised to Rs. 5,000, the Commissioner acting in consultation with the Superintending Engineer.

No object would be gained by giving Collectors financial powers, while work in the Examiner's office would be considerably increased if every Collector and every District Judge had a discretionary grant at his disposal. A Collector submits to the Commissioner a list, arranged in the order of urgency, of the works required in his district, and then the Commissioner decides for what works he can provide funds. There certainly will be no saving in correspondence if the Commissioner placed at the disposal of the Collector a lump sum from which he could sanction works costing not more than, say, Rs. 500. The simplest plan would be to place the lump sum at the disposal of the Executive Engineer for expenditure on certain definite works, any balance, however small, being returned promptly to the Commissioner. The works would then be carried out without further correspondence, and it is very desirable to curtail correspondence.

Government should be authorised to delegate to any officers serving under their orders all the powers vested in them. They should not be bound to include the whole of any class in any scheme of delegation. Entire freedom of selection should be left to Government, and certain powers might be delegated to one officer which were denied to others in the same class. If an officer shows that he is not fit to exercise the powers with which he has been vested, Government should be able to withdraw the powers from him individually without detracting from the whole class.

One appeal only should be permitted, and that to the authority to whom the officer competent to deal with the case, and against whose order the appeal is made, is immediately subordinate. Thus the only officers against whose orders an appeal would lie with Government are the higher officers who correspond direct with Government, such as Commissioners, Superintending Engineers, etc.

The tendency of all Governments under British rule appears to be towards uniformity and rigidity. The Bombay Government in the past has not been free from this fault, but they have not been to blame. They are as much fettered by rules and regulations as the lowest paid of their servants, and all they can do is to interpret the rules.

The influence of the Commissioner on matters relating to departments other than the Land Revenue Department is very strong and adequate weight is given to his views.

Executive Officers have sufficient opportunities for personal contact with the people, but District Officers of all departments seem to be so overwhelmed with office work that they are unable to make full use of their opportunities. The remedy is to reduce the office work in every way possible, and if necessary to appoint personal assistants to deal with the less important part of it. But, while the number of reports and returns due from the District Officer may be reduced to a minimum, he must at the same time trust his subordinates and depend on frequent inspections and personal intercourse, rather than on lengthy reports, for a knowledge of the district.

In the Public Works Department the Executive Officers often do not possess the knowledge of the vernacular requisite on the part of all who have much to do with the people. Steps, however, have been taken to stiffen the examinations which officers must pass before they are eligible for promotion.

In the Public Works Department the evils attendant on frequent transfers are fully realised, and transfers are as infrequent as possible.

35044. Is there much irrigation in the province?—Yes, a great deal; Sind is entirely irrigational, and without irrigation there would be no crop there practically.

35045. The sanctioned strength in your department in engineers in 101 and the actual strength is 95; have you a considerable number of temporary engineers?—Yes, a large number; there are some temporary engineers appointed out here with the sanction of the Government of India, and others are appointed by the Secretary of State and sent out; they are men selected practically in the same way that the Secretary of State now selects engineers for permanent employment; there are seven of them.

35046. And are there 14 other temporary engineers appointed under the sanction of the Government of India?—Yes, on annual sanction.

35047. Is that a satisfactory arrangement?—No; for India one wants men on the permanent, that is to say, the pensionable establishment.

35048. What is your difficulty in getting them?—The men on the pensionable establishment are appointed by the Secretary of State, and the Public Works Department was allowed to go down and down until at last it became so undermanned that it was exceedingly difficult to carry out works. This Government wrote to the Government of India on the subject, but it turned out that the Government of India had themselves written before to the Secretary of State direct for practically the same number of men that this Government had asked for, namely, 101.

35049. So that there has been no difficulty caused you by the intervention of the Government of India in this matter?—No.

35050. What are the powers of the Local Government with regard to the sanctioning of estimates and contracts for provincial civil works?—Up to 10 lakhs in each case, both contracts and estimates.

35051. What is the amount with regard to imperial civil works?—Two lakhs.

35052. And for contracts how much?—I think the sanctioning power for contracts is the same as the sanctioning power for estimates.

35053. What is it with regard to imperial military works?—That would be the same.

35054. And with regard to Incorporated Local Funds?—The Local Boards can sanction estimates without limit.

35055. And for contracts?—The same.

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35056. And for estimates, the same?—Yes. It is 10 lakhs in each case.

35057. And for the Excluded Local Funds?—That is unlimited.

35058. Are your powers the same as those of the Local Government?—Not as regards the sanctioning of estimates, but with regard to accepting tenders I have full powers.

35059. What are the powers of sanction of a Superintending Engineer?—At present he has power to sanction up to Rs. 2,500; that has been raised lately to Rs. 10,000 which is the limit in the code, and a proposal has been made recently by the Government of India to raise the powers to Rs. 50,000 or, it may be, to one lakh of rupees.

35060. That is with regard to provincial civil works?—Yes. The limit suggested for imperial works is Rs. 50,000.

35061. Is it the same with regard to contracts and estimates?—Now the Superintending Engineer has power up to Rs. 20,000 for contracts.

35062. What are the powers with regard to imperial military and civil works?—He has the same power, but he has not administrative power to that extent. He has power of sanctioning the engineering details of estimates, and he is not bound to send to Government, the actual drawings and estimates for works costing less than the sum which he has power to sanction.

35063. What is the power in the case of contracts as regards imperial civil and military works?—Rs. 20,000.

35064. And as regards estimates?—He has powers up to Rs. 10,000.

35065. And as to Incorporated Local Funds?—The same, Rs. 20,000 and Rs. 10,000.

35066. And Excluded Funds?—The same.

35067. What are your own powers?—As Chief Engineer I deal with estimates myself, but I do not submit estimates of less than Rs. 10,000; all others are submitted to Government.

35068. And contracts?—I accept all contracts up to the limit of the Local Government.

35069. I do not mean the actual administrative sanction, but the Imperial Government or Local Government having once agreed to a work being constructed, is there any reason why an engineer of the standing of a Superintending Engineer or of your own standing should have varying power with regard to the final sanctioning of contracts and estimates?—I can see no reason whatever why the Superintending Engineer should not have full powers to give out a contract, unless the Local Government have some reason or other for wishing to import some European contractor who has done good work, say, in Egypt; in that case the Government would say that they were going to call for tenders themselves.

35070. Is there any reason why there should be a difference between that which the Superintending Engineer can sanction for the provincial Government and for the Imperial Government?—I cannot say.

35071. His experience will be exactly the same in one case as in another?—Exactly the same.

35072. Are you a member of the Sanitary Board?—I am.

35073. Do works come up to you for consideration on the Sanitary Board?—Yes; they are discussed by me first of all as one of the members of the Sanitary Board, and then they come to me for submission to Government, or rather they are forwarded to me from the proper department for consideration of the engineering details.

35074. Could you not give that consideration at the same time as you are considering the works on the Sanitary Board; have they been through the Sanitary Engineer's hands?—They have.

35075. What is the necessity for any further reference to you?—The men on the Sanitary Board are all busy men, and if I delayed their discussions while I was going through all the engineering details, the meetings would be protracted to great length, and instead of their being able to dispose of matters in a couple of hours we should have to meet for two or three hours for two or three days.

35076. Does not the Sanitary Engineer consider them?—He prepares them, or they are prepared under his direct orders.

35077. Is there any reason then why they should be considered by the Sanitary Board?—I think so.

35078. Is not the process that the matter is considered by the Sanitary Engineer in his office; it is considered by the Public Works Department in their office; then it is considered by the Sanitary Board in an intermediate stage, by the Sanitary Engineer and the ordinary Civil Engineer, sitting side by side—surely those three processes for the examination of one scheme are not necessary?—But a great deal of the work done at the meetings is administrative. Suppose there is a drainage scheme proposed for a certain town, and the point is whether that scheme ought or ought not to be carried out, there is a good deal of discussion with regard to ways and means and whether the municipality or the Local Board—whichever it may be—is able to afford it or not. The engineering part is not much discussed there. I go through the plans hurriedly, and if there are any points which strike me as requiring explanation I ask for it, and the Sanitary Engineer then either gives the explanation or says that things will be altered. The members of the Board do not understand the engineering details of the work; they do understand, if it is a case of water-supply, where would be the best place to fix the reservoirs, how the line of pipes should run, and that sort of thing; but they do not know if the reservoir proposed is large enough, and they do not know whether the pipes are sufficiently large to give the discharge requisite. They will know whether the quantity of water provided for is sufficient or not. Say that the Sanitary Engineer has assumed that five gallons per head is enough, they would at once say it was not enough and it was no use sanctioning a scheme of that kind. Matters of that sort the Sanitary Board would deal with, and then when the plans come to me I go through them carefully and examine them from an engineering point of view; there may be points which I have missed in going through them during the few minutes at my disposal at the Sanitary Board meeting.

35079. Then the scheme goes on to the Municipal Department?—To the General Department.

35080. Where the questions of finance and administrative details are considered?—Yes.

35081. (*Sir Frederic Lely.*) You would give the Local Government power to raise loans?—Yes, certainly.

35082. But you would have them first of all submit applications to the Government of India, who would issue them?—Yes, that is my view.

35083. Would those loans be raised on the security of the Government of India revenue or on the security only of the provincial revenue?—That is a financial question which perhaps I ought not to touch upon, but it seems to me with loans of that kind it would be better, for the reasons I have given, if they had for security the revenues of India, because although this Government would be able to finance its own loans very easily, having exceedingly good credit, there are other parts of India where the credit might not be as good, and therefore if there is the least shadow on the credit of the various parts of India, the credit of the different parts of India would vary, and it would be a bad thing to have different parts of the same country placed differently financially.

35084. Even in those provinces where the credit is good, the revenue is already hypothecated for loans of the Government of India?—Yes.

35085. So that the interest which would have to be paid on a purely provincial loan would be more than if raised on the security of the Government of India revenue, as the revenue is already hypothecated by the Government of India?—I do not know to what extent the local revenues are hypothecated by the Government of India.

35086. The existing loans are all issued on the guarantee of the general revenues?—Yes.

35087. So that the interest which would have to be paid on a purely provincial loan would be somewhat greater than the interest on a loan raised on the security of the revenues of the Government of India?—Not as far as this Presidency is concerned; the Local Government could take over all the loans issued on behalf of the Presidency and be able to finance other loans still.

35088. I understand you do not approve of giving Collectors a discretionary grant, but you would rather give it to the Executive Engineers?—It would be creating a needless amount of correspondence and work to give small sums to the Collectors, because a Collector now is required to make up a list of works proposed for his district. These works are arranged in the order of urgency, and it is not only for one kind of work that he makes his recommendation, but for all the buildings in the district. Then the report of the Collector goes to the Commissioner, and the Commissioner and the Superintending Engineer consider the various works and make up a list for the whole division. In the case of these small works of under Rs. 500, it is no use telling the Collector that he can sanction small sums, because first of all a letter would have to come from the Executive Engineer to the Collector asking for sanction; then the Collector would have to write to the Executive Engineer giving the sanction, and he might also have to write to the Examiner of Accounts saying that the sanction had been given; or at all events if he does not have to write he has to enter it in a statement which goes to the Examiner of Accounts. All that unnecessary trouble might be saved if the Commissioner lumps up all these small petty works and says to the Executive Engineer "I give you Rs. 5,000 for say 12 or 15 specified works," and he would carry the works out on that one sanction from the Commissioner, which the Examiner would take note of.

35089. The object of a discretionary allowance is to empower the Collector to provide for any unforeseen and yet important works which may come to his notice during his tour; for instance, it would be simply enough for him to write to the Executive Engineer giving his sanction for the necessary amount to be debited against his discretionary allowance, but your view supposes that the Executive Engineer takes the initiative?—No, the Executive Engineer is consulted by the Collector in preparing the list of works for the district.

35090. I am speaking of unforeseen works which come to the Collector's notice during the year?—It is not used in that sense in this Presidency; it is not necessarily unforeseen works; in fact if they were unforeseen they would not get through the amounts they have at their disposal.

35091. A discretionary allowance does not refer to money against which the annual budget is made?—No, a lump sum is given to the Commissioner; for instance, the Commissioner in Sind for this year has Rs. 66,000 to spend as he pleases—that is on all works costing Rs. 2,500 or under, and a proposal has been made to raise the power. Those works costing Rs. 2,500 and under are called minor works, and it has been suggested that the term "minor works" should include all works up to Rs. 5,000, but that does not mean that they represent unforeseen works at all. If the Commissioner on tour trusts only to what he sees he never would be able to spend anything like that Rs. 66,000.

35092. But is there not a distinction between a budget grant for a special purpose, and a discretionary grant for expenditure from time to time on such works as come to notice in small unforeseen sums?—Works costing more than Rs. 2,500 are entered in the budget. The discretionary grant is for works costing less than Rs. 2,500, whether foreseen or not.

35093. You would not approve of the Collector having a similar reserve?—I would not for a good many reasons. If you have sums of this kind left with a large number of officers the small savings which accrue from each one at the end of the year amount to a large sum for the whole division, and you have so much money locked up which might have been utilised on other works; whereas if they are left with a Commissioner what would be small sums to the Collectors may amount in all to considerable sums in the Commissioner's book.

35094. That no doubt is a disadvantage, but would that not be compensated for by the advantage of being able to give aid to a district offhand in regard to certain urgent and necessary things?—It would be very little more trouble for the Collector to write to the Commissioner and ask if he might have Rs. 500 for this or that work.

35095. The larger Public Works under the District Boards are now handed over to the Executive Engineer and for them Government charges a commission?—Yes, it makes an establishment charge of 12½ per cent.

35096. Is that the best arrangement possible?—I think so.

35097. Thirty or forty years ago some of the District Boards had Local Fund Engineers of their own; is the present system preferable to that?—It is cheaper for the Local Boards. I can give one instance in a district where I was. The Collector and the District Board thought that work ought to be done by the District Board themselves, and I was only too anxious that it should be done in that way. I gave every assistance in selecting a man to superintend it from a large number of applicants, and several works, which had been previously done by the Executive Engineer, were handed over to him. I left that district, and long afterwards I came back to the same division as Superintending Engineer, and one of the first things I saw was a recommendation of the President of the Local Board, the Collector, sending a resolution which had been passed unanimously by the Local Board asking that all works however trifling should be done by the Public Works Department; they wanted everything, even repairs of a few rupees, to be carried out by the Executive Engineer, and that merely in cases where he was not able to do the work it should be handed over to the Local Board.

35098. Does that represent the common view?—I cannot say, but I was very much struck by it.

35099. Does it not tend to take all work and all interest out of the hands of the District Board, and to hand it over to a Government Department which rather overshadows the District Board?—One would like to see Local Boards doing their work very much and taking an interest in it, but most of them are busy men and cannot afford the time to go about the district to see that the works are being done properly.

35100. (*Mr. Dutt.*) If a District Board in some particular district decided to try that experiment again, would you or the Public Works Department have any objection?—Certainly not. I am afraid it would be rather an expensive experiment. I would like first of all to see the members take a keener interest in their work; I would like to see them going on to the work and writing to the Executive Engineer, "I have inspected this work and find it is being done badly."

35101. So far as your department is concerned, you would not have any objection if they decided on that kind of thing?—Not at all; I should be very glad indeed.

25102. You say you have now seven temporary engineers appointed by the Secretary of State, the rates of pay varying from Rs. 400 to Rs. 600, and fourteen temporary engineers under yearly sanctions on rates of pay varying from Rs. 200 to Rs. 1,000. Are these last appointed by the Government of Bombay, or by the Government of India?—We make the selection, and the Government of India sanction the appointment of those on rates of pay exceeding Rs. 250.

35103. Are the men generally educated in this country?—One man is a Poona College man.

35104. The selection rests with you?—Practically.

35105. Is there any distinction made between the kind of work made over to the temporary men and the kind of work made over to the permanent men?—No, we have now four temporary engineers in charge of districts.

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35106. You do not, as a rule, employ the permanent engineers to take charge of large districts and give the light work to the temporary men?—No, one of the heaviest districts, Poona, is in charge of an officer on the temporary establishment.

35107. You have a distinction between the Imperial and Provincial Services in the Public Works Department?—Yes.

35108. What are the men in these Services called?—They are called Assistant Engineers or Executive Engineers. The men of the Upper Subordinate rank are not in the Provincial Service, but once every two years one man is appointed, or raised, to the Provincial Service from the subordinate branch, and one officer every year passes out of the College of Science at Poona and comes into the Provincial Service.

35109. How many belong to the Provincial Service?—In the lowest grade, the Assistant Engineers of the third grade, there are three in the Provincial Service and two apprentices; in the second grade there are five in the Provincial Service.

35110. You suggest that in arranging the finances for this province the heads of revenue and expenditure should be entirely imperial or entirely provincial, but supposing such a division was made would that prevent the Government of India from laying down general rules of policy with regard to those departments which were entirely provincial?—The Government of India should confine itself to laying down general lines of policy.

35111. And when the Government of India thought it necessary to introduce large reforms in those departments, would you allow them to do it?—They could communicate the nature of the proposed reforms to the Local Government, and it would be for the Local Government to assent or not.

35112. You would give the Local Government freedom to assent or not?—As far as their resources are concerned, certainly.

35113. Take, for instance, the Land Revenue Department; within the last few years the Government of India has laid down certain rules as to remission in times of scarcity and famine, rules which the Bombay Government did not have before and did not desire to have—in such cases would you permit the Government of India to enforce these rules upon all the provincial Governments?—No, I would not give them power to enforce any rules.

35114. Suppose the Government of India thought it was desirable and necessary to do so for the good of the people, what would you say?—I think the Local Government would be the very first to introduce any measure which was for the good of the people.

35115. In case there was a conflict of opinion, and the Government of India desired to have their rules, which are now considered by the people to be beneficial, adopted by all Local Governments, would you allow the Government of India to demand that the Local Governments should accept such large measures of reform?—No, I would not allow the Government of India to interfere.

35116. Are you aware that some of the large reforms have been introduced on the initiative of the Government of India, such, for instance, as the local self-government scheme?—Yes.

35117. In such cases, would you allow the Government of India to bring them forward?—That would be a matter of legislation; it is not a matter of rule or executive order.

35118. Would you lay down that provincial loans should be contracted only for limited periods, or for specific purposes, or that there should be general loans like loans incurred by the Government of India?—I would have them general loans; I do not think it would be practicable to have a loan for a certain definite work, or a certain definite purpose and utilise it only for that purpose. I am thinking now of what we call productive Public Works. You cannot have a loan for one particular canal; you may have other canals going on, and you cannot say that a loan is for a particular canal.

35119. If all the provincial Governments had the right to incur such loans permanently would it not add vastly to the indebtedness of India?—I do not think so.

35120. (*Mr. Hichens.*) You think certain of the Government of India regulations, such as those dealing with the housing of Government officials, are too rigid?—Much too rigid.

35121. Would you have certain model regulations drawn up by the Government of India for adoption by the Local Government with whatever amendments were thought necessary?—I would have general principles laid down and let the Local Governments arrange to carry them out in whatever way they thought best; and I would have the Local Governments go further, because it is the Local Governments only in the case of residences who know what kind of buildings are required in certain places. They have to take into consideration the amenities of a place, and the standing of the officer who is to occupy the building, and it is for that Government to say what the accommodation provided shall be. Having done that, then again the Government, taking into consideration what the place is, whether it is out in the wilds or whether bungalows are available or not, and so on, should be able to say what the rent should be.

35122. What would the general principle be which the Government should lay down?—Instead of having a ten per cent. rule they might charge the officers five per cent.

35123. Would that be a general principle?—Yes.

35124. Within those limits would you allow the provincial Government to frame their own regulations?—Certainly.

35125. Would you apply that to other matters, such as travelling allowances?—I would.

35126. And local allowances?—Yes.

35127. And, generally speaking, as to regulations of that nature, where it is possible, they should lay down a general principle?—Yes, that is my idea.

35128. Is the charge of the Superintending Engineer co-terminous with that of the division?—Not quite; for instance, in the Southern Division of this Presidency the area is not quite the same for the Commissioner as it is for the Superintending Engineer; the Superintending Engineer has one district in it which the Commissioner has not.

35129. Do the areas of Executive Engineers coincide with the districts?—They are practically the same, but not in Sind where they are entirely different; there are two Superintending Engineers of divisions in Sind to one Commissioner; one Superintending Engineer has the left bank of the river under him, and the other Superintending Engineer has the right bank of the river under him.

35130. Is the budget submitted to you by the Commissioner in respect of his division, or is it submitted to you by the Superintending Engineer in respect of his charge?—It comes up to Government from the Commissioner with regard to his division, that is, for major works.

35131. Then the budget for major works is prepared on the basis of divisions?—Yes.

35132. And minor works also?—The minor works are entirely by divisions. They do not come to Government at all; Government simply give a lump sum to the Commissioner to deal with as he pleases. Recurring charges would not come by divisions, but for the whole Presidency. The Examiner takes out for the whole Presidency what sum is debitable to provincial, and what is debitable to imperial.

35133. What is the case with regard to repairing roads?—The Superintending Engineers are given lump sums, and they give out to the Executive Engineers money from the lump sum grants which they have at their disposal.

35134. Then practically minor works are sanctioned by the Commissioner?—Yes, in consultation with Superintending Engineer.

35135. And major works are sanctioned by Government, and the repairs carried out either by the Executive Engineers or Superintending Engineers on their own responsibility?—They are carried out

by the Executive Engineers, the money being granted by the Superintending Engineers for small works; a Superintending Engineer places a lump sum to the credit of the Executive Engineer, and the Executive Engineer sets the repair estimates against the lump sums provided.

35136. A proposal has been made that the Public Works budgets should be prepared wholly by districts and placed under the Commissioner, and that the Commissioner should have a budget for his own division, including amongst other items, the Public Works budget, which would include major works, minor works and repairs and other recurring charges—is that a good suggestion?—No, I should not think so.

35137. Do you prefer the present powers?—Certainly. The Collector prepares a list of works required in his district; he takes all the various branches, Public Works, revenue, administration, hospitals, forests, and so on, and he arranges these in consultation in their relative order of urgency; they then go to the Commissioner and he makes his selection from the various districts; he rearranges them all in the order of urgency for the whole division and then submits his list of major works (that is, works beyond his sanctioning power) to Government, who provide in the provincial budget, as far as funds permit, for new works in the various divisions, in the Commissioner's order of urgency.

35138. At any rate there is nothing to be gained by any alteration?—No, on the contrary, there would be confusion. At present all the works are arranged in one budget. Everyone can look at it and see how much is sanctioned for any work.

31539. (*Mr. Meyer.*) Who takes the Public Works portfolio usually in the Bombay Government?—At present the Governor.

35140. Is that the usual practice?—It has been since I have been here.

35141. You say that the Commissioner submits his proposals in order of urgency?—Yes.

35142. Are there not a good many more proposals brought forward than you have funds for?—Yes.

35143. Who selects the works which are to be carried out?—When it comes to the Government a meeting is called of the Secretaries, and they consider what sum should be allotted to each division, and the works are taken in order of urgency for each division down to a certain number, the total of which makes up about the amount which may be given to that division.

35144. Therefore you do have a divisional allotment?—Yes, it comes to that.

35145. When your budget goes down to the division with these things sanctioned, has the Commissioner any say after that; or is it left to the Superintending Engineer to decide how and when he will take up a work?—He is required to do the work within the year; if he cannot spend the money which is put down in the budget he has to explain why the expenditure was not incurred.

35146. Does it not occasionally happen that a work which the Commissioner has put down first, or very near the top in the order of urgency, is not carried out, while other works to which he has not attached so much importance are?—It may happen that plans and estimates of that work might not have been prepared, or perhaps the site might not have been fixed, and correspondence may be going on for a long time as to where it is to be, and in that case it may be impossible to undertake the work.

35147. The point put to us in other provinces was that a Commissioner may put forward his projects; but after the budget is passed, he really does not know anything more about it, and that some road to which he has attached importance is not proceeded with, while some other road, which he did not want, the Executive Engineer makes. In fact that the Commissioner had nothing to do beyond once a year having to write down what particular projects he considered desirable; is that the case in this province?—No, certainly not; the Commissioner receives the budget and can see which are the major works that are entered in it.

35148. But can he see that the major work which he considers most important is carried out at once?—There would be no report sent to him about it.

35149. He is kept in the dark as to this?—I cannot say that he is kept in the dark.

35150. At any rate he does not know anything about it?—No, unless he asks.

35151. Can he give a definite order to the Superintending Engineer to commence a certain work and to carry it out to the best of his ability during the financial year, putting aside, if necessary, other work for the purpose?—I do not know that he can direct him to do that, because the budget itself is a direction.

35152. Can the Commissioner give a direct order or can he not?—No, he cannot give an order to change the budget.

35153. The suggestion put by Mr. Hichens was that, as now, each division should receive an allotment with a reserve at headquarters for big projects; but that the Commissioner should be able to say which works he wanted carried out first; is that undesirable, or is there any objection to the Commissioner being able to say that?—No, I can see no objection to his being able to say it.

35154. You have mentioned military works as part of your work, but is there not an entirely separate military establishment?—There is.

35155. What do you have to do with military works?—There are certain outlying parts which the Executive Engineer visits in the course of his tour where there is no military works official.

35156. Under imperial expenditure you entirely omit the army except as regards military works; do you not consider the army of some importance?—The army does not appear in the provincial budget.

35157. Therefore your proposal cannot profess to be a complete scheme of distribution?—It is merely a scheme for discussion.

35158. Would you not have to put the army in at some time, and provide funds?—Certainly.

35159. You say the budget should lay down general lines of policy in matters of internal administration, but that the Local Government should have power to reject or accept them at their discretion. It is an open secret, that at present there is a scheme under consideration for the improvement of the salaries of Public Works Engineers. Supposing that is settled and the Government of India sends down its scheme, and suppose the Local Government say, "We are rather hard up at present and we think the Engineers get quite enough, we will not increase their pay"; would you let them do it?—That is a matter which would be settled by the Secretary of State, and it would be one of the conditions under which men came into the Service.

35160. Men do not always come into the Service with their pay fixed in every capacity from the beginning to the end; and I am speaking of a case in which the Government of India think it desirable to raise the pay of Engineers. Supposing a Local Government does not want to spend any money in that way, is it to be allowed to say, "Our Engineers are sufficiently well paid, and we are not going to raise their salaries"?—If you are going to leave them entirely independent, if you are going to make the Local Government a Government *in toto*, if you are going to let the Local Government select its own establishment for its own Civil Service and other Departments, then certainly the Local Governments ought to be able to decide what the pay should be and under what rules the officials are to serve.

35161. But supposing you have, as at present, an Imperial Service scattered amongst the provinces and which is mainly at the disposal of the Local Governments, what would you do?—The conditions are not the same.

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35162. Then so long as you have Imperial Services there must be central control by the Government of India?—The Government of India does not settle salaries; the Secretary of State settles them.

35163. But on the proposals submitted by the Government of India?—Yes.

35164. The Government of India proposes and the Secretary of State sanctions, or perhaps does not sanction?—Yes.

35165. The point is, while you have Imperial Services, is the Government of India to have any say with regard to their organization?—Yes.

35166. And in regard to their recruitment?—Yes.

35167. You say that Local Governments should be given a free hand in matters of provincial Public Works, that their limit should be raised from 10 to 100 lakhs, and that they should go straight to the Secretary of State, the Government of India not being consulted. The object of the present restriction is twofold; first, to prevent the Local Government spending what is thought to be an excessive amount in proportion to its means, and, secondly, to get the engineering advice of the Government of India officials—is that not the case?—I do not know what the object of the rule is, but in the case I have mentioned, the plans which are in course of preparation for a new jail in Bombay, there is no particular engineering skill required in the design of any one of the buildings, although there is a very large amount of work in various ways to be done; the land is very valuable, there is a large amount of filling in to be done, and filling cannot be got in Bombay, so that the cost will exceed 20 lakhs, and this Government have not the power to sanction the work.

35168. You admit that in certain cases the Local Government might take outside experts into consultation?—Yes.

35169. What is the harm in such a case of going to the Government of India expert. One may take it that the Secretary to the Public Works Department in the Government of India is one of the ablest men in the profession out here?—I should think so.

35170. Is there no utility in letting him see the estimates and passing his opinion upon them?—In the case of a complicated design there would be no objection to his seeing the design, but the estimates can convey no information to him, and he does not know anything about local rates for labour and so on.

35171. But taking the whole thing, and the plans for the work, he might have a good deal to say as to the matter of design?—I have had some designs returned to me with criticisms.

35172. Were the criticisms unnecessary, or beneficial?—I thought that the criticisms were most unnecessary.

35173. You say that the Local Governments ought to have the same power of sanction in respect to imperial works as they have over provincial works: occasionally Public Works estimates are very considerably exceeded as a matter of fact?—They are at times.

35174. Who pays for that—not the engineer himself?—No.

35175. Is it paid for by the Government which is responsible for the construction of the work?—Yes.

35176. If it is a Local Government work, the Local Government pays and can come down upon its engineer if it thinks fit?—Yes.

35177. Supposing it is a Government of India work and the estimates have been largely exceeded, the Government of India has to pay?—At present, yes.

35178. In that case ought not the Government of India to have some say in the matter? Is it not an elementary precaution that the Government of India should say "We may have to pay for any excess, and we will have the estimates scrutinized by our own people"?—As to imperial work I should have no objection to sending estimates on to the Government of India if they wanted to see the estimates, but there ought to be no expression of opinion on the part of this Government. Let the Government of India decide.

35179. You think two Governments are no good, so to speak?—I would not have two Governments, one criticising the action of the other.

35180. Is not the real thing that one wants two engineers, you here and the Chief Engineer at Simla?—Then if I am not capable of dealing with an estimate, the other engineer can do it. Why should I waste my time and he waste his?

35181. In the same way is it unnecessary for a Superintending Engineer to send an estimate to you; it had better be prepared by you than him?—It is proposed to raise the powers of the Superintending Engineer to a lakh of rupees.

35182. But if it is above a lakh he ought not to prepare it at all, and it ought to be prepared by you at first; there is no reason why two of you should work over the same estimate?—That would not be any saving of time, and it would make my office an enormous office.

35183. (*Sir Steyning Edgerley.*) As regards the proposed 5 per cent. rent for houses, that of course must be independent of the cost of the house?—Yes.

35184. A question was asked you with regard to the 12½ per cent. charge made to Local Boards and you said that you thought it was cheaper for the Local Boards on the whole. Is it as cheap to them as Government can make it, or does the percentage more than cover the cost to the Government? Could Government reduce it without making it a contribution to the Local Boards?—No; at present it is a contribution to the Local Boards.

35185. It does not cover the cost to the Government?—No.

35186. What is the real cost to the Government?—It comes to something like 24 per cent.; in transactions between the Government of India and the Government of Bombay 23½ per cent. is charged.

35187. Is that based on the cost of the arrangements for doing the work?—Not for doing a particular work, but taking all the establishment of the Presidency.

35188. Anyhow you are perfectly certain the 12½ per cent. is less than the cost to the Government in carrying out the arrangements to enable them to do the work they now do for the Local Boards?—Certainly.

35189. You suggest that Local Governments might be allowed to sanction exceptions to code rules, simply reporting to the Government of India?—Yes.

35190. As regards the division of funds you suggest that all loans should be raised by the Government of India, and your plan is that the Government of India should be a sort of Banking Agency?—Yes, that is my view.

35191. That they should not actually say "You must not have this loan," but if they can raise it during the year they should raise it, so that a Local Government could obtain a loan just as a private person could go to a Bank, and get a loan?—That is my view.

35192. With regard to schemes of productive and protective works, you say that they amount to about 10 crores in Sind and about 15 crores in the Deccan; looked at from a Government point of view as to the welfare of the Presidency as a whole, which of these works would you consider to be most urgent?—The protective works.

35193. That is to say, you would not defer the protective works in order to carry out works in Sind which would bring you in 5 per cent. profit or more?—I would not.

35194. And that looking to the welfare of the people the Government ought to go first for the non-paying works?—That is my view; the saving of life and the welfare of the people are more a duty on the part of Government than the provision of works which, though they might add to

the wealth of the people considerably, and allow a larger area to be cultivated, are not so urgent.

35195. In fact there never is any famine in Sind?—Never.

35196. Also as to protective works in the Deccan, I suppose they might at any time save the Government from half a crore to a crore of rupees in the way of famine relief?—Yes. The Irrigation Commission suggested that from 0·3 to 0·5 of an acre should be protected for each head of population.

35197. When the budget is received and the works are sanctioned, is there not a direct Government order to the Superintending Engineer that he shall do all the works included in it in the order in which they are placed during the year that follows?—The works in the budget are not placed in order of urgency; they come under various classified heads, but all the works are to be done in the year.

35198. Then there would be some scope for a Commissioner's order, in that he might say "Begin this work at once"?—Certainly.

35199. Can he say not merely "Please do this," but "Do this"?—No, but at the same time, if the Commissioner did say to the Superintending Engineer "Do this," I cannot conceive any Superintending Engineer saying he would not do it unless for very strong reasons indeed, which he would have put before the Commissioner; they would be discussed and the very strong probability is that the Commissioner's wishes would be carried out.

35200. In 99 cases out of 100 would that be so?—Yes, certainly.

35201. If it were not so, the Superintending Engineer would probably have to take the orders of the Government?—If it were an important matter and the Superintending Engineer's actions did not meet the views of the Commissioner, I cannot imagine the Commissioner not reporting the matter to Government and asking for orders.

35202. (*Chairman.*) What is meant by the recommendation by Local Government that the Government of India should delegate to them power to write off a portion of the capital cost of a residential building?—That is, when buildings get old there is nothing taken off for depreciation.

35203. When the Local Government ask for this power does that mean that they should only do so after the building has been in existence for a certain number of years, or are they to begin to write off at once?—When any demand for it arose, a building would be revalued—that was the idea.

35204. In what circumstances would the Local Government write off the capital value on their own responsibility, and in what circumstances would they refer to the Government of India?—In all cases of buildings belonging to the Local Government constructed with provincial funds they should have entire control, and as to those constructed from imperial funds I do not want the Local Government to have any power at all; it is a matter for the Government which finds the money.

35205. Have you any power at the present moment as far as you know?—I think not.

35206. Have you no power at all to write off?—No, according to the best of my recollection.

35207. As far as any buildings constructed out of partly provincial funds are concerned you want complete power to write off?—Yes.

35208. And as far as any buildings constructed with imperial funds are concerned you ask for no power?—No.

35209. It was stated by a witness that there had been a great deal of difficulty with regard to the drainage works at Poona, and it was said that the Government had intervened somewhat unwisely; do you know anything about the facts of that case?—What happened was that estimates were prepared for a joint scheme for sewage and water-supply and the total estimated cost, including the interest to be charged to capital during construction, came to 44 lakhs. The Poona municipality considered the scheme, and submitted it to this Government, who sent the case on to the Government of India and asked that a loan should be granted. After it had been conditionally adopted by the municipality and forwarded by the Local Government for the sanction of the Government of India it was disallowed by the latter on the ground that it was unsafe to authorise the raising of so large a loan as 44 lakhs on the security, for the most part, of the produce of a sewage farm only. There was no question of this Government attempting to force any scheme on the Poona municipality. The Poona municipality, with perhaps one exception, are fully aware of the horrible condition of the City; there are drains there one hundred years old, and the Government has had scheme after scheme prepared. They made this recommendation to the Government of India, and the Government of India said practically that they could not sanction a scheme which depended for its finance on the profits of a sewage farm.

35210. Was that interference on the part of the Government of India well justified?—If they have to find the money they can demand whatever security they like, but it was not a case of this Government trying to force a scheme on the Poona municipality which was resisted by the Government of India. As a matter of fact one of the things the Poona municipality said was that the plague charges must be wiped off before the scheme could be undertaken; this Government wrote to the Government of India, saying that the total charges amounted to Rs. 5,69,000 and recommended that Rs. 3,69,000 should be given as a free gift and that the remaining 2 lakhs should be given for ten years without interest. The Government of India sanctioned 3 lakhs being given as a grant-in-aid, and directed that the remaining 2,69,000 should be given on a loan for 15 years at 4 per cent. interest. I mention that in order to show that this Government is not a hard-hearted, unsympathetic Government trying to force a scheme on a reluctant municipality, the municipality being saved by the intervention of the Government of India.

35211. Then were both the Government of India and the Government of Bombay justified in the course they took?—Yes, each probably from their own point of view.

35212. If a sanitary scheme costing a lakh of rupees is suggested in the first instance by the Chairman of the municipality, is it put into some sort of shape by the District Engineer or the Executive Engineer; then is it examined by the Sanitary Engineer; then considered by the Commissioner; examined administratively and technically by the Sanitary Board; examined financially by the Finance Department; examined administratively again by the Municipal Department; again technically by the Public Works Department, and only then can it be finally sanctioned by the Government of Bombay; is that an unjust description of the course which a sanitary scheme has to take?—It is not quite correct; at present the Sanitary Engineer himself prepares the scheme.

35213. Whom it is first of all suggested by?—By the municipality, or whatever the Board may be.

35214. Is it then considered at all by the District or Executive Engineer?—No, it is not considered by him.

35215. Is it put roughly into shape by him?—His assistance may be obtained instead of getting another man from outside.

35216. Then is it examined by the Sanitary Engineer?—Yes, he would give the orders to the Executive Engineer.

35217. Then is it looked at by the Commissioner from the administrative point of view?—Yes.

35218. Then he would see it?—I should imagine so.

35219. Then it is examined by the Sanitary Board?—Yes, but then the Sanitary Engineer has done the whole thing.

35220. Then it is examined financially by the Finance Department?—Yes, if a grant-in-aid or a loan is required.

35221. It is administratively examined in the Municipal Department?—Yes.

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35222. It is examined technically in the Public Works Department?—Yes.

35223. And then, and only then, can it be finally sanctioned by the Government of Bombay?—Yes.

35224. Then my description was not an unjust description of the course of a sanitary scheme?—No.

35225. You say that it rests entirely with the Government of India to decide what the irrigation expenditure upon minor works may be; if the Government of India give a grant and this Government is required to make an equivalent grant, are you certain that that is the principle on which the money is allotted for these minor works?—Yes, half and half, certainly.

35226. Is the Local Government not consulted as to the amount which it can afford to spend on minor works?—No.

35227. Is it required to pay rupee for rupee?—It pays rupee for rupee. I remember on one occasion the Government of India said they would give 15,94,000 for irrigation works and the Government set aside 15,94,000, but afterwards without any consultation and without any word, a telegram came saying that the Government of India grant would be cut down to 13,94,000, cutting 2 lakhs off, which meant that this Government had to cut off 2 lakhs as well. Eventually, after some more correspondence, the Government of India went back to the 15 lakhs.

35228. Is that a principle which you are quite certain is applied in respect to minor works?—Certainly.

35229. (*Mr. Meyer.*) Will you kindly produce the papers on that point. You know in ordinary divided groups such as forests or excise, the proportion is half and half—half expenditure and half revenue are imperial and provincial automatically?—Yes.

35230. Is irrigation in the same category?—Yes.

35231. That is to say, supposing you put down a budget of 30 lakhs for expenditure on minor irrigation works, 15 lakhs would go to imperial and 15 to provincial?—Yes.

35232. And if the actual expenditure came to 25 lakhs only, the division would be 12½ and 12½ lakhs?—Exactly.

35233. Then may I suggest that what happened in the case you put was this: Let me take your figure of 15,94,000, that would have come to 32 lakhs and the Government of India reduced the 32 to 30 simply in the interests of actual estimating?—They did not say so; they first of all accepted the Rs. 15,94,000, but afterwards said they were not able to give so much and it was cut down to Rs. 13,94,000. I know of no reason given at all.

35234. You do not say that they give a special contribution to minor irrigation works; it comes under the ordinary divided head principle?—Yes.

35235. (*Chairman.*) Without asking this Government how much they can spare for minor works, do the Government of India say, "We have 20 lakhs to spend on minor works in your province, and you must provide 20 lakhs too"?—No, they would not give more than we had asked for.

35236. They would allow you then to fix the amount you are to spend and they would add an equivalent amount?—That is the principle. A demand statement goes in first of all, and if that is accepted, then this Government puts in the amount which they had already stated they would be prepared to spend. That is for the budget purposes.

(*The witness withdrew.*)

Mr. H. O. QUIN, I.C.S., was called and examined.

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35237. (*Chairman.*) You are acting Secretary to the Government of Bombay in the Political, Judicial and Special Departments?—Yes, I was Secretary in the General Department before that. As Secretary in the Judicial Department I am in charge of the Police. The Special Department deals with various matters with regard to criminal investigation and political affairs.

Very much larger financial powers should be given to the Government of Bombay. The limits prescribed in Chapter 17, Civil Account Code, are very low and necessitate a large number of references to the Government of India, which could, and, I think, should be avoided. Some of the prohibitions in Civil Account Code, 283, should be removed and power to grant allowances of all kinds should be given to the Local Government subject to general rules laid down by the Government of India.

I do not think that any more complete separation could usefully be effected between imperial and provincial finance. It would not be advantageous, if indeed it were possible, to assign separate heads of account, and with them exclusive control of receipt and expenditure, entirely to either provincial or imperial, and short of this I see no use in altering the general lines of the present system.

I should not be prepared to give Local Governments borrowing powers. Charges so heavy as to involve borrowing would have to be sanctioned by the Government of India, and this being so the loan should be obtained by that Government. Local borrowing would only complicate the general financial situation, and would probably be more expensive.

The Local Government should have the fullest power in applying to local conditions the general lines of policy laid down by the Government of India or otherwise. The function of the Government of India should be regarded as discharged when it has laid down the general lines and that within those lines there should be no interference. It would be difficult to deal with this aspect of the matter by hard and fast rules. The Supreme Government should recognize not only that the Local Government is responsible for the due execution of the policy laid down, but also that it is capable of adequately discharging that responsibility and may and should be trusted to do so.

In the Judicial Department the following relaxations of the law or rule would be advantageous:—

- Additions to the strength of the Bombay City Police Force (section 4, Bombay Act IV. of 1902).
- Removals under the Criminal Tribes Act (section 15, Act XXVII. of 1871).
- Extension of portions of the Dekkhan Agriculturists' Relief Act to other parts of the Presidency (section 1, Act XVII. of 1879).
- Alterations in High Court rules regarding fees for processes and regarding destruction of records (section 20, Act VII. of 1870, and section 5, Act III. of 1879).
- Extension of section 7 (1) of Indian Securities Act (No. XIII. of 1886).
- Exemptions under the Arms Act (section 27, Act XI. of 1878).
- Changes in the number of Subordinate Civil Courts (section 21, Act XIV. of 1869).
- Extension of Acts to Sind (sections 5, 5A, Act XIV. of 1874).

All these matters can best be dealt with by specific amending legislation. There is no one of them in respect of which there seems to be any real advantage gained by submitting for the sanction of the Government of India.

There is certainly a strong tendency towards rigidity and uniformity in the influence of the departments of the Government of India. In the Judicial Department the tendency referred to has been most conspicuous in connection with the reorganization of the police. Certain proposals of the Bombay Government have been criticized and rejected because they are not in conformity with the methods and practices current in other provinces where the conditions may be quite different; certain others have been condemned because to the Government of India they do not seem suitable, although in some instances the points at issue are matters of opinion merely. I can suggest no

specific measure of reform. The whole question is one of attitude. If the Government of India in dealing with the Local Government were to act on the presumption that the proposals submitted to them were to be approved unless these proposals could be shown to be manifestly unsound, and if the policy and practice of the Government of India were to interfere in details only when necessary, all minute criticism would be avoided and the views of the Local Government would be accepted, save in so far as they might clash with general rules or principles which the Government of India desire to enforce. The result would be the saving of much delay in the introduction of measures of reform.

Although I have known some instances in which departmental considerations have perhaps been allowed too much weight, I am not prepared to say from my own experience that on the whole the tendency of the Imperial Secretariat is to consider matters too much from a purely departmental standpoint.

It is difficult to see how the Imperial Secretariat can be otherwise than impersonal in their relations with men and matters with which they have no acquaintance save on paper. They are a degree—and a long degree—further from the people than are the Local Government, and for this latter even it is not in all cases practicable to cultivate the personal aspect of administration.

The only Director-General with whom I have any concern is the Director of Criminal Intelligence. I think he should be regarded as the Head of a Criminal News Agency, and that so far as his relations with Local Governments are concerned, his duties should be confined to receiving and imparting information relative to crime and criminals.

The initiative in administrative reforms which have been effected in recent years has been largely due to the provincial Government, but some of the most important have owed their inception to the Government of India.

Provincial Governments should be allowed to develop their administration on their own lines, and it should be left to their discretion whether they should, or should not, adopt measures introduced in other provinces. This would not preclude the Government of India from making suggestions nor from introducing reforms in departments which are from their nature of imperial concern. Unnecessary unification of administration is much to be deprecated, and the provincial Governments should be left entirely free to work on the lines which to them seem best suited to local conditions and requirements.

The general rule as to appeals in administrative matters should be that only one appeal should be allowed as a matter of right. A second appeal should be permitted only when the first appellate authority certifies that reasonable grounds of appeal exist. On this principle there would be no right of appeal to the Government of India except in cases in which the original order appealed against is that of the Local Government, and in those in which the Local Government certify that reasonable grounds of appeal exist. When the original order is that of the Local Government I would allow an appeal to the Government of India without any certificate.

The general principle regarding the right of appeal by officers of Government against orders affecting them personally should be the same, but I would make it the rule also that no officer whose pay is less than Rs. 250 should be allowed to appeal beyond the Local Government, whether the order of the Local Government was passed on appeal or was original.

In the Judicial Department there has not been an increase of recent years in the demands for returns and information from the Local Governments. A few fresh returns have been called for by the Secretary of State in the Political Department, and in the Judicial Department there have been some calls by Government of India for information regarding unusual occurrences, but on the whole I believe the demand in question has been reduced rather than increased.

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In the Judicial Department there are several matters in regard to which the powers of the Local Government might be delegated to Commissioners of divisions. These are mostly connected with the grant of magisterial powers under special Acts (such as the Reformatory Schools Act and the Opium Act); powers under the District Police Act and powers under the Criminal Procedure Code.

There are also matters connected with judicial administration in regard to which the powers now vested in Government by law or otherwise might advantageously be delegated to the High Court and Judicial Commissioner of Sind. These relate to the promotions, transfer and deputation of Subordinate Judges, grant of Small Causes Court powers to Subordinate Judges and appellate powers to Assistant Judges, circulars and rules for Subordinate Criminal Courts, etc.

The natural tendency of any central authority must be towards both rigidity and uniformity, and to keep this in check the exercise of some counteracting influence is necessary. Questions which come up to Government are in the first instance dealt with by a Secretariat Office well versed in rules and precedents, but, generally speaking, entirely lacking in any first-hand knowledge of the subjects with which they have to deal or of the local conditions and circumstances. It is the work of the office to point to precedents and to invite attention to the rules and orders bearing on the question before them, and it is scarcely possible to expect them to be otherwise than biassed in favour of both rigidity and uniformity. It rests with the Under-Secretary and the Secretary to present the case for submission to Government in such a shape that any undue bias in the above directions may be removed, and adequate allowance made for special features and for local or personal conditions. Much will of course depend on the general mental attitude of the Secretariat Officers, and still more on that of the member or members of Government to whom a case is submitted. The influence of the provincial Government does not result on the whole in excessive rigidity or uniformity, but there is and must be a certain tendency in that direction which requires to be constantly checked by the conscious efforts of the authorities with whom rest the final stages of the decision. It is of importance therefore that the superior officers in the Secretariat should be men who have had considerable and recent experience of administration at first-hand, and who have not been too long removed from actual contact with the people and with the Executive Officials.

I do not consider that the tendency of the provincial Secretariat is to regard matters too much from a purely departmental standpoint. The interests of the people concerned are given due weight as well as those of the department. I do not think the provincial Government are more impersonal than is inevitable in the case of a central and composite authority dealing through various channels with a large mass of affairs, most of their information regarding which is contained in written reports.

The Commissioner has adequate opportunities for exercising his influence in matters appertaining to the Judicial Department. Whether he actually exercises it, and, if so, how strong it is, are matters which depend on the individual Commissioner.

The Commissioner exercises a general control over the District Magistrates in whom is vested the administration of the police of their districts. He is the authority to decide between the District Magistrate and the District Superintendent of Police in matters of sufficient importance to be referred to him, and in any large question of police administration he would undoubtedly be consulted by Government. I do not see how he could be given any greater influence except by the delegation to him of powers now vested in the Local Government. Government are always disposed to give adequate weight to the views of a capable Commissioner.

I am not prepared to say that Executive Officers have not considerable opportunities for

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personal contact with the people, but there is very little doubt that these opportunities are often not sufficient, and it is unquestionable that the enormous increase of office work of late years has had the result of keeping the District Officer much more closely to his desk and reducing the time and opportunities available for personal contact. At the same time it is almost always practicable for an officer to be accessible to persons who wish to see him and to petitioners, and to this extent at any rate he can maintain personal relations with the people. He has not, however, the same time as before to spend in visiting villages and places with which his work is connected, and this is much to be regretted. I know of no obstacle except lack of time, due to pressure of office work.

Executive Officers possess a sufficient knowledge of the vernaculars to enable them to get through their work, but I should like to see officers encouraged, if not compelled, to attain to a higher standard than at present enforced. Many officers can speak and make themselves understood quite sufficiently well for the purposes of their work, but their vocabulary is limited to the words which they require for that purpose, and a conversation in the vernacular on general subjects with an educated Indian would be quite beyond their powers. This should not be so. They should be encouraged to continue their study of a language beyond the stage at which they can pass an examination designed to secure their possession of the minimum of knowledge requisite for their work, and to obtain an acquaintance with it which would enable them to feel at home in conversing with any native of the country whatever his class might be. There is force in the suggestion recently made in the Native press that the endeavours now made to encourage the study by officers of the classical languages, Sanskrit, Persian and Arabic, would be better directed if their purpose were the encouragement of higher proficiency in the vernaculars.

The grant of larger powers to Commissioners, Collectors and other local authorities will involve greater care in their selection, less regard being had to seniority. The rule should be the selection of *fit* men in the order of their seniority, men who are unfit being passed over unhesitatingly. The rigid application of this system would probably necessitate provision being made for the resignation or premature retirement of officers on pensions proportionate to their length of service, and possibly to the quality of the services they had rendered. For appointments outside the ordinary line selection should be absolute, as also for the appointments of Commissioners and Heads of Departments, for which it is advisable to select only the very best.

Transfers of officers are not unnecessarily frequent. They are of course more so than is desirable, but it is difficult to see how this can be avoided. The exigencies of leave, sickness, promotion, &c., necessitate moves which would be otherwise uncalled for. Transfers in the individual interest of the officers concerned are now rarer than they used to be. I cannot suggest any method by which transfers can be reduced.

I should, as an experiment, try District Advisory Councils in one or two selected districts. They should consist of men, usually non-officials, nominated by the Collector, the city municipality, the town municipality and the District Local Board, in such numbers and proportions as might be fixed on consideration of the local circumstances in each case, the object aimed at being to have the Council as small as possible, due regard being had to the representation of all important local interests. It would be for the Collector to take their advice in any matter regarding which he desired to have it, and it should be open to any member of the Council to bring to the notice of the Collector any matter regarding which he was desirous of obtaining information or suggesting that action should be taken. It might perhaps be found necessary to limit the subjects of which the Council should be allowed to take cognizance, but unless the necessity becomes apparent it would be well to place no restrictions. The discussions would be informal, there would be no voting, and it would always be open to the Collector to refuse for good reasons to enter upon any subject which in the public interest he thought unfitted for consideration by the Council. The responsibility of the Council would be limited to giving advice. On the Collector would rest the responsibility of neglecting or acting in opposition to it.

I have never had any experience of a "village community." The *patel* already controls the village police and I do not know that there are any further powers which can be given him in this respect. He also in some places exercises certain criminal powers under the Police Act. It might be possible in selected villages to create something of the nature of a "panchayat" to deal with petty civil and criminal cases, but I am not sanguine as to the result. Education and public spirit are at present lacking.

35238. Is the rule under which an Under-Secretary is restricted to service for three years in the Secretariat, a good arrangement?—On the whole the best arrangement would be that nobody should stay in the Secretariat for perhaps more than three or four years at a time, but I would not tie the hands of a Local Government in the matter of prescribing a particular period; it might be useful to go slightly over or under.

35239. Is it the practice in this Secretariat to send a man back after he has held a Secretariat appointment for a considerable time to district administration?—No, on the whole, it has not been the practice.

35240. Ought it to be?—I think so.

35241. Is there considerable danger unless you have a somewhat perhaps over-rigid rule in that matter, that officers go on from one Secretariat appointment to another with very short intervals between?—It has happened in this Presidency undoubtedly, but that was possibly before the necessity was recognised, so much as it is now, of the advisability of an officer not remaining too long in the Secretariat.

35242. When was that recognised first?—It is being recognised now.

35243. It has only just begun to be recognised perhaps?—I cannot speak for the Bombay Government in that respect.

35244. You were Secretary in the General Department seven years ago?—Yes, but I have been out of the Secretariat for four years of that time; I was only actually serving three years.

35245. You were apparently in the Secretariat in 1905. Was the practice or the tendency in existence in 1905?—As a matter of fact I had only one year in the Secretariat before.

35246. Was there any tendency in 1905 to make any new departure?—No, I do not know that there was.

35247. Unless there was some rule laid down, would it not entirely depend upon the particular views of the Governor in Council for the time being?—Yes.

35248. With regard to the Commissioner has he sufficiently large powers, generally speaking?—I think he has.

35249. Some representation was made to us yesterday as to the advisability of substituting the Board of Revenue for the present system of Commissioners—would you agree with that suggestion?—I do not think I should on the whole.

35250. Have you any doubts on the matter?—Yes, I have some doubts, certainly. I do not know that I am prepared to explain exactly, because it is not a point which has come at all before me, and I have not thought much about the details of it.

35251. (*Sir Steyning Edgerley.*) Do you agree that the Bombay Government have practically, whether willingly or unwillingly, accepted the principles of the Police Commission and that the differences of opinion which we heard of yesterday are chiefly as to the numbers in the lower grades?—There are differences on other points of detail too, but mainly the scheme has been accepted.

35252. And the difference really is as to strength?—Mainly.

35253. Will you put in the letter of the Government of India of December, 1907, and the answer of the Bombay Government of 1908, as to the last proposals with regard to the district police?—Yes.

35254. Will you also put in the demi-official letter of January, 1906, in which the deputation of the Director of Criminal Intelligence to the Presidency was suggested?—Yes.

35255. When that suggestion was made was not the object stated by the Government of India to be that the Director "would then be in a position to advise the Government of India upon points of detail with full knowledge of the grounds on which the Local Governments based their proposals," that is to say, that he was sent down with an intimation that the Government of India intended to settle the details of the case finally in consultation with him after he had heard what the Local Government had to say?—Yes.

35256. He was not sent down to help the Local Government to revise its opinions?—No, apparently not.

35257. And that led eventually to the letters which I have asked you to put in?—That was the final result.

35258. Do you consider it is too strong a thing to say that the Government of India have all the appearance of endeavouring to administer the reorganization direct from Simla with the aid of a Director of Criminal Intelligence to the supersession of the Local Government?—That certainly appears to be the case.

35259. Would you say it is a sound method of procedure first of all to fix *à priori* a maximum cost for reform, then to regard it as unalterable, then to order the sequence of reforms from a distant centre, and then, when the needs of the rank and file are reached, to say the money is exhausted?—Of course it is quite impracticable if we are to introduce a scheme in full on the lines as laid down by the Commission.

35260. One alternative would be to realise that the original estimate has to be raised?—I should think so, certainly.

35261. Another alternative would probably be to say: "This is all we can afford to give you in the way of help; if you press for what you say is necessary you must try and find the balance from provincial revenues"?—Yes, that would be a practical alternative.

35262. But that might be a little difficult in view of recent surpluses of the Government of India?—It would be difficult to work.

35263. There was another change forced upon this Government against their will in the matter of the adoption of daily rates of travelling allowance for District Superintendents of Police?—Yes.

35264. Are you acquainted with the feeling of the members of the Service with regard to that?—I have only discussed it with the Inspector-General himself, but I gather that the other system of permanent allowance was very much more popular.

35265. The Government of India said that the daily rates would give much better control over the officers travelling?—Yes.

35266. Did you hear Mr. Kennedy say that that was not his experience?—Yes.

35267. The Bombay Government were also told that they were unable to prove that the change would increase the work; have you examined that point?—I have seen some of the figures which have been prepared by the Accountant-General in the matter.

35268. As a matter of fact, in the first year of working the new scheme, was there an increase of 432 letters on petty points of audit, none of which would have been necessary under the old system?—I have forgotten the exact number.

35269. That will no doubt decrease slightly, but must there not always be appreciable audit correspondence under a system of daily travelling expenses?—Obviously.

35270. With regard to the fees drawn by Medical Officers, have you much experience with regard to Medical Officers going from Bombay to places beyond Ahmedabad or similar long journeys?—Yes.

35271. Are you acquainted with any case which both an Indian practitioner and a European Indian Medical Service Officer have gone to attend at some such distance?—Yes.

35272. Do you know what fees were drawn?—I know in the case of the Indian Medical Service Officer the fee was Rs. 500 a day during his absence from Bombay, and in the case of the Indian practitioner the figure was Rs. 400.

35273. Do you happen to know what the qualifications of the two gentlemen were?—The Indian gentleman was an L.M.S. of the Bombay University, and the Indian Medical Service Officer was a Bachelor of Medicine of London.

35274. Was he also one of the picked professors of the local Medical College?—Yes.

35275. What is the constitution of the Bombay Presidency Association which was represented before us on Saturday?—It is composed mainly of gentlemen who belong to what is now the moderate branch of the Congress; it has been always associated with the Congress, and it is an influential body in Bombay as regards the views held by that section.

35276. It is a body which is always treated with respect?—Yes.

35277. Do you happen to know the All-Indian Moslem League?—I have heard of it; it was started two years ago at Dacca, and is mainly composed of the gentlemen who took the memorial to His Excellency the Viceroy; it has about 71 members all over India, very few of whom are in the Bombay Presidency.

35278. Is it a living exponent of public opinion?—Not in the Bombay Presidency; I cannot speak for outside.

35279. (*Mr. Meyer.*) With reference to the questions put to you by Sir Steyning Edgerley, will you kindly, in producing the letters he called for, produce also the replies from the Government of India?—Certainly.

35280. The proposals of the Police Commission were of a detailed character?—They were.

35281. Before the Government of India accepted them were they referred for consideration to all the Local Governments?—They were.

35282. Were they referred to the Government of Bombay?—Yes.

35283. Did the Government of Bombay generally accept them?—The acceptance was general but the schemes were referred to in separate letters, so that it is impossible to say there was a general concurrence. Certain objections were taken at the time, and differences of opinion were pointed out by the Government of Bombay. It was a general concurrence, but not in all matters of detail.

35284. The Government of Bombay did not say in 1904, "We think this scheme inapplicable to us because it does not give us enough men, and because it spoils the prospects of our head constables"?—They did not.

35285. Was it not quite fair for the Government of India to assume that silence meant consent on these matters?—The Bombay Government were not themselves called upon to examine into all the details of the scheme, and it was quite likely they regarded the proposals as being in a sense general and that they were not bound by all the details put forward as regards numbers and so on.

35286. Are not numbers, and the position of head constables, important points in any scheme of police reform?—Undoubtedly.

35287. You cannot say that the Government took up a scheme and thought the numbers and position of head constables were not worth talking about?—It is hardly a question of not worth talking about.

35288. I put it to you that the objections which the Bombay Government have been making as to numbers and so forth might have been made in

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1904 and were not so made?—As regards the prospects of head constables, perhaps that is so.

35289. The Government of India had to find out what money they could allot to the various provinces on the basis of the recommendations made by the Police Commission?—I presume so.

35290. If the Government of Bombay altered that scheme to their advantage it would mean one of three things—first, that the difference ought to be paid for from provincial funds; secondly, that the total 150 lakhs remaining the same, the other provinces would have less; or thirdly, that any increased demand from the Bombay Government should form a first charge on any subsequent imperial surplus; which of the three do you think best?—I think the mistake was in fixing a maximum without being fully convinced that that maximum would admit of all the expenditure necessary under the details of the scheme.

35291. Did the Bombay Government ever say in their letters, "We attach importance to this, and if you will allow us to go beyond the scheme originally laid down and accepted, we will pay the balance from provincial funds"?—Not that I am aware of.

35292. On the contrary they were rather pressing for extra grants from imperial funds?—Yes.

35293. Do you think that the Bombay Government should have full liberty with regard to police re-organization or anything else, and that their demand should be a first claim on the imperial surplus?—No, I would not say it should be a first claim, or a claim at all beyond what the Government of India may choose to admit.

35294. There is a reference in the Bombay case to the question of provincial legislation, and it is said that the Local Government should have full power in regard to legislation, subject merely to the veto of the Governor-General; you know that under present circumstances it is not only the Government of India, but the Secretary of State who has a say in matters of provincial legislation?—Yes.

35295. Every provincial project or legislation that is not a mere routine matter has to be sanctioned by the Secretary of State?—Yes.

35296. Do you propose to abolish the control of the Secretary of State?—The proposal is that of Government; I do not know that it is a personal proposal of my own.

35297. Do the Government desire to abolish the control of the Secretary of State in these matters?—I am not in charge of the Legal Department, and I am afraid I cannot say.

35298. Then I will ask you what do you think personally?—I should not go quite so far as that.

35299. You think the sanction of the Secretary of State is required?—It ought to be required. There possibly might be a line drawn somewhere; I should not have any objection to it in bigger matters.

35300. Is not legislation really an important thing?—Undoubtedly.

35301. And it is possible that legislation might provoke political complications?—Certainly.

35302. Is it not better that that risk should be obviated by a project being interfered with *ab initio*, rather than it should be publicly vetoed as the Local Government suggests?—It might have an effect the other way; the legislation might be so altered as to make it against the wishes of the people; it acts both ways.

35303. In the event of the Secretary of State or the Government of India not agreeing with the Local Government the prestige of the Local Government would suffer more from a public veto than from a private initial forbiddal?—Yes, it probably would, but on the other hand the veto would not be put on so often perhaps as if it were done at the beginning.

35304. In the schedule of the Bombay Government attached to their letter of 1906 to the Government of India there are a variety of matters regarding the investment of special magisterial powers under the Criminal Procedure Code?—Yes.

35305. Is there anything about investment of ordinary powers—third class, second class, and first class?—I am afraid I cannot say; I was not in this appointment when the schedule was drawn up, and I do not know what the principles were upon which it was framed.

35306. Do you think Commissioners might have power to give a man third class powers, then second class powers, and, it may be, first class powers, subject to conditions of fitness laid down by the Local Government?—I should have no objection to the giving of second and third class powers at all events, but possibly first class powers might be open to argument.

35307. You say that only one appeal should be allowed in ordinary cases, and a second appeal only when the first appellate authority certifies that special cause exists. Taking the case of Government Officers it has been suggested that the ordinary principle should be one appeal in any case, but a second appeal when it becomes such a serious matter as dismissal from the Public Service; would you hold with that?—Yes, I should not object to that.

35308. Then you say that an officer whose pay is less than Rs. 250 per month should not be allowed to appeal against an order of the Local Government; but supposing he is a superior clerk in the Secretariat, or in some position in which the Local Government might exercise the right of dismissal in the first instance, is such a man not to have an appeal?—There are very few cases in which the Government would issue an order; it would be done by the Secretary, and the Local Government would seldom make the original order.

35309. But supposing there was a case in which the Local Government itself made the original order, would you then allow an appeal?—Yes, I should not object in the case of a Government servant where the order absolutely originated from Government.

35310. The point is that a Government servant should have one chance as against the immediate authority dealing with him?—Yes.

35311. (*Mr. Hichens.*) Am I right in supposing that the main point in dispute in regard to police matters is the question of numbers?—There are several questions in dispute; one is a question of numbers, and there is a question as to the proportion of head constables and the strength of relief guards.

35312. Are the additional numbers to be paid for by the Government of India?—The Government of India are supposed to be financing the whole scheme.

35313. If they have to pay, are they not entitled to scrutinize pretty closely?—It is unnecessary that they should scrutinize in very small detail; they are entitled to lay down general principles on which the reorganization should be conducted, but whether they are entitled to or not, it seems hardly expedient to examine into local details which they cannot possibly know about so well as the Local Government.

35314. If the negotiations have assumed the form that the Government of India are asked for a certain sum of money for a certain purpose, it is not unnatural that they should want to know what that purpose is?—Of course.

35315. And it has assumed that position to some extent?—I think there has been a certain amount of misunderstanding; I do not know that it has been grasped that there is an absolute limit fixed. According to the proposals of the Police Commission it was a maximum of 150 lakhs for the whole of India, and, on a rough estimate, Bombay required 14 lakhs, but I do not know that it has ever been recognised that that amount was not to be increased. We were supposed to carry out the detailed recommendations of the Commission, and the question of finding the money would be afterwards dealt with by the Government of India.

35316. Is this system of doles somewhat to blame in the matter?—I think it is in a way, because it prevents your knowing exactly where you stand; one year you get one sum and another year you get another sum.

35317. It might be considered rather a good instance of what is likely to happen, if the Government of India interfere in matters of detail?—Certainly, unless it is settled that the money is eventually to be given.

35318. If the Government of India has a certain sum of money to spend on police reform, could they distribute it amongst the various provinces, leaving it to them to make the best use of it?—Yes, that would be the best way and would make it clear that the allowance was not to be exceeded.

35319. How would the Government of India arrive at the amount to be given to each province?—It was worked out by the Commission, more or less roughly on the schemes submitted by the various Governments, and that is how they arrived at the figure they put in the appendix to their report.

35320. But the trouble would have still arisen to some extent that, in comparing the claims of Bombay with Bengal, and in allocating the lump sum, the Gvernment of India would necessarily have to scrutinise the requirements of the two provinces very closely?—Yes, they would naturally scrutinise them.

35321. How could they allocate the lump sum as between one province and another without going into details?—Of course they would have to go into details; it must be entirely based on detail.

35322. If they went into details would they not bicker over the amounts?—They went into details at the time, but not to the same extent, as it was necessary to go into them finally. No one would claim that the schemes then framed were absolutely final; they were not the last word on the subject of numbers and the distribution between groups and so on; it was merely a rough estimate of what the reorganization would cost.

35323. In arriving at the allocation between the different provinces would they not necessarily go into details?—Quite so, as submitted to them—that was before the Commission sat; they were provided with figures before the Commission sat at all.

35324. And on the basis of that they might have made their allocation?—That is what they have done.

35325. Have you received any of this additional money from the Government of India yet?—Yes.

35326. Do you have to submit separate accounts for it?—No, they are not separate, they are all dealt with in the police budget. I am not sure whether we have not submitted separate reports, but no separate account is kept.

35327. Do you have to advise the Government of India as to how much of it you are likely to require in the next few years. Every year we put a certain amount into the budget which goes up to the Government of India.

35328. And you do not consider that unreasonable?—No.

35329. (*Mr. Dutt.*) You have told us that the provincial Governments should be allowed to develop their administration on their own lines, but that the Government of India might make suggestions or introduce reforms in departments which are from their nature of imperial concern. Do you mean that in other departments which are not of imperial concern the Government of India should not have any power to introduce reforms?—No, I would not go so far as that.

35330. Would you allow the Government of India to introduce necessary reforms of a general character in all departments of the administration?—Yes, after consulting the Local Government.

35331. And if they did not agree with the Local Government would they have power to force those reforms on the Local Government when necessary?—In some cases they certainly ought to have that power.

35332. You have said that the only Director-General with whom you have any concern is the Director-General of Criminal Intelligence; in what way has the Director been of use to you in the administration of this province?—So far as my own experience goes during the last 18 months, I have scarcely come into contact with the Director at all.

35333. So that you are not aware if he has been of any use to the provincial Government in administrative or other matters?—We get certain reports about people he is looking after and suspected persons, and asking us for information and sometimes giving us information, but otherwise I have had next to nothing to do with him.

35334. You said that you would invest Divisional Commissioners with power to confer upon officers second and third class criminal powers; what would you save by that arrangement?—Merely the reference to Government.

35335. Would it give Government more work if they invested these officers with such powers?—No; of course there are a good many references which come up, but each particular reference does not give much trouble.

35336. As a matter of fact, is the Divisional Commissioner more familiar with the revenue work of his subordinates than he is with their judicial work?—Probably.

35337. And it is conceivable that a Divisional Commissioner from year's end to year's end does not examine the records of any particular criminal case?—Quite so.

35338. In that case would not either the District Judge or the Judicial Department of the Local Government be the more proper authority to invest officers with judicial powers?—Of course the Judicial Department of a Local Government never examine the records of a case, and the Commissioner would be in as good a position to get information as a Magistrate in his own division.

35339. You adhere to the opinion that the Divisional Commissioner should be invested with power to give these officials second and third class power?—I should think so, merely as a matter of decentralization; the matter is not an important one.

35340. You say that the Commissioner exercises general control over the District Magistrates in whom is vested the administration of the police of their districts, but generally speaking, has a Commissioner or a District Magistrate the same power over the police as he had before the new rules were issued, and the same degree of control over their work?—No, I fancy he has not.

35341. Is that a move in the right direction?—It is, as regards the particular branch of work which has gone over to the Inspector-General. It is easy to draw a broad line between the sphere of influence of the Commissioner and the Inspector-General of Police.

35342. Would not some degree of power vested in the Commissioner and in the District Officer with regard to the promotion of sub-inspectors and officers of that class be good for general administration?—In rare cases it affects the question of general administration, but generally it is a departmental matter.

35343. Does not the control of the Head of the district over the police affect the welfare of the people generally?—I do not know that it does very seriously.

35344. If the District Officer had more control over promotions in the police or the same control he had before, would not police work be done more efficiently?—I do not know why it should be.

35345. You recommend Advisory Councils as an experiment in one or two selected districts. What are your reasons?—I should be disposed to recommend them as an experiment rather than as a final measure.

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35346. If the experiment succeeded, the Councils would be of some use for the purposes of general administration?—Yes, it might be. It would give the Collector an idea of what the general opinion in the district about certain measures was, or how they would affect people, and so on.

35347. You think in those ways the Collector would have larger opportunities than the has now of ascertaining local feeling?—He has the opportunity now of consulting these people.

35348. Would he consult them more freely and regularly if there were Advisory Councils constituted?—That is, of course, more an individual question, and I cannot give an opinion on the subject.

35349. (*Sir Frederic Lely.*) As to the allocation of the money at the disposal of the Government of India for police purposes, could they not have done it roughly, and, on the whole, justly, by considering the area and population, and the other known conditions of each province?—I should have said that the factors concerned are rather too numerous to be able to work the thing out generally.

35350. On the whole, they could have done it as satisfactorily as by entering into details as to travelling allowance and wages to be given to each constable, and so on?—That was entirely unnecessary detail of course.

35351. Would it not have been better on the whole if they had made a rough allocation of the money amongst the various provinces and then sent to each province the report of the Police Commission with their views on general points involved, and left each province to work out the scheme in accordance therewith?—Speaking generally, that would have been the better plan.

35352. Without entering into the details of the correspondence, when the Government of India claimed to decide such a question as how many police should be kept at a particular station, did it not tend to confuse the responsibility and weaken the administration?—I should say so, certainly.

35353. You are rather in favour of Advisory Councils?—I should not object to trying the experiment.

35354. You say that the Collector may take their advice, but that any discussions should be informal, that there should be no voting, and that the Collector might refuse, if he liked, to follow their advice. At present has not a Collector advisers who occupy very much that position?—Yes, most Collectors have.

35355. People to whom they refer on every occasion of doubt?—Yes.

35356. What is the difference between the present system and your suggestion; is not the only difference that you formalise the advice, and take away from the spontaneity of it?—Yes.

35357. Would that not be rather a retrograde step?—The advantage of it would be that perhaps a Collector would be more often inclined to take advice if he had a formal Council waiting to be asked; I am speaking of a Collector who would not perhaps consult the people so much as others.

35358. You do not mean that the average Collector would not consult them?—No.

35359. The average Collector is quite ready to receive advice, and, in fact, makes efforts to obtain the advice of those persons who, he thinks, are best able to advise him?—Yes.

35360. Would people care to belong to a Council of that sort?—Some of the people would, but whether they would be the right people is another matter.

35361. It would be more or less a talking assembly?—Yes.

35362. When the people saw that the Collector generally followed his own opinions, would they not get tired of it, and look upon it all as rather unnecessary?—Undoubtedly, if that was always the result.

35363. Would a man who thinks for himself, and gets advice from all quarters, surrender his opinion at the bidding of a Council of that description?—No.

35364. He would get advice from every quarter and frame his communications to Government accordingly?—He might or might not; he would naturally follow his own opinion, but he would have taken the opinions of others.

35365. When that state of things became recognised among the people would they still care for membership of such a Council?—His opinion might be modified, and he might not hold exactly the same opinion that he had before consulting them.

35366. By establishing a Council like that, would you not be sacrificing a certain personal bond between the Collector and the people and getting nothing in return?—I do not know that I should put it in that way.

(*The witness withdrew.*)

Mr. R. E. Enthoven, I.C.S., was called and examined.

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35367. (*Chairman.*) You are Acting Secretary to the Government in the General Department?—Yes. The Department includes Educational, Medical, Local Boards, Municipalities and Marine, and things that do not belong to other departments. I agree generally with the proposals for decentralization contained in the case issued by the Bombay Government. I would draw attention to certain special points in which the administration, adequately decentralized, might be improved.

These are—

(1) The recruitment and training of Civilians—

I would suggest reducing the age of recruitment, forbidding marriage within five years of landing, and more attention in the departmental examinations to the history and ethnology of the Presidency.

(2) Their transfers—

I would aim at retaining officers at least three years as Collectors of districts, giving preference to a junior officer over a senior, if necessary to secure this.

(3) Their pension service—

I would facilitate the selection of Collectors and District Judges by allowing a small pension to those unfit for promotion beyond the post of Assistant.

(4) The limitation of Secretariat employment—

I would limit Secretariat employment to three years' consecutive and five years total service. I would make it illegal for an officer to become Member of Council or Chief Secretary who had not spent 10 years in executive service and five in actual district work.

(5) The reduction of annual reports and reviews.

I would limit reviews and reports to triennial or quinquennial periods, and save the production of a vast quantity of uninteresting matter, burdensome to District Officers, and to Secretariats.

(6) The provision of personal assistants to Collectors in heavily worked districts—

I would give a Covenanted Civilian personal assistant to all the heavy districts of the Presidency, increasing recruitment, if necessary. This would relieve Collectors further, and would provide officers fully qualified, with local knowledge, to succeed a Collector taking leave.

35368. You wish to state something with regard to the training of Civilians?—I think it might produce useful results if the attention of young Civilians both at home and in their examinations here was directed a little more to the history and ethnology of the Presidency. For instance, in an examination at home 400 marks are allotted for Indian history, which is not a very large number, and the standard is not a very high one in that respect. When a young officer comes out to this country no trouble is taken to interest him by examination in the country, but he is immediately

put on to study duties and rules, and his promotion is made dependent on his knowledge of them, whereas it would be a good thing to include in the studies he makes in India some further development on the same lines.

35369. Are the first two years' service of the Civilian probationary?—It is not in this country.

35370. But promotions depend upon it?—A Civilian's promotion takes effect from the date of his passing his examination out here.

35371. What is he promoted from?—He is promoted in grade, which carries increased pay.

35372. As a matter of fact is any Civilian stopped at the probationary point; is he ever "ploughed"?—Certainly they are ploughed.

35373. Is the examination in languages of a sufficiently stiff character and also of a satisfactory character?—Yes, I think so. The grounding as far as language is concerned is sufficient, and the rest must come entirely from experience in districts; you cannot learn a language properly from books.

35374. A great deal of evidence has been given us to the effect that Civilians are not well versed in the vernacular; would you agree with that?—I should say it was possible for them to learn more if they had more time for intercourse with the people; the great trouble is that they have not the opportunity to learn much, because they are moved about from one place to another; the standard of examination is high enough, and the rest must come by practice.

35375. Do you agree that the knowledge of the vernacular is insufficient?—I should think that certainly it is.

35376. Might the selection of officers be advantageously carried further?—In making promotions to the higher grades, I should certainly make selection at the time a Civilian gets charge of a district, and by the time he becomes a Collector I should begin to weed out.

35377. That is to say, before he is appointed permanently as a Collector, he would be liable to rejection and to removal from the Service?—Yes.

35378. Is there any process of selection at the present moment?—The orders are that there shall be selection, but it depends entirely upon the discretion of Government, and, in the course of the last 20 years there has been very little selection—there have been very few rejections.

35379. What are your views with regard to the limitation of Secretariat employment?—I think it is a pity that the orders of 1889 were repealed. The orders of 1889 applied to Secretaries to Government and a limitation of their tenure, and they were cancelled in 1890, but I would not leave the matter to executive orders at all. These things can really only be efficiently done by making it to the interest of the officer not to serve too long in the Secretariat, and there should be a burden put upon him to seek district work.

35380. What were the orders of 1889?—They limited the term of appointment of Secretaries to five years, and Under-Secretaries to three years; the order with regard to the latter stands, but the order applying to Secretaries was cancelled in 1890.

35381. Whom were the orders issued by?—By the Bombay Government.

35382. Whom were they repealed by?—By the Governor in Council next year.

35383. Was it a different Governor and a different Council?—I cannot say.

35384. Unless there were some orders from the Central Government or from the Secretary of State, the mere passing of orders by the Local Government or the Governor, which would be liable to repeal by his successor, would have little effect?—Yes.

35385. Was not some limitation in regard to annual reports made some four or five years ago?—Yes; about the year 1901 the matter was gone into and a good many suggestions were made and certain alterations were effected, but reports have grown very considerably since, and I am told that the last state of affairs in many cases is worse than the first.

35386. Is that partly on account of the requirements of the Secretariat, local or imperial, or is it on account of the tendency of officers to spread themselves in writing?—It is the fault of our whole system. The inference is that if a man does not write he does not know much, and therefore the tendency is for him to write a good deal more than he need.

35387. In all the departments with which you are acquainted are you bound under the orders of Government to ask for a large number of reports?—Reports come in in a great mass; they gradually accumulate before they are laid before Government, and by the time they reach the Secretariat they form a very considerable volume.

35388. Is a Collector bound to report on every subject which he controls separately?—Most of the departments have their annual reports; as far as I am concerned, Collectors have to report on all the municipalities and Local Boards and so on to the Commissioners, who send up their reports.

35389. As far as you are concerned, would it be perfectly sufficient if a Collector made one administrative report upon all the things for the whole of his district to the Commissioner, from which the Commissioner might send to you a paragraph referable to the departments with which you deal?—I do not want annual reports at all. If you put everything into one report you would get one very big report instead of a number of reports, and all that is wanted is perhaps a quinquennial review. If a Collector has anything worth saying he ought to be able to send it in at any time without having to sit down once a year and write up a report upon everything—it is an appalling system.

35390. From your knowledge of the work in the Presidency generally, could you sufficiently trust to the present Collectors and Commissioners to permit them only to report their proceedings formally to Government, say every third year?—Certainly.

35391. Are the administration reports from municipalities and District Boards necessary?—I do not think they are necessary at all. I would have certain records kept, and the necessary statistics for the purposes of a triennial review, copies of which could be issued in the ordinary way with a note with regard to anything extraordinary, but I would have no report at all, because it is not of the least use.

35392. Whom is the administration report drawn up by, the Chairman of the municipality or the Collector?—The ordinary procedure with regard to a municipality is that the Vice-President draws up the report, and the President sends it in; it goes to the Collector who makes his remarks; he sends it to the Commissioner who makes his remarks, and then it comes up to Government.

35393. Do they all make remarks?—Very considerable remarks.

35394. Are the reports sent back?—No, they are not returned; a report on them is sent to the Government of India.

35395. Then a municipality with a population of 8,000 or 10,000 people has its proceedings criticised each year at about five or six stages, ending finally at the Home Department of the Government of India?—Yes.

35396. Do the Government of India, having digested all this mass of matter, return the same with remarks?—They do not bring out an annual report.

35397. They do not come back to the Local Government?—No.

35398. (*Mr. Hichens.*) Speaking generally, do Collectors pay sufficient attention to the training of junior officers?—The selection of Collectors ought to be made rather carefully, and it is very desirable to have Collectors of the right sort to train young Civilians.

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35399. Are they selected carefully enough?—The selection is made more according to the nature of the district in my experience.

35400. Is that a point to which some attention might be paid?—Yes.

35401. Is the training sufficiently varied?—Yes.

35402. Do they learn the ordinary district work?—Yes.

35403. What sort of work do they do after a year?—They are put on to try cases almost at once.

35404. Is that a good way of beginning?—There is not much else they can do; you cannot put anything of importance in the hands of a man who has only just joined the Service.

35405. Instead of sitting down doing case work, would it not be better if young officers had a slightly more varied training?—But they do not sit down, they go out on tour with a District Officer and try cases with him, and see what he is doing.

35406. Instead of doing case work, would it be desirable, for example, that young officers should have to pass an examination in book-keeping; would that be of any use to them, or would it be a waste of time?—It would be an absolute waste of time; they have to pass examinations in too many books and accounts already.

35407. Then you think that book-keeping is of no use?—If you mean the keeping of revenue accounts, that is now a subject for them, and there is too much of that already, if anything.

35408. Would it be desirable that they should be sent for a year or for a short time to another province?—No, certainly not, with regard to Bombay. I think Bombay is such a peculiar province, where there are so many different kinds of people and so many languages spoken, that they have all the variety that they can possibly want here, and if you were to introduce another province it would make it worse still; it is inconceivable to me how it would make them any more useful.

35409. With regard to the remuneration of Government officers who may be appointed to perform special work, should the Local Government be allowed to decide in every case what the remuneration in respect to special work should be, without reference to the Government of India at all?—That depends upon what view is taken of the functions of a Local Government. If you assume that it is a post office, which is to send things on, I should say send everything to the Government of India, but if you consider it is a Government, then let it decide almost everything you can trust to it; you must lay down the principle first that it is either going to, or is not going to, forward things on.

35410. But what is your opinion with regard to this particular point?—I say it must go on the question of principle, and on the question of principle I would trust the Local Government with a great many powers, and this would be one of them.

35411. Would you say the same with regard to the other portions of the schedule?—Undoubtedly.

35412. Might there not be an objection in having octroi duties on articles which are liable to high customs duties?—I see no objection.

35413. Would you say that the Local Government should frame their own Government Servants' Conduct Rules?—We have the rules already, and they ought to be worked by the Local Government. Starting afresh, they might be drawn up by the Local Government, but as we have them I would work them by the Local Government, that is to say whether a case fell under the rule, or whether there was an exception, should be a matter only for the Local Government.

35414. Supposing the rules were drawn up by the Government of India, would it be possible for a Local Government to alter them without the consent of the Government of India?—You have to decide whether a particular matter falls within the rule or not, and that is a matter which the Local Government can decide, but at present they are not allowed to.

35415. And if it does not come within the rule, the Local Government should make the exception?—Yes.

35416. From the point of view of expediency, it might be better to alter the rule altogether?—I do not know; these rules have been accepted.

35417. Is it not conceivable that the Government Servants' Conduct Rules may require alteration from time to time?—Not in the working. I do not see the point you have in view.

35418. Would it be better that the rules should be general for the whole of India, as settled by the Government of India, or that there should be model rules adopted with whatever modifications were thought necessary by the Local Government?—It does not much matter, the only difference lies in the application of the rules, and seeing whether a case falls within them or not; that is the only difficulty we find; the principle is agreed upon, and there is no difference of opinion as far as I know.

35419. In regard, say to travelling allowance rules, you think that they should be made by the Local Government?—Yes; I would leave them entirely to the Local Governments.

35420. Can you tell me the basis of the Government contributions to the District Boards?—They give a special grant now, amounting to one-quarter of their receipts, to encourage works. They give educational grants, too.

35421. Is the one-quarter grant given *pro rata* to the cess collected in each district, or is it distributed at the discretion of the Local Government?—This large grant, which was initiated in 1905, has gone through various vicissitudes; the end of it now is that it is distributed rateably.

35422. Does the District Board have to make a fixed contribution of a certain percentage of the cess towards primary education, the balance, whatever it is, being made up by the provincial Government, plus fees?—I do not know that that is quite right; the Boards have to spend one-third of their one anna; then Government come along and make another large contribution, and they vary their policy from time to time according to the funds.

35423. What do the Government contribute?—The Government contribute half now; it was one-third until the end of February, but it varies from time to time according to the funds.

35424. The District Board make up the balance?—The District Board spend the one-third of their one anna; they do not make up the balance; they give one-half or more according to the necessities of the case.

35425. (*Mr. Dutt.*) We have had some evidence that practically the education work of the Local Boards is managed by the Education Department; is that so?—Yes.

35426. Is that according to the clauses of the Act itself, or according to some orders of the Government, or according to the choice of the Local Boards themselves?—The rules lay down that the *taluka* Board manages the primary schools. The practice works out rather differently; they rely on the education inspector, and, as a rule, anything that he suggests is done, but the Government rules say that the *taluka* Boards shall manage the schools; they have considerable powers, but they do not use them.

35427. Under the Government rules could the *taluka* Boards entirely take over the management of the primary schools if they thought necessary?—No; their power is strictly limited; they can decide where the schools can be and so on, but on technical matters they go to the inspector, and, as a matter of fact, they leave everything to him as a rule.

35428. With regard to reporting on the schools and so on, have they liberty to employ their own agency?—No, they have not.

35429. Would it be desirable to give them that freedom?—There, again, you have to lay down your principles. If you are aiming at the highest efficiency that you can secure from a departmental point of view, you would have the inspection done

by the Education Department. If you want a lower standard of efficiency, simply in order to leave scope for the local body, then you would give it to the local bodies.

35430. Would it be more in conformity with the local self-government scheme to give them power to manage their schools by their own agency?—I cannot say what the idea of the Local Self-Government Act was.

35431. Would it be likely to interest them more in their work and associate them more in the work of education if this power were left to them under the Government rules?—Speaking as a District Officer, I should think it was unlikely.

35432. We have also had evidence that practically all the road work of the District Boards was left to the Public Works Department; is that under the Government rules or according to the choice of the Local Boards?—They are bound by the Act; they have to leave things to the Executive Engineer; the Public Works Department has to prepare plans in some cases and to carry out the work; the Local Boards are very tied up.

35433. Should they have discretion to use their own agency if they thought it proper to do so?—If you want the roads at their best, leave them to the Public Works Department; if you are satisfied with a worse type of road, leave it to the Local Board. You must lay down your general policy; if you prefer less efficiency and greater self-government, then leave it to the Local Boards; if you desire greater efficiency at the expense even of self-government, then leave it to the Public Works Department.

35434. In your opinion should the Government lay down the rule that all roads should be made by Public Works Department, or would you give Local Boards their choice?—I would not mind leaving those things to the Local Boards.

35435. We had evidence before us with regard to some municipalities that the annual budget is not sent up at all, either for examination or for the sanction of any higher authority; is that so?—The municipalities, both city and town, sanction their own budgets and alter them from time to time as circumstances may render desirable. The accounts are communicated to Government in the form of statements appended to the annual administration report on municipalities. We divide them into city and town municipalities; there are certain powers reserved to Government in the case of the city municipalities which are left to the Commissioner in the case of town municipalities.

35436. Has the Divisional Commissioner sufficient power of control over city municipalities?—Quite ample.

35437. And, generally speaking, with that control, are the municipalities doing their work fairly well under the present organization?—That is a question for the officer on the spot. I do not see the working of municipal government in the Secretariat; I only see reports.

35438. (*Sir Frederic Lely.*) Has Government given any encouragement to a young Civilian to study the ethnography of his district?—They present him with a very good Gazetteer; that is the extent of it.

35439. Unless some chance friend interests him in the work, there is nothing done on the part of Government to attract him to it or encourage him to study it?—There is no Government action involved, so far as I know.

35440. We have been told that there is no record in the Secretariat as to a man's proficiency in the vernacular; is there no record kept, either, of his interest in other directions, for instance in the ethnography of his district?—The Secretariat does not deal with records of officers' performances at all; that is a matter for the Private Secretary.

35441. You speak of retaining officers at least three years as Collectors of districts; would you go so far as to take an undertaking from a man when appointed as Collector of a district that he shall stay in it three years, barring unforeseen circumstances?—Yes.

35442. Suppose a Collectorate fell vacant, and the next man on the list for the vacancy was known to be going home in three or four months' time; would you pass him over and put in the next man to him who was likely to remain?—Certainly I should ask him to take his leave as soon as convenient, but unless he would remain for three years I should not promote him.

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35443. Would that be unpopular?—I dare say it would be.

35444. But would it be accepted by the general sense of the Service as reasonable?—Yes, I think it would.

35445. On the whole would it not work all round pretty fairly? If a man suffered by it once, he would stand to gain by it on another occasion?—You have to consider the interests of the administration first. If an officer will only take a district for three months until he gets a better one, you should not allow him to do it.

35446. You would not see anything unjust in laying down a general rule to that effect?—Certainly not.

35447. If a Collector goes on leave for three months, is it the rule in this Presidency to put in the man on the spot to act for him, if he is fairly competent?—I do not think there is any rule; it would depend upon the seniority of the assistant, or whether there was a personal assistant of senior standing, and so on; it is according to the merits of the case.

35448. As a general rule, if the man on the spot is fairly competent by virtue of seniority and experience and so on, will he be put in?—It would depend how much junior he was; if he was very much junior to the man who would naturally get in, I do not think he would be put in.

35449. Would it not be a sound practice to do that without reference to the claims of anyone else?—Certainly.

35450. Would you extend that from three months to six months?—I do not think it would be necessary, because officers either go for three months or have a long spell.

35451. The rule would not often apply, but suppose a man did go for six months?—I have not thought over that at all.

35452. Is it the rule in this Presidency that if an Acting Collector on the list—a man who has not a permanent appointment as Collector, but is only Acting Collector—returns from leave, he can eject a man who is also acting, and who may be junior?—I do not know the practice.

35453. Take the case of a man who is First Assistant Collector, but senior enough to be acting; suppose he returns from leave; would you give him the right to eject another Acting Collector who happened to be junior to him and who was acting in a district?—If their seniority was very much the same, it would be advisable to keep on the acting man.

35454. And let the man who has come from leave wait for his turn?—Provided you gave him accurate information so that he should return in time to get an appointment; that would generally be possible.

35455. That is a matter of arrangement which is generally attended to?—I think so.

35456. As to providing smaller pensions for men who are unfit, to encourage them to go; would it not be rather a severe stigma on a man to tell him he must go, after ten years' service, on a reduced pension; would not that tend against the popularity of the Service?—I do not see why it should. I would compare it with the Army; if they find an officer is not fit to take charge of his regiment, he has to go.

35457. But it inflicts a very serious stigma on a man for the rest of his life?—Being unfit is always unpleasant.

35458. Woud it not be sufficient to have a scale of reduced pensions, and in case a man is pronounced unfit, to give him the option of going or not?—I certainly would not give him the option.

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35459. You would not give him the option of, say, staying on as First Assistant Collector?—No.

35460. But he might be fit to be First Assistant Collector?—He will not be fit, if you pass him over.

35461. If you pass him over as Collector, he might still be fit to be First Assistant Collector?—No, because having been passed over he will not be fit in any capacity.

35462. The power and responsibility are very different in the two cases?—Quite so, but if he is passed over he will not do good work in any capacity; you had better get rid of him.

35463. Suppose a man was willing to go on as First Assistant Collector, would you not allow him to stay on in that capacity?—No.

35464. Although you admit that he might be useful?—No, I say he would not be. My experience of officers who have been passed over is that they will not put any heart into their work; they have nothing to gain.

35465. If he has no heart in his work he will probably go, but if he wished to remain that would be proof that he really had heart in his work?—No; it might be that for certain reasons quite unconnected with his work he preferred to remain.

35466. Taking as an example some of the municipal reports, is it not a fact that they are often not merely tedious but reiterative?—I think they contain a mass of unimportant matter.

35467. Very often the information is the same year after year?—I should not be surprised if it is reproduced.

35468. Has the system been introduced of confining these reports to yearly statements of variations only? For instance, a municipal report begins with a statement of the members and the meetings; there is a special form every year showing the number of meetings; that might be left out altogether, unless it so happened that the municipality had held no meetings, or had held only one or two; then the fact should be mentioned, otherwise no reference need be made to the subject at all. Would it be desirable to have a yearly statement on that basis sent in, instead of the long rigmarole that now goes in?—No. I think that would be equally objectionable because, unfortunately, the idea of what is important in this country is so exaggerated.

35469. Could not the Municipal Secretary be trusted to appreciate the difference between unimportant variations and important variations?—Certainly not, in my experience.

35470. Not with some hints to guide him?—No. I have read a great number of reports, and they seem to me to have no sense of proportion at all; the man may be writing for a quite unimportant municipality, yet if the municipality spends two annas on killing a snake it is to him all-important. I would have a triennial statement drawn up by an officer who could go into it carefully.

35471. You would not have a statement sent in year by year to the Government?—No; I would have a statistical report every three years. Of course, any large variation would naturally call for inquiry, but that would be dealt with on a statistical table, quite a short thing; I would not have any of the written matter.

35472. You would boil down the statistics greatly?—Yes; very little would be required for material for the triennial or quinquennial review.

35473. Is there a tendency to throw too great a burden of responsibility on the District Board—too much roads, too much veterinary work, too much dispensary work, and so on?—I think their funds are very inadequate for what they ought to be able to perform, and therefore, when you press them to do what they should do, they have not got the money.

35474. How would you propose to remedy that?—I should like to see them given much larger funds.

35475. Is all the work that is imposed upon them now appropriate?—Yes, certainly; I would like to see them doing more work.

35476. Do you think that veterinary work, for instance, is appropriate work for a District Board?—Their veterinary work is very simple; they have a joint committee, but they get technical advice.

35477. There is the expense of it?—Government contribute considerably; they give half and Rs. 400; it is not at all an unfair burden.

35478. (*Sir Steyning Edgerley.*) Is not Appendix V. of the Government case simply a complete list of every proposal that you have received from a Collector and a Commissioner?—From all branches of the Service.

35479. The inclusion of an item in this list is not the expression of any *primâ facie* opinion on the part of the Bombay Government as to its suitability for delegation or not?—I think it is expressly stated that it is merely advanced to show that there is scope for delegation, but there has been no time to scrutinize the items.

35480. Is there any expression by the Bombay Government, by inclusion of an item in this list, of a *primâ facie* opinion that this or that power is suitable for delegation?—No, not as I understand it.

35481. It is merely a complete list of what has been received?—Exactly.

35482. Have the rules as to medical fees deterred gentlemen of position from seeking the services of Government officers?—Yes; that is the great complaint. A senior officer in the Indian Medical Service came to me the other day and sand that he had been unable recently to attend any gentlemen of standing in his part of the Presidency, because they objected to the details of their cases being reported, and therefore did not call him in; it made a very great difference.

35483. Besides the personal view of the Indian Medical Service, it precludes natives whom it affects in the districts from getting the particular aid they would otherwise wish to have?—It certainly had that effect in this case.

35484. (*Mr. Meyer.*) You say that Appendix V. of the Government case is practically non-committal so far as the Government of Bombay is concerned?—I understand that it is merely a collection of proposals received, which will be examined on certain principles when time is available.

35485. Have the Government of Bombay formed no ideas as to these matters?—As far as I know these particular proposals have never been submitted formally to Government.

35486. There are many things in your Land Records Act; among others is the abrogation by Government of its present power to dismiss hereditary *watandars*. That came up in 1902, and the Government of the day negatived it; anyhow, it has been discussed before. Have the Government of this day no special views on the subject?—I do not know whether it is up before Government now; but so far as it is included in that appendix it merely means that it is there.

35487. In other provinces the Local Government has sent up schedules to the Commission, showing the matters which, in the opinion of the Local Government, either the Local Government itself or the subordinate officers of the Local Government, ought to form the subject of delegation of larger powers. In some cases too they have discriminated, speaking of subordinate officers, as between cases where the Local Government is bound by no Act or rule of the Government of India, and those in which the Local Government is tied up by some Act or rule having the force of law or by some Imperial Code. Does Bombay not intend to help us in that way at all?—As I understand, the Bombay case puts forward a certain position of affairs which would render any such preparation of proposals unnecessary.

35488. These are all cases not as between you and the Government of India—at least for the most part——but as between you and your subordinate officers? Occasionally you are bound by a Government of India Code, such as the Civil Service Regulations, but the bulk of the appendix relates to Local Acts and rules and orders?—Yes; but the matter is intended to be dealt with on a much broader line than the mere suggestion of cases in which delegation should take place; it is an actual difference of principle.

35489. The Bombay Government has told us that in its opinion the sound method is to give power as far down as possible. That is a very pretty principle, but one has to test it. In each case you have to consider what is the lowest degree to which you can delegate. Will that not involve a great deal of work?—I do not know.

35490. In 1896 the Government of India asked for certain schedules as to the powers to be delegated, and in 1906 the Bombay Government sent the thing up with about eight pages scheduled. May I put to you a little sum in proportion? If they took ten years to do that, how much time are they likely to take to sift about 180 pages of appendices?—I do not think that is a fair way of putting it, because the whole matter is on a different footing now. It is recognized that there must be decentralization, and therefore it will be gone into quite freely. At that time it was held that the Government of India would not think of it. It is only a question of having a special officer for a certain number of months. It has been done before to a certain extent by the Committee of 1901; so that we have on record a great deal of what we shall want. I do not think it will take very long.

35491. Are you likely to be able to send the Commission any information?—I can only suggest that the Commission should address the Government on that point.

35492. In Appendix 6 there is an order signed by yourself as General Secretary, which, roughly speaking, empowers Commissioners and Heads of Departments to incur any expenditure up to Rs. 500 in any one case, recurring or non-recurring, in which the sanction of the Government is not positively required by law and in which they think that Government would be likely to agree?—That is so.

35493. Is it not rather a wide delegation to make?—I think it is a very small delegation to make.

35494. A man might appoint a *mamlatdar*?—A man might take a passage to Europe, but he is not likely to do it.

35495. In financial matters you have to look at what might be done?—Within certain bounds. I do not think you can go on the principle that a man is always going to mis-spend any money entrusted to him; certainly not in this country.

35496. You do not think that this delegation is practically *ultra vires*?—It is open to objection by the Accountant-General, as almost everything this Government does is.

35497. Is this Government specially open to objection from the audit point of view?—I think all Governments are open to objection from the audit point of view.

35498. The Bombay Government is not a larger sinner than other Local Governments?—I should say not.

35499. You do not know whether the Accountant-General has taken exception to it?—Yes, I happen to know that he wrote in and discussed the orders.

35500. The matter is still under consideration?—The matter will, of course, have to go to the Government of India.

35501. The scheme in the case of your Government refers to the creation of temporary appointments only. Do you hold that a Commissioner should be allowed to appoint clerks up to Rs. 15, or any limit you like to put?—I would like to see them have some powers to make permanent appointments, but that is a financial question. I have not served in the Financial Department.

35502. As regards these city municipalities, do you not see their budgets at all?—No.

35503. Or their administration reports?—I see their administration reports but not their budgets.

35504. Does the Commissioner see the budgets?—I do not think so.

35505. Most municipalities, all over India, have to get their budget passed by some superior authority outside. That is the case with your ordinary budgets—the Commissioner of the division passes the budget?—I am not sure.

35506. But in regard to these city municipalities the Commissioner does not, and the Government does not, pass the budget; is the municipality entirely free?—That is a point which I cannot answer offhand.

35507. As regards the municipal reports you perhaps did not mean to imply that your Government reviews the report of every municipality: you have a globular report on the municipalities of the province?—I mean that the Government have all the reports before them; there is the consolidated Local Self-Government review, one for municipalities and one for Local Boards.

35508. The Government of India do not review that again unless there is anything upon which they want to ask for special information?—No, I do not think they write about it.

35509. Your idea is that all annual reports should be abolished?—If possible; in certain exceptional cases, customs and trade matters, and so on, the reports are very valuable.

35510. Take matters which excite some amount of interest at home—excise, education or local self-government, would you do away with the annual reports there?—I think so; the country is too poor to pay for them on the scale that is demanded.

35511. How is Parliament, or the Secretary of State, or the Government of India, or the Bombay Government for that matter, to find out what is being done?—They must wait for the triennial report; they will have a report every three years.

35512. If a Member of Parliament asks a question in the House, he is to be asked to wait until the issue of the next triennial report?—Or given the last one.

35513. Would that be likely to satisfy him?—That I do not know.

35514. Is the Government of India also to wait for the triennial report?—Certainly, if it can.

35515. You express general concurrence in the Bombay proposals for decentralization, which are not merely criticism of details, but contemplate a rather revolutionary change; it is suggested that Local Governments should be made as completely autonomous as it is possible to make them?—By degrees, yes.

35516. Would you be surprised to learn that all the other Local Governments are generally satisfied with the existing conditions although, of course, they want some modification here and there?—I should not be surprised to learn it, because they are nearly all Lieutenant-Governors, and in my experience Lieutenant-Governors seldom seem to ask for anything but what the Government of India wants. I do not think you can put Lieutenant-Governor provinces on a par with the Presidency Governments.

35517. What is the population of the Bombay Presidency?—25 millions, including Native States. Without Native States 18 millions.

35518. Do you seriously think that you can give power to a Government ruling 18 millions which you can refuse to a Government ruling over 50 millions, as in Bengal and the United Provinces?—I should be very strongly inclined to spread the system of Presidency Governments as against Lieutenant-Governorships. I do not consider the population test at all a good one.

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35519. Also the bulk of non-official opinion we have had here is against this decentralization under present circumstances; they say: "As long as the Government is bureaucratic, as at present, we prefer the Government of India to the Local Government, or, at any rate, we prefer a certain amount of control over the Local Government"—what have you to say to that?—I think Mr. Gokhale was saying what he would like to get for his friends, rather than what he thought would be best, and he thought that if he made it a condition of decentralization that more power should be given to his friends, that would lead to the results he aims at.

35520. Still, anybody who has to come to a decision will have to take non-official opinion upon the matter into consideration?—I suppose so, for what it is worth.

35521. Then as to these appendices in the first volume of the case. I do not want to go into them in detail, but they seem, so far as I can see, to involve a double line of argument. If the proposals sent up have been generally approved by the Government of India, it is said, "It is not necessary to refer to such cases"; if, on the other hand, they have not been accepted, it is said that the Government of India are obviously wrong and such a case should not have to be referred. That double line of argument would do away with all necessity for any reference at all?—That is what we want to do.

35522. You want to be as independent as possible?—Yes.

35523. And you desire to give your Commissioners equal independence as far as possible?—Yes, as far as possible.

35524. In time past there has been a great deal of interference with Commissioners on the part of the Local Government; have not the Commissioners been over-ruled in what the Commissioners have considered relatively petty matters?—May I ask if it is desirable to go into that; it involves a great deal of explanation about the Governments in the past.

35525. I ask you whether the Bombay Government in the past have not interfered minutely in district administration instead of leaving the Commissioners with broad powers? I do not want you to go into a mass of instances?—I should say that Commissioners have been interfered with in the past, certainly.

35526. The case against the Government of India is also made up from the past. The criticisms in the Government Case are full of instances drawn from the past years?—A certain number, yes.

35527. The Local Government, among their proposals, say that they desire to give powers to District Boards and municipalities to levy a railway cess. How would a municipality levy a railway cess?—I do not see any difficulty in the municipality raising special taxation for a tramway or railway, but the railway would not come up to the municipality.

35528. Suppose you had latitude here, and some municipality wanted power to enhance its revenues in order to guarantee a tramway or a light railway in which it was interested, what sort of tax would you contemplate its raising?—I do not think it would be necessary at all, but if there was a necessity of providing further funds they would have to increase their taxes rateably for the purpose.

35529. The District Board, speaking generally, is a one-tax body; it has other sources of income, but its main source is the Land Cess. In Madras where they have this system they have raised their Railway Cess by increasing their Land Cess. Is that your intention in Bombay too—to increase the Land Cess?—Yes.

35530. In the municipalities you have a variety of taxes, octroi, house-tax and so forth—which tax would you contemplate increasing, or would you start a new tax altogether?—That is a matter of detail; if you find you want a certain sum, you will find out how best to increase your taxation to provide it, where you can do so within your legal powers; it is a matter of detail.

(*The witness withdrew.*)

The Hon. Mr. A. C. LOGAN, I.C.S., was called and examined.

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35531. (*Chairman.*) You are the Commissioner for the Central Division?—Not now; I am Commissioner of Abkari and Customs; I left the Central Division three months ago. I was Commissioner of the Central Division for one year, then there was an interval while I went to Calcutta, and again for another six months.

Local Governments do not enjoy any financial independence. The Government of India regards itself as the master of all the revenue raised in India and holds itself responsible for all the expenditure. For the purposes of the provincial settlement with the Government of Bombay the revenues raised within the Presidency are divided into imperial and provincial in the following proportions:—

	Imperial.	Provincial.
Salt, Customs, Opium, Tributes, Mint	The whole	—
Land Revenue	Half	Half.
Stamps		
Excise		
Income Tax		
Forest Revenue		
Irrigation Revenue ...		
Registration	—	The whole.
Law Courts and other minor sources		
In money, taking estimate for 1907-8	8¼ crores	6¾ crores.

But the authority which the Government of Bombay enjoys in respect of its 6¾ crores of provincial revenue is merely, as the Government of India are careful to point out, a delegated authority; and it is exercised under a mass of restrictions which will be found in the Civil Service Regulations and Civil Account Code *passim*, and under a minute general supervision. Each major head of the provincial budget is a grant by the Supreme Government for that head, and whatever powers the Local Government enjoys as regards the distribution of it they enjoy as agents. Any large expenditure from balances must receive the previous sanction of the Government of India before it can be entered in the budget. The budget itself has to be submitted to the Government of India for previous sanction and incorporation with the Government of India's budget, and the progress of revenue and expenditure under it is communicated in monthly returns to the Comptroller-General at Calcutta. The Accountant-General has strict orders to watch collection and expenditure, and to *warn* the Local Government at the first appearance of anything abnormal in one or the other, and every October he has to make a report to the Government of India reviewing the expenditure of the past year, and forwarding explanations of every variation and of his own conduct if he has failed to exercise any check. Thus both in the preparation and execution of its budget the Local Government is subject to the control of the Financial Department of the Government of India, and cannot be said to enjoy any real independence. The stringency of the control, while it effectually prevents extravagance or any other species of financial disorder, precludes the development of statesmanship in the Local Governments. The multifarious restrictions by which the Secretary of State attempts to prevent the Government of India from going wrong should be swept away or greatly reduced. In its direct responsibility for the security and good government of the country the Government of India has some reason for the incessant control it exercises over the Local Government; but there is nothing but political pedantry to justify the interference of the Government in England in such trifles as the creation of an appointment of over Rs. 250 a

month or the expenditure of Rs. 25,000 on a reorganization.

The question of restoring some degree of real independence to the Local Governments is one of much greater difficulty. No delegation of larger powers will do this: the thing is to get rid of delegation as far as possible, and give genuine authority subject only to control on results. I do not think that this can be attained by a self-denying ordinance by the Government of India while retaining the present system of divided heads; the transactions of the Government of India and the Local Government are continually interlacing, and this necessarily involves incessant interference. Divided revenue involves divided expenditure, and involves an extraordinary number of contributions and adjustments between the Imperial and the Local Government. The number of small provincial matters, such as lines for the Governor's band, research laboratory, temporary plague charges, municipal sewage schemes and some 50 more, for which the Government of India has from time to time to make contributions varying from Rs. 2,000 upwards, illustrates how completely the Government of India has its finger in every pie. As regards the remedy, I can only speak with extreme diffidence, having no expert qualifications. There might be a complete separation of finance between the two Governments by the allotment of certain sources of revenue wholly to the Local Government, and the exclusion of these heads from the general budget of the Government of India. To be of any real consequence the sources to be wholly transferred to provincial should include Land Revenue, income tax and forest. Stamps and excise might be made wholly imperial in addition to opium, salt and customs.

If such a separation were introduced the imperial and provincial collections would be kept separate in the district and other treasuries, and the Civil Account Code, except so far as the Local Government adopted its provisions in a Code of their own, would apply only to the imperial accounts. There would be a separate provincial Accountant-General appointed by the Local Government and a separate provincial budget prepared by him and not subject to previous sanction by the Government of India. I would leave irrigation on the imperial side, because in this era of vast schemes not designed to pay, it would be impossible for the Local Government to take over that head (though apparently a suitable one for provincial finance) without getting borrowing powers; and the acquisition of such powers would inevitably draw close superior control in its train.

Under the present system there is not any occasion to give the Government of Bombay borrowing powers; and the acquisition of such powers would not tend to liberty but the contrary. Borrowing powers are liable to much misuse, and no Local Government could hope to exercise them except under far-reaching restrictions.

The Local Government might be permitted to sanction residential quarters for officials up to Rs. 5,000 as with provincial departments, instead of only Rs. 2,500. The Salt and Excise Departments contain a very large number of European inspectors for whom quarters must be built at a cost of about Rs. 5,000 each.

The Head of the Department (*e.g.*, the Commissioner in the case of Salt, Customs, etc.) might be empowered to call for plans and estimates for non-residential works up to Rs. 5,000, and to sanction them up to Rs. 2,500 as with the Commissioners of divisions; and when it has been decided by Government that a particular class of subordinates are to be provided with residential buildings not exceeding Rs. 5,000 each, the Commissioner might be empowered to have the buildings carried out within that cost without reference to Government. This should apply to the Excise Department also. At present the Commissioner cannot sanction any residential building at all, nor any non-residential work exceeding Rs. 500.

The Commissioner might also be authorized to sanction additions and alterations to existing residences up to Rs. 750, instead of Rs. 200 as now.

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When budget provision exists the Local Government might be permitted to sanction revisions of establishment up to Rs. 6,000 per annum for all Imperial Departments and up to Rs. 100 a month in the case of individual salaries, instead of Rs. 3,000 and Rs. 50 as now. The Commissioner might be authorised to make similar revisions up to Rs. 1,000 and Rs. 50.

The Local Governments ought to have complete liberty to manage or mismanage, the Government of India having no means except the annual administration reports and special reports which they might call for on a popular commotion or other grave occasion, of knowing what the Local Governments were doing. Check should be exercised by censure or, if necessary, enforced resignations, and not by daily restriction. In matters under local control the Government of India would rarely have the means of laying down policy, for they would be deprived of the incessant reports on which, after incubation and collaboration, announcements of policy are now made. Occasions would only arise when some grave mismanagement called the attention of the Government of India to a particular question. On such occasions the policy which occurred to the Government of India as correct should be communicated to the various Local Governments; but they should of course be fully empowered to contest it if it appeared unsuitable to their own circumstances. The Imperial Departments would continue under the same control as now. But to save harassing correspondences the Government of Bombay might be given power to grant privilege leave and fill the acting vacancy, as in the case of Customs Officers of the new Imperial Service.

As a general rule it should not be considered absolutely necessary that a Local Government making rules under a Government of India Act should obtain the previous sanction of the latter. There are numbers of cases where the Government of India having for convenience passed an Act for all India might leave the Local Governments perfectly free from legislative restriction in respect of its administration.

There is an undoubted tendency towards uniformity in the Government of India Secretariat, and this is an inevitable result of its having power to control every department of local administration. It is naturally disagreeable to the Secretary and Member of a Government of India department to have to study and deal with half a dozen different ways of managing the same branch of administration; and therefore they naturally aim at reducing all types to one. No more conspicuous instance of this could be quoted than the recent orders regarding excise, where the determination to enforce uniformity throughout the empire, and to replace personal control by automatic mechanism, seems to have prevailed over all other considerations in dealing with a peculiarly complex problem. The true reform is what I have proposed above: to separate the imperial and provincial departments, both of revenue and administration, and curtail extensively the powers of the Supreme Government to interfere with the latter. But if this cannot be effected, then there is an alternative method of so remodelling the constitution of the Government of India as to replace the present departments by departments for the various local areas each with its own Secretary and Member: thus there would be a Department of Bombay with Secretary and Member appointed from that Presidency dealing with all Bombay questions and the like for the other Presidencies and Lieutenant-Governorships. Thus each province would govern itself from Calcutta under the supervision of the Governor-General.

The Government of India, while incessantly engaged in introducing changes in the details of administration, have never done anything effective either to prevent or to cure the various errors urged on this country from England or coming in as the result of home influences, for which we are now paying the penalty. I refer especially to such matters as the grant of free trade in land to a peasant proprietary totally unfit to enjoy it; the establishment of Civil Courts almost wholly in the

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hands of a single class of natives with powers of evil which the appeal system only slightly mitigates; the establishment of a native Bar with immense powers and little guarantee of good conduct; the destruction of executive power by the total abolition of the old native prerogative, while at the same time the Criminal Courts of the districts which were to take its place are vested with little more than the power of expressing a first opinion, subject to two revisions before it can be enforced; pedantic restrictions on the police in dealing with crime that aggravate the evils they were devised to prevent; an educational system so little under wholesome control that it is becoming an instrument for the wholesale corruption of youth; a free press which fills the land with the clamour of folly and falsehood; an election system for municipalities, Local Boards and the Legislative Councils which practically confines representation to men of the literary castes and consequently gives one selfish interest absolute predominance everywhere; and summing up the source of a multitude of evils, direct and indirect, a tendency to turn all administration into a machine and the officers of Government into wheels, little, medium and big, all turning mechanically in the prescribed direction under the motion communicated by the prime mover.

All imperial Directors and Inspectors-General are instruments of centralization; and whether they are given directory or merely advisory powers matters little in the long run, for if their advice is not taken they can get the Government of India to enforce it. They should therefore only exist where centralization is desirable as an end in itself. On this principle the new Inspector-General of Excise should be abolished forthwith, and with him the Director-General of Forests, and perhaps the Directors-General of Education and Medical Services and the Inspectors-General of Agriculture and the Veterinary Department. If, however, in any of these cases the functions of the Director or Inspector are substantially those of an ally and do not involve much interference with local control, he may be retained with advantage, and I do not see why in purely technical matters, involving no questions of policy or expense, he should not give instructions to the local Head of the Department even without the sanction of the Local Government. It is impossible without pedantry to lay down any precise rule for all cases; a jurisdiction, which might be quite safe with regard to details of medicine and mining operations, might be mischievous with regard to education or forests, and therefore each case must be dealt with on its own merits. The Director of Criminal Intelligence should be kept strictly to his own functions and not allowed to develope into a Director-General of Police. Over-centralization of the police is fraught with possibilities of calamity when times of trouble come.

Considering that almost everything is discussed for years, sometimes decades, before action is taken, it is extremely difficult without the study of innumerable files to discover who first started an idea which takes shape; but this is certain, that the Government of India, having no local establishments of its own, necessarily formulates all its measures on the reports of Local Governments. The initiative therefore in presenting matters on which the Government of India takes action either by ordering a Commission and taking action thereafter, or by immediate Resolutions, must always be with the Local Governments. And with more independence, Local Governments would probably often take early action on matters which incubate with the Government of India for years. As between the Government of Bombay and the Government of India, this Government would claim the chief credit for the initiation and progress of the Agricultural and Land Records Departments, and perhaps for the Police Commission and Education Committee; while the Government of India would probably claim that, but for it, the Government of Bombay would never have introduced a record-of-rights, a Court of Wards, or a liberal remission system. But the fewer suggestions of reform made from outside the better. This Presidency has a sufficiently intelligent staff to discover the need for reforms as it arises, and change in itself is a greater evil in India than anywhere else.

The cases in which an appeal to the Government of India in administrative matters is allowed by law or rules having the force of law are not so many as to require notice, and in practice appeals are not presented to an extent which is embarrassing, except those against capital and other sentences of a Criminal Court. This last kind of appeal should be expressly disallowed, and the petitions should not be forwarded to the Government of India except perhaps in a half-yearly return if that Government so desired. For the others I would impose no further check than a stamp of Rs. 10.

As regards officers of Government I would raise the limit of pay up to which the Government of Bombay has the right to withhold petitions from Rs. 100 to Rs. 250, and would expressly disallow any right of officers of that salary or less to appeal to the Government of India against any punishment less than dismissal or permanent reduction.

The Divisional Commissioners have been made the Courts of Wards for their divisions under Act I. of 1905, and under section 19 of that Act they can delegate all or any of their powers to Collectors and Assistant or Deputy Collectors. The Act has not been in force long enough to enable an opinion to be formed whether the powers of the Court are sufficient in practice or need extension.

The rules regarding expenditure by Commissioners and Collectors have been framed in the narrowest financial spirit and require much enlargement. Apart from many minor delegations enumerated in the statement in question my general plan is—

Each Divisional Commissioner should have about Rs. 50,000 always at his disposal for discretionary minor works costing up to Rs. 2,500. Of this he would distribute half or more to Collectors and District Judges for their uncontrolled expenditure on works costing up to Rs. 1,000; the rest he would keep for disposal by himself on works of higher cost.

The acceptance by Government of budget provision for new establishments is no authority for the employment of the establishment; specific sanction must be obtained in each case. When provision has been made, showing that Government regard the proposals as *primâ facie* proper, the Commissioner should be given power to sanction employment in each case where the expenditure involved does not exceed Rs. 2,500 per annum, or up to twice that sum if the establishment is to be temporary, *i.e.*, for not more than twelve months.

The restrictions of the Civil Account Code on the purchase of what are called special contingencies, such as dictionaries, legal commentaries and other appurtenances of offices should be diminished. If Collectors cannot be trusted to buy these things without previous permission, the power to give permission should at least be transferred from Government to the Commissioner.

The discretionary grants to Commissioners intended to relieve Government from petty applications, and now fixed at the absurd sum of Rs. 1,400 each, should be increased to Rs. 10,000 each, and the Commissioner of Customs should have a similar grant. The furnishing of offices should be a charge against this grant, and for this purpose the grant for the three divisions should be doubled during the first two years. The shabby and sometimes disreputable state of the offices in which most of the Collectors and their Assistants and Deputies have to sit is one of the causes contributing to the general disrespect into which authority is falling. The Commissioner should also have power to sanction from his grant urgent temporary establishments for not more than six months and costing not more than Rs. 100 per mensem for which no budget provision exists.

The power of sanctioning non-recurring grants by local bodies to one another should

be given to the Commissioners up to a limit of Rs. 5,000 in each case. The difficulty is not to restrain Boards from making grants, but to induce them to make them in proper cases.

The general law of appeal from administrative orders by Revenue Officers, as embodied in sections 203, 204 of the Bombay Land Revenue Code, is that there shall be a second appeal to Government in every case. This is distinctly wrong; the utmost that should be conferred by law should be a first appeal from the decision of a Commissioner or other Head of Department, when such an officer passes an original order. But it is a question whether in a country like this, where appeals, whether in administration, litigation or criminal justice, are habitually made merely because they are allowed, though the case may admit of no doubt, it is desirable that any appeal to Government should be conferred by law. The Government has an inherent right to accept any application it chooses; and it should be under no obligation to accept an obviously idle petition because the law allows an appeal, or to reject an apparently sound one because the law allows no appeal; but to check idle applications every appeal to Government against an administrative order should bear a stamp of Rs. 4, *i.e.*, double the stamp required on an appeal to a Commissioner.

By implication under section 35, Land Revenue Code, an appeal lies to Government against any order dismissing a subordinate whose pay is over Rs. 35, and against orders punishing in any other way subordinates whose pay is Rs. 100 or over. The right of appeal against dismissal should not be curtailed, and in the other cases appeals to Government are seldom made; but, in the interests of discipline, Government should as regards these other cases give the Commissioners power to withhold any appeal to itself from an officer drawing Rs. 250 or less, except where the punishment is permanent reduction. In the case of superior officers no change of practice is necessary.

No appeal lies from any order of a Collector punishing even with dismissal a subordinate on Rs. 35 or less and this is sufficiently strict. I do not think that the right of appeal to the Commissioner in other cases needs alteration.

Apart from the influence of the Government of India the natural tendency of Secretariats is to impose uniformity for their own convenience and to discountenance the personal element in administration. Release from the overpowering control of the Government of India will operate to mitigate this feature of Government, and an ordinance that at least five years' service as a Collector, and two as a Commissioner, should be necessary qualifications for the posts of Chief Secretary or Member of Council would do something more. The proposal which is sometimes mooted to make Members of Council tour would do much more harm than good by further diminishing the small awe of Government which still exists in the *mufassal*, and by obliterating the authority of the Commissioners, add an immense loss of time.

Departments must be departmental and impersonal, and it is not wholly evil that they should be. The tendency can hardly be corrected in the Secretariat itself; the proper remedy against excess of it is to give the Commissioners large authority and thus stimulate a powerful individualism to combat excesses of departmentalism. Any proposal to replace the individual Commissioners by a Board of Revenue would be retrograde: a Board has many of the features of a Secretariat. in that it represses individual force and initiative in its own members. It has the same motives for uniformity as a Secretariat, it has the same tendency to stand on its dignity against individualism from below, and it is bound to lack in at least some degree the opportunities of personal investigation and conference with Collectors which individual Commissioners enjoy. The Collectors would lose greatly by the change. The Commissioner is now their ally and sympathiser: in a Board they would have a body deprived as Government is by its corporate capacity of human feeling, and with much more inclination to enforce the will of Government with rigour than to help the Collectors to influence that will.

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The Commissioner has very little influence outside the Revenue Department. The Public Works Department is practically autocratic, partly owing to the Government of India Code and partly to its very favourable position in the Secretariat. However, it consults the Commissioner pretty freely. As regards Education the control is either with Local Boards and municipalities or (in the case of higher education) with the Director of Public Instruction. The Commissioner has little opportunity of exerting influence, and his advice is not voluntarily sought, either by Government or the Department. It is much the same with Medical, but here there is no great scope for the Commissioner's interference. In the Judicial Department he has no recognized place at all; though considering that the Magistrates are the ultimate enforcers of all laws, the Commissioner, as the chief of the executive under Government, ought to have a large authority in their appointment, removal and general control, apart from the hearing of appeals from judicial sentences. Where the Magistrate sits as an Executive Officer for preventing crime as distinct from punishing it, the final revision should be with the Commissioner, not the High Court. In the case of police the Commissioner has lost much of his authority by the appointment of an Inspector-General, but this latter measure was necessary both that work which the Commissioner could not attend to might be more efficiently supervised, and that the police might be strengthened by having an efficient Head of their own. If the District Magistrate's authority is scrupulously maintained the change should prove highly advantageous. In Registration authority has passed to the Inspector-General, and this is also advantageous. In Forests the Commissioner has as much voice as is necessary. On the whole, if the views of the Commissioner could be secured adequate consideration in the Public Works Department by an arrangement that the Revenue Member of Council should see the papers as second Member where there was a conflict of opinions; if the Educational Department were re-organized and the Commissioner given a potent voice in its administration; if the Commissioner were given magisterial authority and the power suggested in the Judicial Department, and if in the legislation on the Government of India's anvil he retains certain powers and a general supremacy over the police, the Commissioner would have as much power outside the Revenue Department as he needs or could use. The Commissioner of Excise enjoyed a large and beneficial influence in that department till recently; but the inundation from Simla which is sweeping away our local systems in that department will deprive him of much of it.

District Officers possess the most ample opportunities, though their time for general converse with non-officials is limited by the claims of the office table. There is no short remedy for this. All officers do not have a fluent acquaintance with the vernaculars, because every superior clerk in an office now speaks English, and the vernaculars have no literature to tempt an officer to read them after his last examination is passed. I would make the Higher Standard Departmental Examination almost wholly a matter of language and very stiff, and every officer below a Commissioner transferred, at no matter what length of service, to a new language area should be obliged to pass in that language within a year on the usual penalties.

Since Khandesh has been divided no reduction in the size of any district is now necessary. Some increase is necessary in the strength of Assistant and Deputy Collectors and seemingly of Collectors also, seeing that last month eight Collectorates out of nineteen in the Presidency proper were in the charge of Assistant Collectors, of whom one was a 3rd, and four 2nd Assistants. Satara and perhaps some other districts of the Central Division ought to have more sub-divisions than at present; but even now there is constant complaint of a scarcity of officers to fill the charges.

Transfers are undesirably frequent. It is extremely difficult with very liberal leave rules to avoid constant changes. Except for leave or urgent cause there should be no transfers of officers after less than three years' continuous service in

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one place; as there are no bad districts in this Presidency this would inflict no hardship. An officer taking leave from an unpopular district within three years should ordinarily return to it and do at least as much time in it as he had escaped.

Taking extension of powers in this question as equivalent to removal of restraints, the principal restraints on municipalities and Local Boards are that without the sanction of higher authority they cannot—(1) raise loans; (2) impose, abolish or decrease taxes or make rules; (3) permanently alienate property; (4) increase establishment; or (5) vote money for any but the purposes described in the governing laws. None of these restrictions should be entirely removed; but development should be in the direction of freeing municipalities from a portion of their restraints under item (2) and both bodies from some of those under (3) and (4). Local Boards which are now treated precisely like a Government Department so far as the Accountant-General's control over their expenditure is concerned, might be put on the same footing as municipalities.

The power to construct tramways and railways (with the previous sanction of Government) should be conferred on District Boards, and a number of Boards should be empowered to combine for that purpose. As it is very desirable to get rid of tolls, District Boards should be given power to levy a wheel-tax or the cess should be increased in place of them. The only "village union" of this Presidency is the occasional Sanitary Committee or Board. It should have the power of raising revenue by light house-tax or other cess without any such restriction as now exists with regard to the amount to be raised. It could then replace the unpopular and expensive municipalities in towns of under 10,000, whereas now it can hardly be made to serve any purpose.

The functions of municipalities and Local Boards are already far more than they can efficiently perform, partly for want of money and partly for want of capacity. If Sanitary Boards are given such powers of taxation as would enable them to supersede municipalities in small towns they should be given powers of lighting streets and perhaps powers in a few other small matters acceptable to the people.

If an Administrative Council means that a number of non-officials with an authoritative voice in the determination of questions are to be associated with Collectors and Sub-Divisional Officers in the administration of their charges, then the measure is one that would produce anarchy within ten years. As regards district Advisory Councils I should like to point out that there is no room for extraneous advice in the enforcement of the law, which constitutes nine-tenths of the duty of Executive Officers under our system. Under our reign of law, Collectors and District Magistrates have no personal authority to make ordinances or rules. So far as Government have handed over legislative power to inferior bodies with which the Collector is connected (*i.e.*, Local Boards and municipalities) he already has his advisers in these bodies. The question is—what other matters remain on which the Collector and District Magistrate may be supposed to need advice? His principal duties are:—First and foremost, to secure life and property by the enforcement of the criminal law. Secondly, to collect the revenue in its various branches and disburse it according to his budget grants. Thirdly, to perform the duties laid on him by about 200 other laws imperial or provincial. Fourthly, to supervise the working of the police. Fifthly, to preserve discipline, industry and integrity in all the establishments under his control. In none of these cases would the intrusion of non-official advice be anything but mischievous.

Though the Collector has no power outside the laws he has a certain discretion within some of them (*e.g.*, the Land Revenue Code and Rules) and there are certain matters (*e.g.*, caste and religious disputes, strikes, loans to agriculturists, encouragement of commercially or socially depressed castes, promotion of social intercourse between Europeans and Natives and between Natives and Natives) in which there is a certain room for policy, as to which he might need advice. Though he makes no laws he is the ultimate adviser of Government on all, and it may be said that he might reap advantage from an Advisory Council when a bill is sent down to him for opinion before introduction in Council.

It is, however, the very nature of Englishmen to seek advice in matters where they feel a deficiency of knowledge, and that such advice is habitually taken in proper cases either from trusted subordinates or trusted non-officials, or by conference with the crowd in the market place. Consequently a formal and permanent Advisory Council can be only expedient as a political panacea for the prevailing unrest. But to produce even a temporary illusion of success as a panacea, the Council must be constituted chiefly from the local agitators, that is to say the lawyers, money-lenders, newspaper editors and schoolmasters, the last men whom a Collector would ever dream of consulting. If on the other hand the nomination was left entirely to the Collector, and he only nominated the kind of men he would consult without a formal council, then three evils would still result without any counterbalancing advantage: his Councillors being publicly proclaimed would be exposed to all the obloquy and persecution from the agitators which now attend any openly loyal adherence to Government; the same publicity would expose them to a constant solicitation and offer of bribes from interested parties; and thirdly, the existence of formal and permanent bodies would tend to some weakening in officers where above all things it is necessary to encourage firmness and independence. I am therefore not in favour of any District Councils. But there ought to be a wide extension of the *Darbar* system: every Collector and Assistant or Deputy Collector should have a *Darbar* allowance and hold a meeting of leading men, liberally interpreted at each town where a halt was made, and the Commissioner should hold a *Darbar* at each district headquarters annually visited. A short speech in vernacular on local topics, followed by an hour's general conversation, would do much good socially and adminstratively, and the Collectors would often thus come in touch with shrewd men, now hidden in the crowd who would be worth calling home for further conversations.

The District Boards could exercise no more control than the Collector does now over the municipalities, unless they financed them and except on that condition the measure would not be popular with the latter. But it would be very undesirable to divert the local cess largely to municipalities. If the smaller municipalities could be put under Sanitary Boards with enlarged powers, those Boards might properly be placed under the District Board.

All Police *patels* have petty powers to punish assault and abuse under section 14, Village Police Act, 1867, and the Commissioner can give larger powers to them under sections 15 and 16. These latter powers should belong to every *patel*, unless the District Magistrate withheld them in particular instances. In civil matters enough has already been done by the institution of conciliators and village munsiffs in districts under the Deccan Agriculturists' Relief Act. There is no room for any delegation of other powers to the village community, which is losing all coherence and is neither willing nor able to do any public business; least of all any that involves individual or general expense. The old panchayats of whom much is talked were very dilatory and corrupt committees empannelled to settle petty civil disputes, and they cannot be revived.

35532. As Commissioner of Abkari and Salt and so forth, you administer those departments partly for the Government of India?—Salt and customs and opium are imperial; the rest is provincial.

35533. Is there any difficulty in administering as a provincial officer an Imperial Department?—No; no particular inconvenience arises; the administration is practically under the provincial Government except in certain matters of expenditure which have to be referred to the Government of India.

35534. Have you any hesitation, as a provincial officer, in spending funds which eventually come

from imperial sources?—Everything has been laid down by rule; I have no discretion.

35535. Do you frame your own budget?—I frame budgets according to estimates of requirements, but it does not make any difference in the estimates that it is a provincial department; there is no more difficulty about framing the salt budget than framing the excise budget.

35536. You are just as careful in regard to imperial expenditure, although the result is to benefit the imperial revenue?—There is no difference whatever.

35537. What is the area of the Central Division?—There are 7 districts, with a population of about 6 millions; the length is about 350 square miles from north to south and about 150 miles broad.

35538. How long does it take you to get round the division?—About five months. I spend a fortnight or more at the headquarters of each Collectorate if I want to.

35539. You saw every Collector?—Yes, one has to be at the headquarters station, and I did as a matter of fact meet every Collector.

35540. And most of the Sub-Divisional Officers?—Not unless I camped in their sub-divisions; I did not as a rule call them in.

35541. Did you hold any conferences of your District or Sub-Divisional Officers?—No; no occasion arose for that.

35542. Has that been the practice in this province so far as you know?—Conferences might be held occasionally. For instance, at the time of famine and plague they have been held; the Commissioner has come down and called in all of the Sub-Divisional Officers and consulted with the Collectors.

35543. It is not done as a matter of general practice?—No, it is not done ordinarily.

35544. Would it not be easy to get the ideas of the Collectors as to the wants of a division if, instead of their sending in a series of reports, they had a talk, say, twice a year, when each Collector would be free to express his opinions and to say what he thought was necessary and compare notes with his fellow officers?—I do not know that it would be altogether expedient to have the Sub-Divisional Officers in a conference with their Collectors, and I do not think verbal conferences with the Commissioner would enable him to dispense with written reports to any large extent.

35545. It would not enable the officers to check their experience by that of their neighbours?—Most Collectors are transferred from district to district; every Collector has experience of several districts, and there is no absolute necessity for Collectors to consult one another.

35546. Are there Commissioners' conferences?—Yes, in the monsoon. They are usually held at Poona.

35547. Are they of value?—Yes, they are very important; they are held under the orders of the Government; Government refer certain things to be disposed of or considered by the conference of Commissioners; those matters are considered, and that work is very useful.

35548. Who presides at the conference?—The senior Commissioner, whoever he is.

35549. You find the discussion of subjects and the interchange of views very useful?—Yes, it enables matters to be settled sooner than by correspondence.

35550. And it enables the Commissioners to compare their experience, and perhaps to modify their proposals to Government?—The proposals go up under the joint signature of the three Commissioners when there is a conference; they have to make a joint report.

35551. But does the discussion of events and possibilities affect the proposals which the Commissioners subsequently make to Government as to carrying out the scheme in their divisions?—Yes, it sometimes does happen that conversation takes place upon subjects outside our immediate department, but not to a very great extent, because the meetings are very brief.

35552. Have you any power in Bombay to post your Collectors to the districts which they occupy?—No, that is done by Government.

35553. Is it a power which ought to be vested in the Commissioners?—No, I think not.

35554. (*Mr. Meyer.*) Who attends these Commissioners' conferences?—The three Divisional Commissioners and the Settlement Commissioner.

35555. Not the Secretaries to Government and other Heads of Departments?—No.

35556. In Bengal they have an annual conference of a larger character; there are present the Commissioners of divisions and the Heads of Departments and the Secretaries. They meet for about a fortnight and pass in review all important matters pending in the province; you do not do that in Bombay?—No.

35557. What do you discuss at your conferences?—There are a certain number of subjects that Government do not care to dispose of on the report of a single Commissioner or on a separate report of Commissioners; these are sent back to us to be made the subject of a joint report.

35558. Would it be advisable to adopt the system that they have in Bengal and to make it more a general conference—which in Bengal is also attended by non-officials, members of the Legislative Council and the like?—That, of course, is quite a different thing.

35559. Would you stick to your present practice, or would you try the larger experiment?—I would sooner keep the Secretaries in the Secretariat to attend to the Commissioners' reports, and let the Commissioners meet by themselves.

35560. It has been suggested that the Commissioners should have larger powers in the matter of Public Works—that the provincial Public Works budget should be split up; the Local Government would, of course, have to keep a certain amount in reserve and to meet the biggest works, but otherwise each Commissioner should have a certain amount; and he should have the power of sanctioning projects against that amount; would you be in favour of that?—You mean something beyond the proposal to allow Rs. 50,000, which is my own proposal.

35561. I mean, giving the Commissioner several lakhs to deal with?—I certainly think it would be an admirable thing if such large powers could be delegated to Commissioners. I am in favour of Commissioners receiving sums for the purpose of Public Works—relating of course to departments under the Commissioners.

35562. Public Works may be divided into the category of irrigation works, and buildings (which are mainly departmental), and the larger provincial roads. Would you consider irrigation as part of the Commissioner's department—minor works only—tank works?—I do not think it would be quite safe to let the Commissioner be the disposing officer there; he has no expert assistance in his office; it would be better probably if irrigation went to the Government.

35563. And as regards the provincial roads?—He might have that, and of course all land revenue buildings.

35564. There are certain buildings that are occupied by Judges and so forth, people outside his own departments; would you give him the sanctioning power there?—I should think he had better not have it.

35565. You do not think he could do it satisfactorily?—The Judicial Department would not like it.

35566. As regards your present spending powers, you submit proposals to Government, but you have really no power to spend money except as Government desires?—That is so.

35567. You cannot create an appointment, for instance?—I can spend nothing except from my discretionary allowance.

35568. Which is relatively small?—Quite small.

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35569. Every additional permanent appointment that you make has to be sanctioned by Government?—It had until this small delegation of powers made a month ago.

35570. Similarly, supposing you managed to save on your abkari establishment, you could not go and spend the money on an extra launch for salt, or on buildings, without the sanction of Government?—No.

35571. On the other hand, when it comes to the Local Government, if they sanction additional expenditure for salt or for opium, they do not meet the cost; it merely means that there will be a smaller surplus to go to the Government of India?—If they spend money there will be less surplus.

35572. Whereas under excise, which is a divided head, if they increase the establishment and increase the expenditure there is a diminished surplus, but part of it falls on their own heads?—Yes.

35573. The Government is always being urged by officers to sanction additional establishment?—Yes, when necessary.

35574. Can a Government help being a little more careful about matters in which the cost falls upon itself than about matters the cost of which falls on the imperial authority and does not affect provincial resources?—There may be a little difference, but I do not know that there really would be much difference. There would be a tendency that way.

35575. Take a man in your own position; if in one source of revenue he was administering he got a direct advantage and he could apply it as he thought best, and there was another source where he got no advantage, is it not natural that he should put his back into the first rather than into the second?—Yes, all these things are natural; at the same time officers are not probably influenced by these considerations.

35576. They do not mean to be, but there is at least a slight weight in the scale?—Everybody can judge whether there is likely to be or not.

35577. You desire as a preliminary to decentralization that "The Government of India should have absolute financial and administrative liberty, subject to general control over results, with the penalty of recall or impeachment if power is grievously misused." Do you think the Secretary of State or Parliament would ever assent to a wholesale delegation of that fashion?—I really do not know.

35578. We have got to deal with practical politics. As a man of the world and an officer of large experience, do you think the Secretary of State would ever assent to a wholesale delegation of that kind?—I think he might very well yield up some of his control.

35579. Then again you say, "Local Governments should have complete liberty to manage or mismanage, the Government of India having no means, except the annual administration reports and special reports which they might call for on a popular commotion or other grave occasion, of knowing what the Local Governments were doing. Check should be exercised by censure, or if necessary by enforced resignations; and not by daily restriction." The Government of India's control would be entirely *ex post facto*, practically confined to cases in which some grave mismanagement had called their attention to some particular question. Again, do you think that His Majesty's Government and Parliament would allow that?—I really do not see why they should not.

35580. Apart from that, is it not better, if interference is required, to interfere before mischief is done rather than after it is done?—Unless you give a man the power of going wrong you will not get the best out of him. A man who is constantly in leading strings will never do the best work possible.

35581. It is a question of degree; you might relax control in a variety of minor matters, and yet keep control in essentials?—Yes, that is so.

35582. Then again you say that the initiative in representing matters on which the Government of India takes action must always be with the Local Governments, and that therefore, apparently, there is no necessity for the Government of India to intervene. Does not that ignore the fact that some provinces are more progressive than others; it may be that in one department one province is progressive, and in another department it is another province that is progressive, but in every department there are cases in which some provinces go ahead faster than others?—"Faster" and "better" are not always identical in India.

35583. Then I will say "better"?—I do not know; I have no experience of other provinces.

35584. You admit yourself that but for the pressure of the Government of India, Bombay would not have introduced the record of rights, or Court of Wards, or the liberal remissions system?—I said that the Government of India would probably claim that. I am not quite certain of the previous history of these questions, and cannot say whether they were forced on by the Government of India or not; they may have been.

35585. There is a case, then, in which the experience of one province has been applied to the advantage of another province through the medium of the Central Government?—That is so. I cannot say that we would not have taken up these things and solved them in a different way if we had been left alone.

35586. You desire that the income tax should be handed over to the Local Governments; do you mean that they are to be at liberty to repeal or alter the income tax?—No.

35587. It has been suggested that there is no reason why the income tax should be uniform all over India; that it might be levied at 5 pies in the rupee and at 10 pies in Calcutta, and so forth; do you agree with that?—No, I think not. I have never heard of the suggestion before, but it does not seem to me desirable that there should be different rates of income tax in different parts of India.

35588. There is too much trade communication perhaps; you have got firms, for instance, who carry on business all over India in the different provinces; would the commercial public stand an Income Tax Act that was differently administered in the different provinces?—I should think not.

35589. You say that, failing your other scheme, you would remodel the constitution of the Government of India so as to replace the present departments by departments for the various local areas. You would have one department for Madras, another department for Bombay, and so forth. How would you deal with general matters; take finance for instance?—I do not put that forward as a practicable scheme.

35590. Do you think it is a practicable scheme?—No, I do not think it is; it is a possible scheme, but not one that need be discussed, because there is not the smallest chance of its being taken up.

35591. Apart from the difficulty as to dealing with general questions, would not your Bombay Department promptly absorb the powers of the Government of Bombay?—Yes, it would be a case of Bombay governing itself from Simla; the provincial Government would be in quite as humble a position as it is now, and more so. One advantage would be of course that we should have our own men with more local knowledge over-ruling the men here.

35592. But your own Government would sink very considerably, and the real Government of Bombay would be the member of the department in charge of Bombay in the Government of India?—Practically, but the control is very great now also; the one advantage we should get from that scheme would be that of being governed by men who know us well.

35593. (*Sir Frederic Lely.*) In the divisional budget that is suggested to be compiled by the Commissioner you say you would not include minor irrigation works. Who decides now what is to be

spent on minor irrigation in a division?—If by minor irrigation, you mean the small paths, tanks and channels in the Northern Division, which is the only place where I have had any particular experience of it, the Public Works Department used to regulate all the tank expenditure by fixed rules laid down.

35594. Is the Public Works Department better fitted for that work than the Commissioner?—Not for that minor branch.

35595. You think it might be included in the Commissioner's budget?—Yes, tanks and small channels, not canals.

35596. You say that, for instance, the Judicial Department would not like any option being given to the Commissioner as to their buildings; suppose a question arises between spending money on District Courts or on revenue buildings, with whom does the decision lie?—With Government at present; the Public Works Department issues the order, but it is sent in to the Judicial and Financial Departments.

35597. The Public Works Department draws up the budget to begin with and sends it on to Government to be sanctioned; it never in fact goes out of the hands of the Public Works Department until it reaches the very highest authority?—That is so.

35598. Is that a sound system; is not the Commissioner much better fitted to decide upon a question like that than the Public Works Department?—The Judicial Department would never be satisfied with the decision of the Revenue Officer on that matter.

35599. Would you consider the Commissioner as purely an officer of the Revenue Department?—The Judicial Department resent—some of the Judges resent—my having the present control of the discretionary allotment.

35600. But what would you say yourself; do you think that there would be any danger of injustice; would there not rather be considerable security for all interests by giving a more potential voice to the Commissioner?—Of course I should like to see the Commissioner's powers enlarged, but if it is a case of bringing him into conflict with other departments, then it would be better that they were not enlarged in that particular direction.

35601. You would object to it simply because you think that objection would be raised, reasonably or unreasonably, by certain departments?—There is another point. The Commissioner has no Public Works establishment in his own office, and if you increase his power in that department very largely you would have to increase his staff.

35602. It is not proposed to give him any power or duty of examining estimates or projects of any kind; it is simply arranging the budget according to what he knows to be the wants of his division between the various departments?—But it would remain with the Government to give sanction.

35603. The Government would sanction an allotment for the whole division, to be budgeted against by the Commissioner?—I do not see any objection to the whole question being submitted to the Commissioner in that way for his views.

35604. Would it not be an advantage to consolidate the administration in that way?—The Commissioner would be simply an advising officer; he would decide nothing.

35605. The proposal is to give him authority to make his budget; would it be feasible to give him authority to make a divisional budget?—That is a question I have not thought about.

35606. As a matter of fact is not the controlling voice in the appropriation of public money with the Public Works?—It is practically.

35607. Is that right?—The Commissioner ought to have more voice, but I do not know whether there are not disadvantages connected with framing of divisional budgets which would be passed as divisional budgets in Council.

35608. The Commissioner would frame his budget and send it up against the grant made by Government?—The proposal might be subject to extreme criticism in the Financial Department as being very inconvenient. *The Hon. Mr. A. C. Logan.* 11 *Mar.*, 1908.

35609. It would only be a question of mechanism?—I cannot say that it would not have advantages, but I have never thought about it.

35610. Would you not advocate change of spirit in the administration, in the shape of making the Commissioner more a co-ordinating authority over the various departments?—The Commissioner is only one man and can only do a certain amount of work. If he were given more power in the departments at present under him he would have as much as he could do; he cannot do everything; as it is, the Commissioner of the Central Division is overworked.

35611. Are you not inclined to think that rather too much stress is laid upon touring in the Bombay Presidency? I mean touring for all officers, who have to demand carriage and provisions from the people?—There is a great deal too much travelling about by subordinate officers, but I do not think there is too much touring by Collectors and Assistant Collectors.

35612. Is it a fact that every year, in the month of November, there is a very large swarm of subordinates and others spread over a district?—Yes, from circle inspectors upwards.

35613. And that is not all to the gain of the raiyat?—No, it is very much to his disadvantage.

35614. Is it necessary than an Assistant Collector should be obliged to tour for seven months in the year?—I should say that he should tour for five months.

35615. Provided that he covered his charge fairly well, you would not insist on his roaming about in the month of May merely for the sake of travelling?—No.

35616. (*Mr. Dutt.*) As Divisional Commissioner do you frequently have occasions to examine the magisterial work of your subordinates?—No, practically not at all.

35617. You do not have any occasion to send for their records of cases and look into them?—Never, except incidentally in judging the conduct of some Government servant who is implicated in the case.

35618. Government now has the power to vest different officers with first, second, or third class powers. A proposal has been made that the power might be transferred to the Divisional Commissioner; what is your opinion with regard to that proposal?—I would give the Commissioner the power of appointing all magistrates except First Class Magistrates.

35619. What is the present system of recruiting *mamlatdars*; are they generally taken from the Ministerial Service, or are they appointed direct?—They are almost all taken from graduates, or non-graduates. who have passed the departmental examination; that is, Government servants.

35620. They have some official experience before they are appointed *mamlatdars*?—Yes.

35621. How long generally do they work as ministerial officers before they are appointed *mamlatdars*?—It differs in different divisions; perhaps five or ten years in the Northern Division.

35622. On what pay do they serve before they become *mamlatdars*?—They may begin on Rs. 30.

35623. We have had evidence before us in another province that it is not a desirable thing for these men to work as ministerial officers on small pay before they became *mamlatdars*, and that it would be more desirable to appoint them direct?—I entirely differ from that.

35624. You think it is a good training for them to begin as ministerial officers?—It is essential.

35625. You do not think that that is likely to expose them to temptation?—Certainly not; a man who knows that he is going to be *mamlatdar* in a short time is not going to take bribes.

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35626. Do they all know that they are going to be *mamlatdars*?—They all hope to be, and it is pretty certain that most will be sooner or later.

35627. (*Mr. Hichens.*) Would you be prepared to relax the control of the Commissioner with regard to the funds of District Boards?—The Commissioner has very little control over District Board funds.

35628. In matters of appointments, for instance, can the District Board make appointments off its own bat?—Yes, they appoint their engineers, their surveyors, and so on themselves.

35629. Suppose they wanted to increase their staff above the existing *cadre*, could they do that without getting sanction?—They have to get sanction for that.

35630. Or if they wanted to increase the scale of pay could they do that?—Not without sanction.

35631. They could not even take on an additional peon?—It is so with municipalities: I forget about the Local Boards.

35632. Would you be prepared to give them wider discretionary powers?—Yes. I think the tendency ought to be in the direction of giving both municipalities and Local Boards larger powers of appointment.

35633. Have you any definite proposals to make?—I would give them power of appointment as regards the menial establishment: perhaps a pay of Rs. 20 might be fixed as a beginning.

35634. Would you adopt much the same lines as are adopted with regard to provincial Governments, that is to say, allow them to re-organise their establishments within a certain limit of expenditure?—Yes, that might be done.

35635. And in the same way you would allow them to make fresh appointments up to a certain scale of pay?—Yes.

35636. It has been stated by several witnesses that the position of the District Boards, and to some extent of the municipalities also, was that there were a great many services where they contributed substantially towards the cost, but had a comparatively small control; such services as vaccination, for example. Is it desirable to give them more control?—I do not know that they want it.

35637. In the case of Public Works, certain witnesses have told us that the District Boards find it a substantial convenience that that course should be carried out by Government and likewise it is found to be more economical. For those reasons, is it desirable to continue the present policy, or would it be your view that even though it might cost more in the way of efficiency and in the way of actual outlay, it would be desirable to give them further power in order to develope their sense of responsibility?—No, I do not think so.

35638. In the abstract, it is desirable to endeavour to develope their spirit of responsibility and their skill in local self-government?—I am against artificial things that are inexpedient in themselves: I do not think that self-government ought to be fostered in that way: let it grow if it can; if it cannot, leave it alone.

35639. It might be said (with or without truth) that if local bodies had sufficient funds the thing might grow, but that you cannot expect the plant to grow unless you give it water and manure; would there be anything in that argument?—Unless you trusted them with the funds without control from above, you could not tell what would grow, and I think it would be very dangerous to try the experiment.

35640. You must put in a few plants before you can tell whether they will grow or not; is it not worth while making the experiment?—I almost think not, because in all these years the plants have shown very little natural strength or power of spontaneous growth.

35641. According to the evidence of some witnesses, the plant has been a little starved?—Certainly starved from want of funds, but that is in the nature of the case; money has not been withheld from them, but the source of their supplies does not yield enough.

35642. The alternative would be to give them adequate funds to carry out a certain amount of work and allow them full, or comparatively full, discretion within those limits; would that be a step in the right direction?—They have all works of a certain nature now under them.

35643. Let me put this concrete instance; instead of giving them both education and Public Works and making them contribute something to the Government in respect of both, and having very little executive work, it might be possible to take away, say for the moment, education or vaccination, and allow them to have more money for Public Works and to do them themselves?—That I should approve of, especially taking away education.

35644. But, as a policy, would you think it sound that whatever works they have to pay for, that is to say, whatever works they were financially responsible for, they should be at the same time executively responsible for?—Yes, that is quite sound.

35645. The police of making them pay contributions without giving them at the same time executive and administrative responsibility is not a sound general policy in administration?—As regards roads, the fact is that the roads are better repaired and made by the Public Works Department with contribution from the Local Boards; so far the present system should remain.

35646. If it is desirable that the Government should do the work, might it not be desirable that the Government should pay, and conversely if it is desirable that the local authority should pay, might it not be desirable that the local authority should do the work?—But then the local authority has the choice of the work to be done; that is where its privilege comes in.

35647. It is only a question whether it is desirable to aim at combining executive and administrative responsibility with financial responsibility or not?—I quite agree to the principle.

35648. In the *mufassal* municipalities, with possibly one or two exceptions, there are no non-official Chairmen?—That is so.

35649. Would it be desirable to extend the principle of appointing non-official Chairmen?—It is very desirable when you can get a really good man, but it is a very difficult thing to get.

35650. Would you extend the principle which is practised in Bombay of having a paid Secretary or Commissioner, with definite powers, to the *mufassal* municipalities?—They all have a paid Secretary; you mean a paid Executive Officer; it is possible only in the large municipalities on the ground of expense.

35651. Therefore, with the exception of one or two cases, it could not be applied?—No.

35652. Would the same objection apply to suggesting such a course with regard to the District Board?—Yes.

35653. Would you be prepared to give the *taluka* Boards further powers than they have to-day, especially in regard to independent finances?—I would not. The thing is there is extremely little money to go round, and funds being as they are, the District Boards had better keep most of the money in their hands, and carry out works of general importance, rather than divide it up among the *taluka* Boards to be spent upon small things. Besides, the intelligence on the District Boards is greater than on the *taluka* Boards.

35654. In regard to roads which are not built by the Public Works Department, do you think that they are better done when they are done by the District Board directly or when they are done by the *taluka* Board?—The probability is that they will be better done when done by the District Board by its establishment.

35655. Is the District Board likely to give more direct supervision than members of the *taluka*

Board could cover?—No, but then the *taluka* Board are asked by the District Board to exercise supervision, and they do it very often.

35656. Your opinion is that things being as they are and the funds being as limited as they are, it is desirable that all the money should be centralized in the District Board?—That the present system should continue. I would like to see the cess doubled; the Local Fund Cess ought to be doubled.

35657. Is that practical politics?—Yes, I do not see why it should not be. Our land taxation is exceedingly light, and an extra anna in the rupee would not be a heavy burden.

35658. It would not conflict with the terms of your 30 years' settlement?—It would have to be done by legislation, but my impression is that the Act which imposes the cess renders it possible to increase it at any time. If there was a legal difficulty, it would have to be put off until revisions occur; revisions are occurring every year in different districts.

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35659. Would you favour a system of contributions by the Government in proportion to the amount collected locally?—If the cess was increased there would be no necessity for doing that. Government ought to contribute towards roads which are of more than local importance, but it does that as a matter of fact. I do not know that in other matters it can be said that Local Boards have a claim on provincial revenues.

35660. On the whole if it is found necessary to increase the funds of the Local Boards, it is better to do it by increasing the cess than by making a call on the limited funds at the disposal of the Government?—I think so.

(*The witness withdrew.*)

Adjourned.

FIFTY-SEVENTH DAY.

BOMBAY, *Thursday*, 12*th March*, 1908.

PRESENT:

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

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

The Hon. Mr. J. L. JENKINS, I.C.S., was called and examined.

35661. (*Chairman.*) You are a member of the Bombay Government?—A temporary member. My permanent appointment is that of a First grade Commissioner. The appointment I last held was that of Commissioner of Customs, Salt, and Excise.

35662. As member of the Council have you certain portfolios?—Yes, each member takes certain departments of Government. Mine are Judicial, Education, Local Self-Government—Municipalities and Local bodies including the Bombay Improvement Trust—and a certain number of political cases which come up from the Native States.

35663. How does the Council conduct its work; is it by notes passing between the members?—Yes, the circulation of notes and minutes, and also by sitting in Council.

35664. How often do Council meetings take place?—It has varied from time to time; now it is about once a week on the average.

35665. As a member of the Government have you an office in the Secretariat?—I come down to the Secretariat every day; I have a room here in which I do my work.

35666. And you attend every day?—Every day practically.

35667. Does attendance at the Secretariat conduce to the speedy despatch of business?—Certainly; I should say it makes a difference on the average of from about a day and a half to two days in each case.

35668. Has this system been long prevalent in Bombay?—It has been always left to the discretion of individual Members. I think it has not been a general practice.

35669. Do the Members of the Council tour?—Not regularly, but a Member of Council who is particularly interested in anything that is going on in any part of the province makes it convenient to visit the place if possible; there are no prescribed tours.

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35670. Is there any restriction upon tours?—None at all.

35671. Is there any financial provision for Members touring?—Yes, their travelling expenses are paid, whatever they may be.

35672. We had a statement the other day that it would be desirable to get rid of the system of territorial Commissioners and to substitute for them a Board of Revenue; what is your opinion?—I think that would be a change very much for the worse.

35673. You have yourself been a Commissioner?—Only a Commissioner of Customs.

35674. Not a territorial Commissioner?—The Commissioner of Customs goes all over the Presidency; it is a special appointment.

35675. Have you ever been present at the Commissioners' conferences at Poona?—No.

35676. Do you know whether they are useful generally and do good work?—Yes, I have constantly heard them discuss their proceedings, and when there is any particular question affecting the whole Presidency which requires consideration the meetings are very good things. They ordinarily take place annually, but they are called at other times if necessity should arise.

35677. Would it be advantageous in this Presidency to extend the system to conferences of Collectors in each division?—I think not as a rule;

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of course, cases might arise in which districts were jointly interested, cases of roads passing through more than one district and so forth, but as a rule a Collector's duties are pretty well confined to the limits of his own district, and he need not look beyond.

35678. Would there not be questions of what you might call general administrative policy, in which it would be well that each Collector should know what his fellow Collectors were doing?—The intercourse between officers in this Presidency is so very close that they are quite sufficiently acquainted with what each is doing without anything formal of that kind; they are constantly meeting and discussing business.

35679. Is not the size of the Collector's district large?—It varies; Khandesh in Bombay was very big until it was divided the other day, and one of the districts in Sind is still a very large district.

35680. Notwithstanding the size of the districts, the Collectors are in close touch with each other?—They are constantly meeting and seeing each other; I should say that amongst the men of the Service in Bombay, certainly amongst the first half of the Service, every man is known to every other; when they meet together the conversation is principally "shop."

35681. With regard to the residences of Sub-Divisional Officers, are you satisfied with the present system?—I have had experience of both. Up in Sind, when I first went there, the charges were very large and the communications were very bad, and it was a matter of actual necessity that the Sub-Divisional Officers should live in their sub-divisions; they did live in their sub-divisions, and it was extremely good because it was necessary, but when the districts are small and the communications are easy, really the Assistant Collector, the Sub-Divisional Officer, is as close to any part of his charge when he is living at headquarters as he would be at any spot within his charge, because the communications—railways and so on—very often converge on the headquarters.

35682. Does your view refer not only to the convenience of the officers but to the convenience of the population?—The convenience of the population in getting at the officers; they can very often more easily meet the officer at headquarters than at any place he could select. In Bombay officers are for seven months in the year in their charges, and as far as regards getting to know the people and getting to know their charges, that is sufficient.

35683. It has been suggested that perhaps the touring system in Bombay is rather overdone?—It is a difficult thing to overdo; the opinions of officers vary a good deal with regard to that, but it is important that a District Officer should see what is going on in his district if possible at all times of the year. For instance, in the hot weather preparations have been made for cultivation, which he could never see at any other time, and he could learn things which, if he were not in the district then, he would never know. In the same way in the rains, there are some crops grown which are reaped before the cold weather begins, and I have known cases in which officers were ignorant that such crops were grown in their charges at all.

35684. Yet these matters affect the revenue assessments and collections?—Exactly; I knew a case of a Commissioner who had been 30 years in Gujarat, and who never knew that rice was grown as a catch-crop in the cotton fields.

35685. Is there any system of selection of officers now considered?—Spasmodic attempts have been made to introduce selection, but on the whole, generally speaking, promotion has not been by selection.

35686. What have you to tell us on that point? I think the orders of the Secretary of State in 1879 after the Famine Commission should have been carried out and observed. There orders were that a man should not be appointed Collector unless he was fit for the place, and that the fittest man should be chosen for Commissioner.

35687. Those orders have been deliberately neglected, or shall we say overlooked?—I should say they have been on the whole overlooked; there have been gross cases in which a man has been passed over for a Collectorship.

35688. That is to say, not gross cases of non-observance of the order but gross cases of incompetence?—Yes, men who have been grossly incompetent have been passed over.

35689. Would you go lower down than a Collector?—I think not.

35690. Did the orders of the Secretary of State apply to India or only to the Presidency of Bombay?—I think they applied to the whole of India.

35691. And they have never been repealed?—I think not; if they have been touched at all, they have been reiterated.

35692. You would not have a period of, as it were, probationary service in this country?—No, I would not favour that.

35693. But when it comes to appointing a man as Collector, then would you say the fittest man should be appointed, or would you merely reject the unfit?—I would reject the unfit. I would go down the list and taken them in order of seniority, provided they were fit, and pass over any man who was unfit.

35694. In selecting an officer for such an appointment, upon what would you lay the greatest stress?—I think it is almost impossible to say; I should say general competence.

35695. Would that be office competence or knowledge of the language?—I should take them together. In some cases, I would allow particular excellence in one branch to counteract any deficiency in another.

35696. As no selection is made, I suppose no stress is now laid upon any particular quality, except knowledge of the officer?—That is so.

35697. (*Sir Frederic Lely.*) What is your general opinion of the system of Directors-General?—I think generally they are bad; they have a bad effect upon the local administration. They come to a province with insufficient knowledge or with preconceived ideas of what they have seen done perhaps in another province, and which they are very anxious to apply everywhere, and in consequence their advice is not likely to be of much value, while on the other hand as coming between the Local Government and their officers they are likely to undermine the authority of the Local Government.

35698. Have you any instances, or many instances, occurring in this Presidency to your knowledge where their intervention has been of actual benefit?—I think not; the system has not been in force for very long on this extended scale.

35699. Is not their position as general advisers rather difficult to maintain; the natural result would be that they become either nullities or nuisances?—I consider that to be the exact position.

35700. Would you subscribe to the statement that one of the chief defects in the present administration is in the character and efficiency of the subordinates—the clerks in the *mamlatdars'* offices and the village officers; would you say that generally they are underpaid and inefficient?—I should say not; I should say that they are extraordinarily efficient, considering the work they have to do and their pay; it is perfectly wonderful the amount of work that is got out of them.

35701. Are they generally free from corruption?—That is another thing.

35702. It is a very important factor?—It is an important factor, but one not so important as many people consider it to be. Within the old limits of *dasturi*—tips paid for services—it is really not looked upon by the people at large as a moral offence, and I do not think myself that it is very harmful to the administration, either as to efficiency or as to character. There are cases, no doubt, in which men go beyond that, and in such cases if they go beyond to any great extent you will find that sooner or later the people complain.

35703. But would you say that the present scale of pay in many instances is such as to make that system of *dasturi* necessary for their livelihood?—I should hardly say necessary, but the lowness of the pay certainly contributes to it, and the custom is so firmly fixed in the country that even if you raised the pay of the officers it would probably continue, at any rate, for a very long time.

35704. But it would be an essential first step to raise the pay?—Yes.

35705. The clerks in a *mamlatdar's* office, the lower paid amongst them, do not get more than Rs. 10 or Rs. 15 a month?—I think that is so.

35706. In these days is that not a living wage?—No, the standard of comfort has risen very much among people of that class, and they cannot live on that wage.

35707. And the village officers in the Deccan?—They are very inadequately paid, but of course, being hereditary officers, the pay is not the only thing; there is the position and so forth.

35708. Have you any change to suggest for the appointment of village officers in the Deccan?—I would do what I did in the Salt Department with hereditary officers; I gave them notice that after a certain date I would not appoint, to officiate, a man who had not reached a certain standard of qualification. I started it with the Third Class Public Service Certificate and I got them; after a certain lapse of time I said, "Now I am not going to appoint anybody who has not got the Second Class Certificate," and I got them.

35709. Was that under the existing law?—It was doubtful with regard to the hereditary officers in the Deccan.

35710. What is your general view of the position of the Commissioner?—The Commissioner, generally speaking, has not sufficient powers; he should be made very much more the Head of his division and the controlling authority in his division; in fact he should be placed very much in the position of the Commissioner in Sind.

35711. You would be satisfied if he was placed in the position of the Commissioner in Sind?—Quite.

35712. Has not the number of officers, who tour immensely increased, and are not the people less willing now than they were to afford them assistance in the way of carriage and provisions, and so on?—I have come across no instances of that kind myself.

35713. You do not think that it is felt as a burden by the people generally?—My touring has been all over Gujarat, and I have not come across any instances; I daresay about 10 years ago there were some instances, but of late years officers are very much more alive to the necessity of seeing that people are promptly and properly paid. My impression is that there is very much less to complain of in that direction than there was 10 or even five years ago. Formerly if the people were underpaid you went away from your camp and you heard nothing more about it; now if a man is underpaid, either for his carts or for his supplies, by the smallest amount, you get a complaint immediately.

35714. Are you aware that the better class of cultivators in a Gujarat village absolutely refuse to supply their carts at all; the burden of carrying the District Officer's kit falls on the more docile people in each village?—I think that is so; it is the same all through.

35715. You have already said that so much touring is not a necessity in these days of railways as it formerly was?—If a man wants to get to know his charge he must live in it during the time he is on tour, not for the whole year; mere raids by railway out to a certain place to see a certain thing and back again count for very little; the man sees the thing he went out to see, but he does not see the people.

35716. Would you go so far as to say that touring is no longer essential for mere case work?—It is very much less essential for mere case work than it was; case work is perhaps the worst part of a District Officer's work—in his case work he sees the worst side of native character, and in his district work he sees the best.

35717. But surely actual contact with the people, on which you justly lay so much value, is done mostly in the cold weather, November to March?—Yes.

35718. If a man has covered his charge fairly and brought himself within accessible distance of all parts of his charge, would you insist upon his roaming about in the height of the hot weather simply for the sake of travelling?—I do not think it is simply for the sake of travelling; one sees things in the hot weather that one does not see at other times.

35719. You would not modify the present rule?—No, I would let them have their seven months.

35720. (*Mr. Dutt.*) There is a proposal made in the Local Government Code to divide the sources of revenue, making so ne entirely provincial and others entirely imperial. Would that necessarily lead to a greater degree of autonomy and independence in respect of those departments of administration which may be made provincial?—Certainly.

35721. In these departments of administration would you then allow the Government of India to lay down general lines of policy for the provincial Governments to follow?—Yes.

35722. And also to introduce such large reforms as the Government of India think necessary from time to time?—No, I would demur to the use of the word "reforms." Sometimes there are things called reforms which are not reforms at all. I should leave the question of change or alteration to the Local Government.

35723. When the Government of India thought that a certain reform was urgently required, would you give the Government of India liberty to require the Local Government to introduce such reforms?—Not against the will of the Local Government. In the case of disagreement upon a subject in which, in my opinion, the Local Government would be the best judge, it should go to the Secretary of State.

35724. You would not allow the Government of India to over-rule the Local Government?—No, not in matters of provincial concern.

35725. Would it not vastly add to the work of the Secretary of State if he had to decide all these questions between the Government of India and the Local Government?—They would not occur.

35726. Take the instance of the recent rules laid down by the Government of India about the remission of land revenue in time of famine and scarcity?—These were accepted by the Bombay Government.

35727. After some degree of hesitation?—Yes.

35728. If cases like that were referred to the Secretary of State would it not very largely add to his work?—I do not believe myself that a single case would be referred to him—possibly there might be a case in five or ten years—once it was known that a reference would have to be made to the Secretary of State. In these matters of differences of opinion the Local Government have got a very strong case, and there is at least an equal chance of the Secretary of State taking the view of the Local Government; the tendency would be for the Government of India to refrain from interference with the provincial Government, while, on the other hand, the provincial Government would refrain from opposing any proposals of the Government of India which they thought legitimate and proper. I do not think, therefore, that the Secretary of State would be called in at all.

35729. Supposing some question arose about inadequate education in Bombay or some such matter, would it do for the Secretary of State to answer in the House of Commons:—"The matter seems to be a little defective, but really the Government of India has not got any power to interfere with the Bombay Government"?—But the

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Secretary of State would have power to interfere with the Bombay Government.

35730. You would withdraw the power from the Government of India altogether?—Yes.

35731. You say that very often changes are brought forward under the name of reforms which are really not reforms at all. Would that not necessarily lead to the inference that in legislative matters the Local Government ought to be under some check and some control in respect of bills brought forward?—There is a very strict check and control.

35732. I am referring to this passage in the Bombay Case: "Prior sanction or consent should only be required in cases where the proposed legislation will affect some branch of the administration, *e.g.*, defence or foreign relations, which falls among the functions allocated to the Central Government." That means that in these departments which are allocated to the provincial Government no previous sanction would be necessary?—That is, not the previous sanction of the Government of India. I do not suppose anybody would propose to do away with the sanction of the Secretary of State to any proposed legislation. The principle must be sanctioned by the Secretary of State before the bill is introduced.

35733. You would take away that power from the Government of India and leave it with the Secretary of State?—Yes.

35734. Would not the Secretary of State necessarily consult the Government of India in those matters?—He might, but I do not see why he should.

35735. Because the Government of India is better acquainted with the local circumstances than the Secretary of State in London?—I doubt it.

35736. Anyhow, if the Secretary of State consulted the Government of India in those matters it comes to the same thing?—It means that the Secretary of State might not accept the proposition; that is what it comes to.

35737. If you withdraw that check, would not there be a tendency on the part of Local Governments to bring in too many changes under the guise of reforms?—I should think not. The tendency varies from time to time, but it has been for some time setting in very strongly against legislation, that is to say, if you can carry on with things as they are, do not let us have legislation.

35738. Is not your experience that sometimes the Local Governments do bring in too many changes, and that what the country wants is a little rest?—That was the case at one time, not only with the Local Governments, but with the Government of India; I am not sure that the energy of the Government of India was not much greater than that of the Local Governments.

35739. So far as the Local Government is concerned, you do not think it requires a check in the way of the previous sanction of the Imperial Government?—I think not; the sanction of the Secretary of State to the principle of any proposed legislation ought to be sufficient.

35740. In Appendix 4 of this Government case it is said that the Government favoured general delegation in the same manner and to the same extent as under Act V. of 1868. We have had some evidence before us that such devolution should be preferably made by amending Acts rather than by a general Act of devolution. If that were the public feeling, would you in deference to popular opinion make such devolution by amending Acts rather than by a general Act?—It would depend altogether upon the strength of the opinion; I am not aware myself that there is any such strength of opinion as would warrant our taking the more inconvenient course. If it were a fact that there was very strong popular opinion against proceeding by general delegation I would take the more inconvenient course.

35741. I understand that the Bombay Government is disposed to allow a second appeal in every case, but not to allow a further appeal?—That is so.

35742. It is suggested that the Local Boards should be allowed to impose a cess for the purpose of guaranteeing the interest on light railways and works of that nature; would those light railways be for the general good of all classes of the people?—If they were well devised.

35743. And the cess would practically fall on the cultivators only?—The present cess falls on the cultivators only, but as to the special cess nothing is said as to the way in which it should be imposed, and it is possible that a non-agricultural cess might be devised. This is a mere general statement of policy.

35744. The cess which is proposed here is a cess of say one pice added to the one anna cess?—It was not considered at all; it is a mere general statement of policy.

35745. On principles of justice a cess such as this ought to fall on all classes of the people and not on the cultivators alone?—That is so; of course, the cultivators are the principal people who benefit from the railways, but undoubtedly other people benefit also.

35746. We have had evidence that Local Boards do not do their education work themselves, but that they hand over the money practically to the Education Department and the whole work is done by the Education Department; similarly, they hand over all the big road work to the Public Works Department. Is it advisable to encourage the Local Boards to take more interest in their own work and to do it themselves as far as practicable?—Most certainly as far as possible—with that limitation.

35747. If they did find it possible to employ their own Engineers the Government would have no objection?—The Government would have no objection, but it is a very distant prospect, because in the district you have a highly competent well-paid Engineer who is able to carry out the works; if you employed a separate District Board Engineer you would have two men covering the same ground; there would be an unnecessary increase in expense, and I very much doubt whether the Local Boards could afford to employ a man as competent as the Executive Engineer.

35748. Perhaps you are aware that the other system has been adopted in Bengal?—Yes.

35749. Anyhow, if it was found practicable there would not be any objection?—There would be no objection on the part of Government.

35750. (*Mr. Hichens.*) Would it be possible to do anything to increase the financial responsibility of District Boards?—It would be most inadvisable to impose extra taxation.

35751. But it might conceivably be done without that?—It might; the only other way in which it could be done would be by a grant from Government.

35752. The bulk or their funds comes from the cess, which is a definite amount and which is collected by the Government on their behalf and handed over to them. They have no power to make it either less or more. Would it be possible to have some arrangement whereby they could either reduce it or increase it slightly so as to induce some sense of financial responsibility on the basis of a municipal house-tax, or an assessment rate?—I think it would be one of the most unpopular measures you could have in the country. The first duty of our Government here is to govern as far as possible in accordance with the wishes of the people and not to introduce unpopular measures. You could do nothing more unpopular than that.

35753. At the present time at any rate it is not desirable to give them discretion?—I should say certainly not.

35754. The alternative would be to give them a larger contribution from the Government?—Yes.

35755. Would you agree that their circumstances are straitened?—Yes, their means are not large, and most of their income is already earmarked for necessary expenditure; it is only a

small surplus which they have to devote to works at their own discretion.

35756. Their funds are not large enough to enable them to carry out the works themselves?—Sometimes, for instance, if they want to build a big bridge, they decide amongst themselves which bridge is necessary, and arrange for a certain number of years to provide the funds; a very great deal of works of that kind has been done.

35757. Would you be prepared to allow the *taluka* Boards to have a source of income on which they could rely, instead of being dependent on the charity of the District Local Board?—The income of the whole district is very small; if you split it up among the different *talukas* the tendency would be to fritter the money away on small works which might not be of a permanent nature, and would do no general good to the district. If you want to have satisfactory works in a district, the more you keep the money together the better. The tendency in *taluka* Boards, even with their present means, is decidedly to fritter the money away in small sums here and there.

35758. Are the *taluka* Boards worth keeping and developing from the point of view of local self-government?—Yes, I think they are; they are useful; if they do nothing else, they press upon the District Boards the claims of the *talukas* themselves. All parts of the district are more likely to receive recognition at the hands of the District Board if the *taluka* Board is there to say, "We want this or that done."

35759. If it were found possible to increase the resources of the District Local Board, possibly then it might be found advisable to give them a definite income?—I think so. It all depends on the amount available, and on what their liabilities are for fixed establishment and so on.

35760. But your objection would be the old one, that their resources are so straitened?—Their resources would be so small that really they would not amount to anything at all—a few hundred rupees a month.

35761. It was stated to us the other day that more stress was laid in the posting of newly arrived officers on the quality of the district than on the character of the Collector; is that a fair statement?—No; as far as my knowledge goes (and I have known a great deal about it from time to time) Government consider the matter very carefully; the first thing they consider is, is so and so a good Collectorate to put a youngster into; there are certain Collectors who have the reputation of being good men to train young officers.

35762. Would you favour occasionally transferring a junior officer from one province to another in order to widen his experience?—I think it would only make confusion worse confounded. We have already sufficient varieties to be found here in Bombay; I would not add another element. We have four languages here, and an infinite variety of circumstances and conditions, from the highest civilisation to almost barbarism.

35763. He has sufficient opportunities for gaining experience here without going elsewhere?—I think so certainly.

35764. (*Mr. Meyer.*) Roughly speaking, has not each of your four divisions its own vernacular?—They are mixed in all the divisions, except the Central Division. The Northern Division has Gujarati, merging in the north on one side into Marwari, and on another side into Sindi, while in the south it has Marathi; the Southern Division has Marathi and Kanarese, not to speak of bastard Konkani and other dialects.

35765. Speaking generally, you might say that you have Gujarati in the north, Marathi in the Deccan, and Kanarese in the South?—Those are the prominent languages, but there is a good deal of Marathi in the Northern Division and in the Southern Division.

35766. Are transfers from one division to another frequent?—Yes, very frequent.

35767. Would it be desirable to keep officers more in the same division?—I think it would, at any rate during the early years of their service.

35768. Would you post an Assistant Collector to a particular division, and let the Commissioner post him then as he thought fit?—That is what I should do.

35769. You say that the general position of the Commissioner should be that of the Commissioner in Sind. Is not the Commissioner in Sind rather tied up in land revenue matters?—He is bound, like the ordinary Divisional Commissioners, by the Land Revenue Code; has he any powers over and above what the ordinary Commissioner possesses?—I should say he has a great deal more power in land revenue matters.

35770. What do you think of the matter that has been suggested frequently, of breaking up the provincial Public Works budget to a large extent, and giving the Commissioner sanctioning power in regard to a good deal of it?—I am not in favour of that. The present system works very well. I have had a good deal to do with Public Works, and I have found the system work well.

35771. The present system means centralization at headquarters, a conflict between the various Commissioners, and possibly that the Commissioner who gets in first, or the Commissioner who wields a persuasive pen, gets more than others?—Yes, and very often he ought to get more. If you divide the money equally between the Commissioners, very often one Commissioner will not want so much, and another Commissioner may want a great deal more.

35772. Might you not make a rough distribution according to their needs, keeping a certain amount at headquarters, and then saying to the Commissioner, "With regard to this money you stand in the place of the Local Government; it is for you to say what works you like to sanction"?—The Commissioners, if they choose to use it, already have ample power to get works done; I never found any difficulty at all.

35773. I understood from previous witnesses that though the Commissioner has an original say with regard to the urgency of work, after the budget gets sanctioned, he has very little say in the matter; the Public Works Officers settle which works shall be dropped and which taken up at their own discretion; is that so?—That is to a certain degree the case, but you must always remember that the rules and the practice of which you hear are really tempered by personal communications; a Commissioner who wants a certain work done, although there may be nothing on record with regard to his intervention, is pretty certain to be able to get it done.

35774. It does sometimes happen that the Commissioner and the local Engineer are not on very good terms?—That rarely happens. I have had to do with one or two bad Engineers, but on the whole they are good men and will do everything they possibly can to meet the wishes of the Commissioner.

35775. Still, suppose that unfortunate state of things, the Commissioner would be rather handicapped?—In that unfortunate state of things no rules or regulations would be any remedy.

35776. Would you put in as Commissioner the man you considered absolutely the fittest, or would you put in the senior man so long as he was not unfit?—I would put in the absolutely fittest man.

35777. In Madras we have what are called *taluka* Boards, but they are really Sub-Divisional Boards, and their relations with the District Board are, on a small scale, something like those of the Local Governments with the Government of India; the *taluka* Boards take half the land cess, they deal with minor roads, primary education and so on. Suppose you could have that system in Bombay, might you not deal with matters more efficiently?—Sub-Divisional Boards would be better, but here we have not our sub-divisions as clearly defined as they have in Madras; here our sub-divisions

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are made up from time to time differently; they are composed of different *talukas*.

35778. Is that not rather confusing to the people; they suddenly find that instead of going to Mr. A, they have to go to Mr. B?—I can quite understand the situation in Madras, because we had very distinct sub-divisions in Sind; there, of course, it would have been a very great inconvenience to break them up; but where the system has never existed, I do not think there is any inconvenience.

35779. It has been said that the Madras system has, for one thing, tended to larger local decentralization. Mr. Curtis, who has been in Madras, told us that so far as he can judge, the Madras Collector is a much bigger man than the Bombay Collector?—I quite agree with that.

35780. From the decentralization point of view, you would be in favour of some arrangement which would give the Collector and Sub-Divisional Officer as large powers as possible?—I hope they will get large powers.

35781. There is only one municipality in the province, that of Poona, which has the right to select its own Chairman; on the other hand among the larger city municipalities non-officials are occasionally nominated; would you be prepared to extend the system of election?—Yes.

35782. Have the city municipalities no control over their budgets whatever?—It is a thing with which I have not been very closely concerned for some time. As far as I remember they have every control.

35783. The ordinary municipality has its budget passed by the Commissioner?—It comes up to the Commissioner, and, as far as I remember, it was very much a formal matter, unless there was something striking.

35784. We were told that Ahmedabad, neither the Commissioner nor Government interfered with the budget?—When I had to deal with them the budgets did come up to the Commissioner.

35785. Are you referring to the city municipalities as well as the others?—Yes, all the Sind budgets came up to the Commissioner.

35786. We may take it that the Commissioner does exercise some control over the budgets even of the city municipalities?—I should be sorry to answer that question definitely; it may be looked at from two points of view, whether he has the power to exercise control, and whether as a matter of fact he does exercise control.

35787. I was rather thinking of the power at present?—I would rather not answer that.

35788. There are at present eight major provinces in India, the Government of each province being subordinate to the Governor-General in Council?—That is so.

35789. As I understand, you would have eight more or less co-ordinate authorities under the Secretary of State, the Governor-General for imperial matters only, and each provincial Government for provincial matters?—Yes.

35790. Would that not add considerably to the work of the Secretary of State?—I believe not; the references would be very few.

35791. You would have appeals from the Local Government in certain matters; would they go to the Government of India or to the Secretary of State?—I do not think that has been considered.

35792. But what would be your personal view?—It would be necessary, if you came to a settlement, to divide them into two classes. In personal matters the appeal would probably go to the Government of India, but in any matters affecting policy and principle the appeal would go to the Secretary of State. At first sight that would be any idea.

35793. Certain matters, salt and customs and so forth, must remain imperial, but they may be managed through the agency of the Local Government. Suppose the Government of India is dissatisfied with the management by the Local Government, is it to have the power of setting aside the Local Government and saying, "We will now manage this by our own officers"?—That would be a question for settlement with the Home Government, as to whether they considered it proper for the Government of India to exercise complete authority of that kind within the territory of the Local Government; there would be nothing impossible about it.

35794. Logically, if the provincial Government is to be master in the provincial house, the Government of India ought to be master in the imperial house?—Yes, provided the imperial branches are properly chosen, so as not to clash with local affairs.

35795. (*Sir Steyning Edgerley.*) If you had your very strict system of selection, would you require any system of proportionate pensions?—Yes, it would be a good thing to allow a man to go, who had reached the end of his tether and was no further use to Government.

35796. Would you allow him to go, or would you give the Government the option of saying, "We think you must stay" to someone, and "You can stay and work out your pension" to another, and "You must go" in another case?—I would deal with each case individually; in some cases I would say, "You must go."

35797. In other cases would you allow the officer to claim a proportionate pension, or would you give the Government the option?—I would give Government the option.

35798. Would that affect recruitment?—I do not think it would; candidates know so uncommonly little about the conditions of the Service when they go up for examination, that I do not think it would have very much effect.

35799. If it did affect recruitment, or if there was any anticipated influence of that sort, could it be sufficiently counterbalanced by increasing the pensionary advantages for those who rise to the highest posts, like Lieutenant-Governors?—Yes; without regard to any other conditions, that ought to be done as a matter of justice. Of course, any improvement in the service is an inducement to recruitment.

35800. You said that where strong opposition developed you would not use a general delegation Act; for ordinary purposes what would you say?—For ordinary purposes by far the most convenient course is to adopt a general delegation Act.

35801. You served in Sind for 8 or 9 years?—10 or 11 years.

35802. Have you ever heard any complaint with regard to the operation of Act V. of 1868?—Absolutely none whatever.

35803. You think it has been most beneficial?—Most beneficial.

35804. And, properly safeguarded in modern form, do you see any reason why it should not work in this Presidency?—I see no reason whatever.

35805. Which do you consider the more convenient system of paying travelling expenses, by daily allowances or permanent allowances?—There is no comparison whatever between the two; I have had to deal with both very largely; the permanent allowance from every point of view is the most suitable way of covering travelling expenses for officers who are required to be constantly on tour.

35806. You have been a Controlling Officer. Did you find any greater difficulty in controlling the movements of officers under the system of permanent allowances?—None whatever.

35807. You are distinctly in favour of permanent allowances?—Distinctly.

35808. Is it a matter in which you think the Local Government ought to have full freedom of action to adopt whichever system they like?—I think so, certainly.

35809. As regards panchayats, the actual conclusion of Government is that they are willing to try them, but they are not very sanguine of success?—That is so.

35810. They think they ought to be tried because there is a demand for them?—I do not think so much that there is a demand for them, but if the experiment did succeed it would be such a very good thing that the experiment ought to be tried.

35811. A very important non-official witness in this Presidency was prepared to see the District Local Boards abolished and local self-government entrusted to *taluka* Boards and panchayats, with a sort of supervising District Council over all local self-government in the district, and possibly other matters; what would you say to a scheme of that sort?—I think the *taluka* Local Boards would be much too small to be of any great practical value; they are on too small a scale.

35812. You would not favour the removal of the District Board?—No; I think the district is the best unit.

35813. Assuming that, would you favour additional functions being given to the Local Board, so as to enable it to advise the Collector in matters say of legislation and things of that sort?—In matters of legislation, before they are undertaken by the Local Government.

35814. When projects of legislation come down to the Collector, he should discuss them with his District Board?—I see no reason why he should not do it.

35815. If anything is done in the direction of Advisory Councils, would you contemplate at all a separate Council as well as a District Board in a district?—I have never been able to make out what the Advisory Council is going to advise about; I have thought over the matter a good deal, and I cannot find out what functions they are going to perform.

35816. Then may I take it that you would not be prepared to set up an Advisory Council?—I see no use in forming an Advisory Council. *The Hon. Mr. J. L. Jenkins.* 12 *Mar.*, 1908.

35817. If anything was done, is it your view that the functions of the District Local Board would be more important than those of an Advisory Council?—As you have already the District Local Boards, it is better to make use of them. The danger is that if you have certain people formally constituted advisers of the Collector you shut out people who ought to be heard and who would very possibly have a great deal of influence, who will stand aloof because they are not members of the consultative body; whereas at present the Collector can consult, and does consult, every prominent man in the district. The Collector ought to consult a very much larger number of men than you could get together into a body like that.

35818. On the whole you are against it?—I am against it.

35819. (*Chairman.*) There is a system in Bombay apparently by which the Municipal Commissioner is the Executive Officer of the Corporation of Bombay; would it be possible to apply some such system as that to *mufassal* municipalities?—It would be possible in the case of the larger municipalities. In order to get a thoroughly competent Executive Officer, you must pay him a certain amount, and in the smaller municipalities they could not afford it; but in the large municipalities it would be a very good measure.

35820. Making the larger municipalities free deliberative bodies, without any official restraint but holding control over the financial result of their own determinations?—Yes.

(*The witness withdrew.*)

The Hon. Mr. J. W. P. MUIR MACKENZIE, C.S.I., I.C.S., was called and examined.

35821. (*Chairman.*) You are the Senior Member of the Executive Council of Bombay?—Yes. I joined the Council (I was not Senior Member) on the 5th August, 1905. Before that I had been Commissioner in Sind. *The Hon. Mr. J. W. P. Muir Mackenzie* 12 *Mar.*, 1908.

35822. Are appointments to the Secretariat determined by the Council?—By the Governor in Council.

35823. Is there any rule as to the tenure of office in Secretariat appointments?—There is a rule that the Under-Secretary's office shall not be held for more than three years; there is no rule as regards the Secretaries.

35824. Is there any practice?—There is no defined practice. What happens is that when a Secretary is found to be a very good and useful man there is a tendency to keep him, and there is very great temptation to keep him.

35825. Has there been any alteration of the practice recently with regard to appointments?—No intentional alteration; things have so happened that Secretaries have been changed about more between headquarters and the districts than they were, but I think it is an accident.

35826. Is that a happy accident?—I consider it a happy accident, decidedly.

35827. Which might be continued until it becomes a recognized practice?—My view is that the tenure of Secretariat appointments should not be longer than three years.

35828. Of all Secretariat appointments?—All Secretariat appointments, including Secretaryships; that there should be a power of extension by the Local Government for very exceptional reasons, and that there should be an interval of quite three years generally between two Secretariat appointments.

35829. When officers are required by the Government of India to hold Secretariat appointments, is a man taken as a rule straight from the Bombay Secretariat?—I was not taken myself by any means from the Secretariat; I should say that pretty frequently men are so taken; I could not give you a statement about that. The enquiry generally comes down to us, whether we have anybody to recommend, and we recommend the best man we can think of.

35830. They do not ask for particular officers?—They do sometimes. There is no general practice.

35831. It has been suggested that there should be a more or less fixed period of service by the District Officer in his appointment, which might be fixed at either three or five years; have you any particular view upon that point?—Certainly, a Collector ought if possible to be not less than three years, perhaps not less than five years, and also not more than five years in his district. How far that is practicable is another matter; exigencies of leave, men getting ill, and so on, sometimes render transfers inevitable; but no transfers for the officer's own satisfaction should be allowed to interfere with the prescribed length of tenure of his office.

35832. Has it been the practice to make transfers for the officer's own satisfaction?—There may have been a practice in the past, but it is certainly very much diminished of late years; I can hardly recall a single instance during my tenure of office in which a man has been transferred for his own satisfaction; he has very often been told pretty sharply that he cannot get what he wants.

35833. Suppose two appointments of equal position were open, and one of them had been occupied by the officer previously to his going on leave; would the officer be sent back to the same appointment?—Not unless it was considered expedient. That has arisen several times; a man has said, "Shall I get back again?" and the answer has always been "No sort of promise can be given, it will all depend on the exigencies of the Public Service at the time of your return."

35834. Is it the rule that the officer should go back to the same appointment?—If he has been a long time away he may be sent elsewhere.

35835. Do many officers take two years' leave?—The taking of long periods of leave, speaking very roughly, is increasing on account of the very salutary rule which the Government of India introduced some time ago of allowing us to add

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our privilege leave to our furlough; men consequently save up privilege leave and add it to furlough, and take a good slice together.

35836. Is two years too long a period for an officer to be away from his work, looking at it from the point of view of the work and the interests of the Service?—You cannot lay down any hard and fast line. Sometimes it is an excellent thing to have an officer go away for a couple of years, if he has been at work for a number of years and got rather stale. On the other hand it may be a good thing for him to go a little oftener. It must vary with individual cases; you cannot lay down any hard and fast line.

35837. Is the period of eight years too long a period for an officer to be out without furlough after his first appointment?—I think not.

35838. Subject to the taking of three months' privilege leave it is not too long for an officer to work continuously?—I think not. Perhaps I am not the best man to speak of my own experience because I have been very lucky in my districts; I did not have any real climatic strain; it depends pretty much on the climatic strain; a man can always obtain a medical certificate if he breaks down.

35839. In this Presidency can the Commissioner transfer his Sub-Divisional Officers?—No.

35840. He cannot post them, but can he not transfer them?—The Commissioner cannot move his Collectors.

35841. Would it be a wise delegation of power to give the Commissioner power to transfer his Collectors from Collectorate to Collectorate?—Perhaps it would be going too far to allow him to transfer from Collectorate to Collectorate.

35842. And in the same way, the Collector should not transfer subordinates?—I think the Collector should transfer subordinates within his district as freely as possible.

35843. Here you have a system of divisional recruitment of *mamlatdars*?—Divisional appointment of *mamlatdars*.

35844. Does that work satisfactorily?—I think it does.

35845. It is preferable to a provincial system?—Certainly.

35846. With regard to district Administration Reports, is the system under which a District Officer submits a series of reports upon each of the different branches of his administration, preferable to the system of one general Administration Report for the district?—I am on the whole in favour of the view stated in the Government case. I would have a general Administration Report, perhaps every three years, I would not have it every year; as regards special subjects, as to most of them I should be equally content to try a triennial review, and simple statistical abstracts for most years; but it would be necessary to send the statistics separately from the different departments or most of them. I have been confirmed in this view by a perusal of the quinquennial report in the Education Department and the Government Resolution upon it. Both contrasted remarkably in liveliness and interest with the old annual reports and resolutions. The progress made was evident and measurable. Annual reports would have shown fluctuations which would not have indicated the state of progress, but would have required tedious explanation merely to prevent misapprehension.

35847. Do I understand that on the whole the issue of orders without previous consultation has really been of any injury to the Presidency Government?—I think the system is wrong; some orders have been right and some perhaps wrong, but the system of issuing the orders without first of all obtaining our opinion and getting to know everything that is to be said from the local point of view brings in a risk of error, and it is also wrong in principle.

35848. But on the question of detail, you are not certain whether any practical injury has resulted?—I think myself that the Government of India orders as regards liquor shops and the auction of liquor shops are exceedingly wrong; whether they were right or wrong, it was altogether erroneous and the greatest possible mistake for the Government of India to have issued those orders contrary to the views of the Excise Committee without hearing what we had to say.

35849. The case quotes an instance of the Inspector-General of Salt and Excise advising the Collector of Salt Revenue; I was unable to obtain from the Chief Secretary to Government, in whose department apparently this case ought to have arisen, any definite information as to what was the nature of the advice tendered, whether it was so peremptory and couched in such definite language that he would be unable to resist it, or whether it was merely semi-conversational?—I have not seen the letter; I do not suppose there was anything peremptory, far less mandatory, about it.

35850. That would depend on the method in which the advice was conveyed?—I do not think it was merely saying to him jestingly, "Why don't you get rid of this boundary"; it was a little more serious than that.

35851. A case was quoted to us in which one of your officers was discovered to have had some correspondence with the Sanitary Commissioner of the Government of India without informing the Bombay Government?—That is mentioned; it is not closely within my own personal knowledge.

35852. Did the Local Government deal with this officer who had exceeded his instructions?—I cannot say; it is not in my department, and I have had nothing to do with it. The officer may have been dealt with by his own Honourable Member and the Government together, without my seeing anything about it; everything does not necessarily go to all three of us.

35853. Would not the remedy in a case of that sort be for the Local Government to deal with their own offending officer?—A remedy, certainly, when it came to their knowledge.

35854. And therefore, if any improper correspondence in the case of this Inspector-General of Excise had taken place, your remedy would be against your own officer?—I do not know that that is our only remedy by any means; when we catch the officer we may be able to sit upon him, but in a number of instances we may be unable to catch the officer.

35855. Would it not depend on the amount of severity with which the officer was treated?—It might to a certain extent, but it is very difficult to check that sort of thing. Much of it is done in perfect *bona fides*; I do not mean to say that it is all treasonable, but a keen officer who thinks he has a chance of getting through something that ought to be done for the benefit of his Service might correspond direct with an Inspector-General.

35856. The Local Government Case says, "The Government would continue the exercise of a certain control in the interests of the Imperial Department concerned, but as agent of the Central Government it requires considerably wider powers than are at present exercised"; that is with reference to these Imperial Departments which the Local Government administers. What is intended there; what considerably wider powers ought they to have?—I think the indication is given by the powers we suggest. I myself do not see why you should not go a good deal further, and why, as regards imperial heads, the Local Government should not be trusted with the same powers of sanction as they have with regard to wholly provincial heads.

35857. You have apparently complete powers, and it is only when it comes to a question of reorganizing establishments or sanctioning works that you want further powers?—It should be understood that our attitude with regard to this is merely one of suggestion. For my own part I most fully acknowledge that in imperial matters the Imperial Government ought to have the same power over its own administration as provincial Governments claim over provincial administration.

We only say, "We are agents, we intend to do our best for you, and we believe you would get no harm by trusting us."

35858. You look upon it that the imperial interest would be better served by your having a free hand?—So we think.

35859. (*Sir Steyning Edgerley.*) Assuming indirect correspondence to occur between a local Inspector-General and a Government of India Inspector-General, the Local Government cannot deal with the Government of India officers; it must complain in order to stop the practice from the other end?—Presumably so.

35860. As regards these imperial and provincial heads of accounts, do you remember a question which came up in Council in 1904 as to the reorganization of the Subordinate Forest Service in Sind; the police did certain work outside police duties which were really forest duties; in the end were the police reduced and the Forest Service reorganized?—Until I left Sind, the police were left on.

35861. If that is so, is that not an instance where the interests of the Government of India, such interests as there were, were very fully guarded by the Local Government on the point being brought to notice?—In that case it was considered that the work could be best done by the police, and it was done by the police.

35862. The pecuniary argument that expenditure which might have been charged to a divided head was being charged to a provincial head did not affect the result?—No, the pecuniary argument went for nothing.

35863. You heard the evidence of Mr. Jenkins; do you associate yourself with his remarks about the Delegation Act?—I do, entirely.

35864. No reservations?—No, I have no reservations.

35865. Suppose the Government scheme of finance cannot be accepted, and suppose that Mr. Lamb's more complete separation cannot be accepted, would you be prepared to accept the provincialization of all expenditure in order to get provincial independence?—Do you mean expenditure under imperial heads?

35866. Let us say divided heads?—Yes, I should.

35867. So as to stop correspondence?—My impression is that the great bulk of it is provincialized.

35868. Forests?—Forests is not, and irrigation is not, but I should be perfectly ready to accept provincialization there.

35869. We were told yesterday that the choice in irrigation expenditure, as between productive works in the Sind and protective works in the Deccan, ought to be in favour of the unremunerative protective works in the Deccan; would you agree with that?—I would not lay down a hard and fast line of that kind; productive works ought not to be so favoured as to render difficult, or postpone longer than can possibly be helped, the construction of protective works.

35870. The pecuniary argument again ought not to weight so much?—It ought not certainly to carry paramount weight; I do not say that it should be left without weight.

35871. You say that the power of accumulating privilege leave and adding on other leave has been very salutary; we have had a very much wider proposal made that every officer should have a leave ledger opened with Government in which all his leave should be credited, and that he should take as much as he liked, and whenever he liked, provided Government could allow him to go; what would you say to that?—It is always very difficult to see what the effect *a priori* of a new thing will be, but I find it difficult to see any objection, and I can conceive from my personal experience some advantage at any rate to the officer concerned.

35872. You would be prepared to consider it?—I should certainly be prepared to consider it.

35873. As regards Appendix VI. of the Local Government case, we were told yesterday that there was some audit objection to the tabulating of orders; can you explain what the scope of the objection is?—What the Accountant-General says is that we are in fact anticipating sanction in a number of cases, and in effect delegating sanction in a number of cases where it is not allowed under the Civil Account Code and Regulations, and that therefore the matter must go up to the Government of India. What I rely upon as a possibility of meeting that argument is that these tables which come up to us are the abstract of the orders, and that the Accountant-General will always have in any matters which concern his department the approval of the Government at the end of the order recorded as his voucher and as his sanction; the Heads of Departments have to report their action at once.

35874. (*Mr. Meyer.*) I understand that the Local Government admits that it stands on a different footing with the imperial heads such as salt and customs to what it does in the case of provincial heads. In the former case it can only ask, and if the Government of India say, "We do not think you ought to have these powers," it has to accept it?—You mean in imperial heads? I should be prepared to admit that, subject to a reasonable amount of representation or remonstrance.

35875. The Government of India must be the controlling authority?—Yes.

35876. And if perchance, in customs, for instance, the Government of India came to the conclusion that the customs should be managed by an entirely imperial agency, as the Post Office is now, it should be able to introduce the change?—I think so; it would be a great mistake if it did not consult the Local Government first as to local conditions, and so on.

35877. As regards consultation with Local Governments, does the Bombay Government always consult its Commissioners before it issues any orders affecting the Commissioners?—If they do not consult them it is because the matter is overlooked; in principle they consider that the Commissioners ought to be consulted.

35878. And the Commissioner is always consulted?—Yes; if he is not it is because it is overlooked; we mean to consult him.

35879. In practice are the Commissioners consulted, generally speaking?—Yes.

35880. As regards the matter you mentioned about the auctioning of excise shops; is it not the fact that the auction system is the system already in force in every province outside Bombay?—Of that I am unaware.

35881. And that in Bombay itself the Government have introduced the auction system in a number of cases. You introduced the Madras contract distillery system, which carried auctioning with it?—We introduced it in other districts too.

35882. In a number of districts you introduced the contract distillery system pure and simple?—Yes, but are we going through the merits of the different systems?

35883. My point is that when the Government of India rejected the proposals of the Excise Committee with regard to auctioning, the Government of India were not introducing a revolution, but they were negativing the revolutionary proposals of the Excise Committee?—That might have applied to certain other provinces of the circumstances of which I do not know sufficient to speak, but I do not think it would apply to the circumstances of the Presidency of Bombay.

35884. Anyhow, as regards provinces in which the auction system was generally applicable, they were not initiating any change but resisting change. Do you share the views of Mr. Jenkins about the imperial Inspectors-General?—Yes, I think I do. I perhaps do not go quite so far. We have had very great luck in regard to one Inspector-General, the Inspector-General of Agriculture, who happens to be a Bombay man, and, therefore, generally helps everything that is wanted in Bombay. Also

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the criticisms of the Inspector-General of Irrigation have been of very great help to us and have helped us to procure the great irrigation works in the Deccan.

35885. If the Inspector-General could refrain from interfering with the departments subordinate to the provincial Government, and would give advice both to the Local Government and to the Government of India based on his travelling around the different provinces, he might perhaps serve some useful function?—It is impossible to say that a picked man added to any department and set to advise it is not likely, every now and then, to give very valuable advice and do some good; but I certainly think, if he is to be continued, he should be nothing more than an adviser, and preferably the Local Government generally should be left the widest discretion whether to accept or reject his advice.

35886. I am speaking now of the present system under which, rightly or wrongly, a great number of matters have to be referred by the Local Government to the Government of India; might the Inspector-General not help there by giving each side a clearer indication of the views of the other?—Yes, I think he might help.

35887. Do not the Members of the Viceroy's Council come round and visit the various provinces?—They do. I wish they came oftener.

35888. You think their visits do great good?—Yes, especially if they are at pains to ascertain the views of the Members of the Local Government. It is a pity that some of them have come down, and, while seeing other people, have almost ostentatiously kept away from the Local Government; that is a great mistake.

35889. The more they tour the better?—From my point of view, yes; I am delighted to see Members of the Council here.

35890. Would you apply that also to Members of the provincial Council; would you say that they ought to tour?—I think so, most certainly.

35891. Has the Commissioner in Sind full power of transfer as regards junior Civilians and Deputy Collectors?—He has.

35892. Not as regards Collectors?—No.

35893. Ought every Commissioner to have the same power?—I think so.

35894. Do you hold with Mr. Jenkins that the Commissioner in Sind has more power in revenue matters than an ordinary Commissioner?—I could not say offhand whether he has actually by rules or orders; as a matter of actuality, he has an extraordinary degree of power.

35895. He has extraordinarily large powers?—Yes; whether under the law of the Land Revenue Code he is actually given more power I cannot remember, or whether specific powers have been delegated to the Commissioner in Sind which have not been delegated to other Commissioners, but the Commissioner in Sind issues a large book of what he calls "Revenue Circulars," relating to the peculiar revenue of Sind, and in accordance with those he exercises a great many functions that no other Commissioner exercises, partly, I imagine, because the circumstances of his division call for the exercise of those particular powers.

35896. Several of the departments which elsewhere are outside the Divisional Commissioner's control are under the Commissioner in Sind, such as salt and excise?—Yes.

35897. Is that the case with Public Works?—No; I do not know that there are specific orders in these cases, but the Commissioner in Sind has acquired in relation to the outside departments a sort of position of reference; for instance, on any big irrigation extension probably no Superintending Engineer would dream of sending up his proposals to Government except through the Commissioner; if he does, Government nearly always sends it down to the Commissioner, asking his opinion with regard to the scheme. In education, there were specific orders to that effect; they were disregarded for some time, but Government has taken them up and has enforced the orders. There has been the idea actually on the *tapis* of making the Commissioner in Sind, Director or Joint Director of Public Instruction in Sind; whether it will come to anything I cannot say.

35898. How does he stand in the matter of police?—As to the police he is supreme.

35899. Is the only department that is really outside him at present, in theory if not in practice, the Public Works Department?—Public Works and Education.

35900. Would you be in favour of his controlling Public Works more largely?—I do not think he requires a stronger position in relation to Public Works than he has at present. The custom in Sind of regarding the Commissioner as Head of everything is so strong that he is not in any way in danger of being edged away by the Public Works Department; they regard him as a great help.

35901. If you went on the general principle of levelling up the position of ordinary Commissioners to that of the Commissioner in Sind, would you give the same powers with regard to outside Departments—Police and Excise, and if possible Education?—It is the ideal up to which I should like to work, but it would probably be possible only to proceed gradually. With reference to that, the question of selection comes in very strongly. One of the reasons why the Commissioner in Sind without very much precise order has acquired such position as he has, is that he has nearly always been one of the ablest men in the Service, and he carries a very great personal weight.

35902. Would it be possible, as a system of general application, having regard to the growth and perhaps the necessary growth, of specialisation in various departments?—I think it would.

35903. You would then, instead of, for instance, having one Commissioner of Excise for the Presidency, have a number of advisers in excise matters to an equal number of territorial Commissioners?—Whether you should do that with regard to excise is a more difficult matter. As a matter of fact I once advised it; I need hardly say that the proposal was received with horror by the Honourable Mr. Jenkins, and I must recognize that there is a great deal of difficulty in the way, and a considerable amount to be said on the other side.

35904. Karachi is a great and growing city; might Karachi be treated more on the footing of a Presidency town in the matter of local self-government?—I should think it might; I thought Karachi a most extraordinarily efficient municipality when I was there.

35905. Do they elect their own President?—I believe not.

35906. You might treat Karachi, perhaps, as you treat Bombay City, you might give them an elected President with an executive Commissioner nominated by Government?—I would rather you heard first what the Commissioner in Sind had to say about that; but I should be prepared to go a very long way for Karachi.

35907. The Collector cannot transfer *mamlatdars* from one *taluka* to another. Might he be allowed to do so?—I should have thought he might.

35908. (*Mr. Hichens.*) In the Bombay case there is a recommendation that "In these departments this Government should be subject to control not exceeding that exercised by the Secretary of State over the Government of India. In whatever way the established Services, Imperial or Provincial, are recruited, it should at least be within the discretion of the Local Government to deal with all questions of housing, travelling and conveyance allowance, acting allowances, &c. All authority necessary for this purpose should be reserved to the Local Government." Would you achieve that by allowing the Local Government to make exceptions where necessary to the existing regulations, or would you achieve it by allowing the Local Government to make their own regulations subject to certain principles laid down?—We have the existing regulations, and I would allow the Local Government to make exceptions in trivial cases.

35909. You would not go so far as to allow them to make their own regulations subject to general

principles?—I imagine the Local Government can make any subsidiary regulations it pleases now, in addition to the existing regulations, provided they are not contrary to them.

35910. Would you allow the Local Government to decide for itself whether travelling allowances should be a daily allowance or a fixed allowance?—I certainly should allow that.

35911. That is not permitted under the regulations to-day?—No, and I should do that, although, as regards the permanent and daily allowance, my opinion does not coincide with that of my Honourable Colleague. I prefer the daily system.

35912. You would alter the regulations then?—Yes.

35913. It would be necessary to alter the general regulations for the whole of India, which might be conceivably awkward?—I think it would depend upon the particular subject; in certain subjects you could have variations, and each particular province might be left to settle them.

35914. Would you favour a plan of model regulations, prepared by the Government of India and circulated and modified by the provincial Governments to suit their own provincial convenience?—Yes, I think so.

35915. And those modifications would be submitted to the Government of India for their opinion?—They would not be submitted for sanction. They would come before them for information in the proceedings of the Local Government.

35916. And any exceptions to the rule might be reported from time to time, in order that the Government of India might understand and realise how far the general principles laid down were being carried out?—The Government of India might be left to discover that for themselves; they might trust the Local Governments to give them information of their proceedings.

35917. Would you favour general rules as to pensions with regard to the Provincial Service for the whole of India with a wider power to Local Governments to make exceptions?—Yes, I think I should; at least I should have no objection; the sort of point on which we require discretion is in the condonation of interruption of service.

35918. With regard to pensions in the Provincial Service, you do not require really more than power to make certain exceptions in certain cases?—Very seldom; there are exceptions, and they are nearly always a matter of the construction of rules.

35919. So that it would be advisable that there should be general regulations?—Yes, I think there should be general regulations.

35920. And that the power of making exceptions should vest in the Local Government up to a certain figure or something of that sort?—Yes.

35921. In the Bombay case, objection is taken to the system of financial doles; what alternative is suggested?—A possible alternative is that when the Government of India has money to spare out of surplus, it should allot whatever it chooses to a province to spend as the provincial Government thinks best, and it should not allot it to be spent by a specific department.

35922. What would you do, for instance, in regard to the report of the Education Commission or the Police Commission where certain definite conclusions had been arrived at, and where possibly the only bar in the way of carrying them out might be financial limitations; would you think it unreasonable if the Government of India said: "We have a certain sum at our disposal which we are prepared to distribute amongst the provinces for police purposes," and confined it to that?—I think the Government of India need not go nearly so far. They might say that the Education Commission had made certain recommendations which entailed extra expenditure, which they thought could not be afforded by such and such provinces, unless their resources were increased, and therefore they would increase their resources by so much. They might request the provincial Government to carry out the recommendations of the Commission; all other detail I should leave to the province. If a province is trusted with five lakhs, it may be trusted to carry out the policy which has been decided on, and to spend the necessary money which is given it for the purpose.

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35923. There is nothing unreasonable in the allocation of money by the Government of India for the purposes of education generally in a broad sense?—No; the allocation would not be so much for the purpose as in consideration of the object in view.

35924. Otherwise would there be any other alternative than to allot any surplus sum on a *pro rata* basis?—I think the *pro rata* basis would often be unworkable.

35925. So that there must be a basis on which a surplus is to be allotted, and that could be found by selecting a subject and making a general allocation?—I do not think you could necessarily select a subject. I can conceive a case of the Government of India saying that such and such a province was in a backward state, and that they would give it an extra 10 lakhs.

35926. (*Mr. Dutt.*) Do you generally agree with Mr. Jenkins that in those departments which are allocated to the provincial Government, the Government of India should not have the power of requiring a provincial Government to adopt large measures of reform?—I agree generally, yes; but I do not know that that was exactly what he stated.

35927. In the Government case, it is said, "In so far as it" (that is the Government of India) "lays down principles and adopts measures not already formulated by the Local Government or refuses to sanction measures deliberately recommended, it incurs a grave risk of running counter to local feeling." That would seem to suggest that if the Government of India adopts measures not already formulated by the Local Government, that would be running counter to local feeling?—They would run the risk of it, but they might every now and then hit the nail on the head.

35928. Have provincial Governments generally been more responsive to local feeling in regard to large matters than the Imperial Government?—I think they have been so, quite as often.

35929. But you admit that some large reforms on a popular basis have been suggested by the Government of India?—Of course I admit that.

35930. In this province, there is a *mamlatdar* who is the Executive Head of every *taluka*. Has he large judicial powers?—They vary.

35931. Considering the general position of the *mamlatdar*, is there not some risk in selecting these officers from the ministerial offices, which are not altogether free from corruption?—The majority of them pass a very short time, or a comparatively short time, in the ministerial offices. When I first came out to the country you could very rarely find a *mamlatdar* who had less than 15 years' service, but now they get in from six to eight years, and many of them do not begin at the very bottom; they used to begin at Rs. 10 and Rs. 12, but now they begin at Rs. 30.

35932. Taking things as they are at present, is there not some risk in selecting these highly responsible officers from ministerial offices?—I do not think there is any appreciable risk.

35933. Do you get the best class of men possible by enlisting them at Rs. 30?—I do not know whether we get the best class of men possible, but I doubt very much if we should get a better class in any other way. I would not mind trying it, but there is no office which I know of so difficult to appoint a man straight to without some experience.

35934. You might select a man and make him work for a year or two on some sort of allowance until he had sufficient experience to be appointed permanently?—Broadly speaking, I should be sorry to have many *mamlatdars* who had not had at least five years' actual experience of subordinate work; there is a considerable difference between an experienced man and an apprentice, and he ought to go through the mill.

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35935. In Appendix 5, there is a large list of proposals as to delegation received by the Bombay Government, and the Government have not yet decided, I understand, on those proposals?—No.

35936. Is it the intention of Government to adopt every proposal in the absence of specific objections?—Yes, the principle by which we are guided at present is that everything should be delegated to which no valid objection can be made.

35937. "Among which the risk of misuse of power will not be allowed to carry undue weight"; is that the view taken by the Bombay Government?—"The misuse of power" is the expression, but it might be open to misconstruction. We should have said perhaps, "the committing of mistakes."

35938. You are aware, perhaps, that the risk of misuse of power is exactly what the people most apprehend?—I do not believe they apprehend it at all. The great desire of the bulk of the people is that the Collector should have the fullest powers.

35939. Amongst those who have thought over the decentralization scheme, is there not generally a fear that if the decentralization goes too far there is a risk of misuse of power?—I can conceive if it went right down to the very lowest subordinate there might be that risk, but I believe that the great bulk of the people of the country would be perfectly happy to leave the powers right down to the *mamlatdar* as they are. There is undoubtedly that feeling in certain quarters, but I do not attribute it at all to the bulk of the people, who would prefer Collectors, and even probably the Sub-Divisional Officers, to have larger powers than at present. There is nothing which vexes the raiyat more than to be told by his officers that they have not the necessary power or jurisdiction, and that he should "apply elsewhere" or even appeal.

35940. Because they do not think about it?—I do not think the people give much thought to organic and constitutional questions, but they think a great deal about the powers of the officers with whom they have to deal.

35941. Do you agree with Mr. Jenkins that there is no obvious use in the creation of Advisory Councils at present?—I do; I should prefer to exhalt the District Boards and see what they can do in that way first.

35942. Would you extend their functions?—Yes, I would not say how far, but if any such extension is to take place, I would prefer that it should be with the District Boards.

35943. In suggesting these large delegations of powers to the Local Government and its officers is there any definite suggestion made for similar delegation of powers to the people?—I do not know that that has come before us very much.

35944. Has any definite suggestion been made for delegating advisory or administrative powers to non-officials?—You had the Honourable Mr. Gokhale's suggestions.

35945. Have any such suggestions come from Government?—I do not know that any official suggestions have been made.

35946. Would you be in favour yourself of making suggestions for delegating some powers to non-officials, in order to make the whole scheme complete, and the Local Government autonomous in the right sense of the word?—I am not prepared with specific proposals, but I am not able to say that no delegation whatever might be possible; for instance, there are some municipalities to whom a greater measure of freedom might be given.

35947. You have not quite thought over the matter perhaps?—No, I am hardly prepared to give you as good an answer as you would like.

35948. (*Sir Frederic Lely.*) Would you advocate the gradual allocation of powers to villages?—I am willing to see panchayats.

35949. Broadly, would you give very considerable powers to village communities?—I should be guided by experience.

35950. But you would think such a development quite possible and advisable?—The more it could be done, the better it would be.

35951. With regard to the relationship between Sind and the Bombay Government, have you any change to suggest?—No.

35952. Have you any suggestions to make with regard to Sind generally?—No, I have no special suggestions to make with regard to Sind; on the whole, the system works well.

35953. Would you consider the *mamlatdar* to be a most important member of the administration?—Most important.

35954. He, more than any other man, comes face to face with the people, and is looked upon more as the exponent of the intentions of Government?—I suppose that could be said.

35955. Something has been said about the mode of selecting the *mamlatdars* in the Bombay Presidency, and probably Mr. Dutt did not quite understand the method of selection. Are not a large number of the *mamlatdars* in the Bombay Presidency graduates?—Precisely.

35956. Who are admitted to the *mamlatdar's* office to serve for six months in each of three special posts?—That is the minimum.

35957. Then if they pass their examinations, they are put on a list for appointment as *mamlatdars*, as vacancies occur?—Yes.

35958. Is that a satisfactory arrangement altogether or is it capable of improvement?—Perhaps too much weight is given to the examination and especially to the order of passing examination, a matter in respect to which we have made some amendments; otherwise the system is probably as fair as any other. Then we have a provision whereby a certain number of men who are not graduates can be brought in.

35959. Men who are already on the staff and who are drawing Rs. 30 a month are allowed to appear for examination?—Yes, on special recommendation.

35960. Has it come within your experience that the present practice leads the *mamlatdar* sometimes to give false certificates that these graduates have done their work properly?—That has not come within my experience.

35961. Has it not come to your notice that these men in *mamlatdars'* offices devote their time to examination preparation, and scamp their office work?—Yes, that has come to my notice.

35962. Has that a bad effect on the *morale* of the administration?—Yes, and I issued orders to the effect that the Sub-Divisional Officer must certify himself that a man has been doing his full work before being allowed to go up for the examination.

35963. Is that not rather a difficult thing for a Sub-Divisional Officer to satisfy himself upon?—I do not know that it is so difficult if they go about it in a systematic way.

35964. Having regard to those defects, are you prepared to suggest any improvement in the matter?—I am not; taking it all round the method is as satisfactory as can be.

35965. Is not the Collector bound to select the *mamlatdar* according to priority in passing the examination?—The *mamlatdar* is selected by the Commissioner, not by the Collector. The Commissioner cannot appoint a man to be a *mamlatdar* who has not passed the Higher Standard Examination. If he desires to make an exception he must obtain the sanction of Government, which is given in special cases. I should not care to relax this rule. With the spread of education there are very few officers good enough to be made *mamlatdars* who cannot pass the examination if they chose. It is right that they should be stimulated to pass, and Government will not be unreasonable in rejecting recommendations to give a *mamlatdarship* to an unusually efficient officer who has not been able to pass.

35966. Are not village officers generally very much underpaid?—I do not consider them grossly underpaid; perhaps they are a bit underpaid; with regard to the *talatis*, they probably would be sufficiently provided for at any rate for the present if they were given a superior service pension which was objected to by the Government of India.

35967. But you would strongly recommend it?—I would.

35968. Not only as giving them more actual provision, but also as raising their status?—I can conceive that that would be an advantage, but it was rejected on what we considered the vicious principle that officers in a similar position in other parts of India had no pension, and therefore it should not be allowed here, which we thought no argument at all.

35969. Is the District Board as a rule overweighted with work and responsibility?—No.

35970. I mean responsibility which they cannot meet with the funds at their disposal?—It would be a great thing if District Boards had more funds.

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35971. As a matter of fact have not many of the roads for which they are responsible to be entirely neglected for want of funds?—Yes, that is very much the case in some places, but they overbuilt roads at one time.

35972. Is one reason perhaps for the want of interest on the part of District Boards that they are called up to make bricks without a sufficient amount of straw?—That may be a reason, but not to a great extent.

35973. Would you advocate giving them more funds?—I should be very glad to give them more funds if they could be found.

(*The witness withdrew.*)

Major-General Sir JAMES WOLFE-MURRAY was called and examined.

35974. (*Chairman.*) You are at present in command of the Ninth Division at Secunderabad?—Yes, for the past year I have commanded the Secunderabad Division. I was Quartermaster-General in India for about nine months in 1903-04.

35975. Some evidence has been given before us, both in the United Provinces and in Burma, with reference to the relations between the General Officers commanding the Cantonment, and either the Political Agent or the Commissioner of the division, and in particular suggestions have been made as to the power of declaring the limits of a cantonment. Are not those powers at present exercised by the Government of India?—Yes, all cases of that kind have to receive the sanction of the Government of India.

35976. The suggestion is that the Local Government should be empowered to make any change in boundaries by means of an agreement between themselves and the General Officer Commanding the Division; can you give us any information upon that?—Personally, I do not think that would answer. It might answer perhaps in a great many cases, but I should be in favour very much of centralization in all matters pertaining to the dealing with military land. If it is left to the General Officers Commanding to deal with the Local Governments on these matters, a diversity of practice will spring up in regard to what most of us look upon as a very important matter, namely, the alienation of military lands. My impression is—of course I cannot prove it—that a great many of our difficulties, and if I may say so, the muddling we have made as to our military lands, is due to the fact that there has not been sufficient continuity of procedure, and that practices have sprung up in dierent places where there has been no proper central control, whereby we have lost valuable assets in many cases. Therefore, I should be in favour of not parting with any land or altering the boundaries of land in any way, without a reference to the central authorities.

35977. In the same way it is said that the sanction of the Government of India is required to the imposition, the abolition, or the modification of any tax in a cantonment, and here again the suggestion is that the Local Government should come to an arrangement with the cantonment authority which, I take it again in this case, would be the General Officer Commanding?—That might be done. The suggestion, I understand, is that the Local Government should be empowered, without reference to the Government of India, to make alterations in the scale of taxation.

35978. Suppose the Local Government made a suggestion to modify a tax, would you, as General Officer Commanding a Division, be content from your point of view that you should represent the Government of India so far as the modification of that tax was concerned?—Yes.

35979. A suggestion was made to us that matters with regard to the definition of boundaries of cantonments and revision of taxes entailed a vast amount of correspondence; would that represent the state of the case in an important cantonment?—I should not have thought so, but it is not a matter on which I can speak with authority. The amount of correspondence alluded to was probably the correspondence with the Government of India on the subject, and as to that I, as General Officer Commanding the Division, should know nothing.

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35980. Would the Government of India in this case be the Army Department, or would it be the Finance Department?—That again I could not say, but it would probably be the Finance and Home Departments. The correspondence must take place between the Local Government some civil authority at the headquarters of the Government of India; and I, as the military subordinate, know nothing whatever of that procedure, and which particular department of the Government of India should be addressed in the first instance.

35981. Would you be surprised to hear that the Army Department, the Home Department, the Legislative Department, and the Finance Department, have all to be consulted before a cantonment tax is modified?—No, I should not be surprised at all.

35982. Might it possibly save a considerable amount of this vast correspondence if the General Officer concerned and the Local Government were permitted, so far as the modification of a tax was concerned, to come to some agreement?—Yes, certainly, I should be quite prepared to agree to that; my only point was that in that statement there is no provision made for asking the Local General to concur.

35983. Would the financial result of such a modification of the tax involve a considerable amount of money?—That would altogether depend on the circumstances of the particular cantonment.

35984. Take Secunderabad, for instance?—There it depends on what modifications you propose to introduce, and in what particular tax; if it were a tax which produced a large amount of revenue, you would need to go into it and have an estimate made as to what the financial effect would be, so that I cannot tell you off-hand.

35985. (*Sir Steyning Edgerley.*) Do I understand that wherever the Local Government and the Local General agree, you think it would be possible to decentralize?—Except in the matter of land.

35986. The constitution and alteration of boundaries you would reserve, but as to matters of municipal administration of a cantonment, you think you might decentralize?—I think so.

35987. (*Mr. Meyer.*) Are not cantonments under the military authorities and primarily a military matter?—Yes.

35988. And they are now under the Army Department of the Government of India?—Yes.

35989. References to the Local Government are mainly required because the cantonment taxes are made to conform as far as possible to those levied

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by the Local Government of the province under the Municipalities Act?—Yes.

35990. Therefore, the Local Government have to come in and say whether you are taxing rightly in accordance with their system?—Yes, quite so.

35991. But as regards the actual taxation, that is an army matter?—Yes.

35992. You said that any alteration in these schedules might be settled between the military authorities and the Local Government. The military authorities must agree, of course, and if they do not agree the matter has to go to the Government of India, but with regard to the imposition of a new tax, such as a water-rate, would you have that done by the Local Government, and the local military authorities, or would you require it to go to the Government of India and the Commander-in-Chief?—Do you mean a water-rate to be levied in a cantonment where there is no parallel in an adjoining municipality, or do you mean the levying of a water-rate in a cantonment where there is a parallel in an adjoining municipality?

35993. Take the first case where a cantonment desires to start its own water-supply, but to finance it, it wants to levy a water-rate—would you allow that to be disposed of locally, or send it up to the Government of India?—When you speak of the Government of India, I presume that the General Officer in the first instance, if he proposed to levy a new tax of that sort, would have the right to refer to his own superiors in the Military Department.

35994. It would come up in that way; it would finally reach the Quartermaster-General and it would be referred up and discussed?—But supposing it were dealt with by the Local Government solely, there is no guarantee that that would happen.

35995. You state very clearly that the Local Government cannot impose its will on the military authorities, and this is a military question, and if there is any difference of opinion it must go to the Government of India, but I am speaking of a case in which there is no difference of opinion, and where it is not a question of altering an existing scale but of establishing some new rate or tax; in that case, would you, if the local military authorities and the Local Government were in agreement, consider that sufficient?—Yes, I think so, and also in the other case as well.

35996. To take the case which happens occasionally of a cantonment requiring water from the municipal supply, and it is a case of the two sharing, and there are disputes as to the exact liability to be imposed on each; that would necessarily have to go to the Government of India?—If they could not arrive at a *modus vivendi*.

35997. Supposing the present Commander-in-Chief found that one of his General Officers had let him in for a scheme for which his cantonment had to pay 50 per cent. more than he thought fair; would he quite regard it as a joking matter?—No, I do not think so.

35998. That is the point. Is it not necessary from the army point of view that there should be some reference at any rate to the Commander-in-Chief?—I think it would be the bounden duty of any officer who was going to involve a cantonment in a scheme which would land it in extra expenditure, to represent it first to the Commander-in-Chief, and I do not see how he could do otherwise. If a cantonment were in a position out of its own funds to pay for a new water scheme, it does not seem to me that reference to headquarters would be necessary; if, on the other hand, the new venture would entail a large increase in what is known as the provincialised grant-in-aid, that is to say, the sum of money which the Divisional General gets from headquarters, then a man would not know his business if he embarked on a scheme which meant that for many future years he was to expect to get from any Commander-in-Chief a largely increased grant-in-aid without first setting the whole matter before him.

35999. Anything beyond the unassisted resources of the cantonment which would involve a grant-in-aid or a loan from outside sources must go up to the Commander-in-Chief and the Government of India?—Yes; I should do that myself without asking the Local Government first. Before I embarked in any proposal, if it was to involve a large grant of funds from army headquarters, I should put it before them in order to find out whether there was any chance of my getting the money, and before I went to the Local Government and asked them to come into it. I should only be wasting time if I went to the Local Government first.

(*The witness withdrew.*)

Adjourned.

FIFTY-EIGHTH DAY.

KARACHI, *Monday*, 16*th March*, 1908.

PRESENT:

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

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

Mr. W. N. RICHARDSON was called and examined.

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36000. (*Chairman.*) You are an Uncovenanted Assistant Commissioner?—Yes. I am stationed at Karachi. I have been in the Service since 1895.

It is both desirable and possible to allow Commissioners and Collectors to control, to a greater extent than at present, expenditure in divisions and districts.

I am in favour of the right of appeal both in respect to administrative action and in matters affecting officers of Government personally being restricted. The restrictions I would suggest are—

(i.) All appeals to the Local Government should be stamped with a stamp of higher value than Rs. 2.

(ii.) Where the law says that the decision of appellate authority shall be final, the decision should not be liable to revision by higher authority, *vide* section 212 of the Bombay Land Revenue Code.

(iii.) Where the law says that an order on decision passed by an officer shall be liable to revision only, *e.g.*, section 17 (2) of the Sind Frontier Regulation (III. of 1892), the order of the revising authority should not be liable to a further revision by a higher authority, *vide* sections 204 and 212 of the Bombay Land Revenue Code.

I do not think that it is desirable to lay down that no appeal should be admitted, unless accompanied by a certificate from the authority passing the orders appealed against that reasonable grounds of appeal exist. I do not consider that the existing rights of appeal to Heads of Departments and Commissioners are unnecessarily liberal.

All city municipalities should have power to employ establishment and to regulate their salaries and allowances without obtaining the sanction of the Local Government (in Sind, the Commissioner). At present, section 46 (*b*) of the District Municipal Act, III. of 1901, requires every municipality to frame rules determining *inter alia* the staff of officers and servants to be employed, their duties, designations, salaries, etc. Rules framed under this section require, in the case of city municipalities, the approval of the Governor in Council. Consequently, the staff of servants, officers and their salaries, etc., cannot be altered without amending the rules framed and obtaining the approval of the Governor in Council. I do not think that the power can be safely given to town municipalities.

The obligatory and discretional duties of Local Boards are specified in section 30 of the Local Boards Act, Bombay I. of 1884. I would suggest that the following should be a part of the obligatory duties of Local Boards:—

(i.) Lighting public streets, places and buildings in towns within the area of Local Boards.

(ii.) Cleansing public streets and places in towns within the Local Board area.

(iii.) Registering births and deaths.

Local Boards and municipalities should be allowed to spend money at their discretion, subject to such administrative control as may be considered desirable, on communal recreation. The form of recreation should be left to these bodies to decide, but all kinds of public games and athletic sports should be included in the term. Most of the municipalities in Sind are very poor, but a few of them are not, and most of the District Boards have large balances. Any excessive tendency to spend money on recreation, which might be better spent in other ways, could be restrained by making the previous sanction of the Collector of the district a necessary preliminary to such expenditure. Section 66 of the District Municipal Act, III. of 1901, gives municipalities the discretion to spend money, with the previous concurrence of the Commissioner and the Collector, on any public reception, ceremony, entertainment, or exhibition within municipal limits.

I am in favour of the creation of Advisory Councils for districts and sub-divisions, composed of representative gentlemen from all the *talukas* and large towns. These Councils might perhaps be constituted on the following lines:—Each district to have a Council, composed of—*Non-Officials.*—2 members of each city municipality, 1 member for each town municipality, 2 members for each *taluka* and 1 member for each recognised Association. *Officials.*—All Sub-Divisional Officers. *Chairman and President.*—The Collector. Members to be nominated by the Collector and appointed by the Commissioner. All members to hold office for three years and to be eligible for re-appointment. Council to meet whenever convened by the Collector. All non-official members should receive a remuneration or fee for each meeting they attend like Port Trustees. All questions upon which it is necessary to elicit public opinion should be referred to the Councillors for opinion and advice, *e.g.*, a question whether section 54 of the Transfer of Property Act should be extended to Sind. Due weight should be given to the opinion and advice of the Council, but the Collector should not be bound to follow its advice or opinion in all cases. Councillors to be Public Servants within the meaning of section 21, clause 10, of the Indian Penal Code, XLV. of 1860. It should be the duty of the Councillors to elcit and communicate to the Collector public opinion and advice on matters referred to them, to bring to his notice and to that of the Sub-Divisional Officers and District Superintendents of Police any public matters which demand attention, and to render assistance to administrative officers of the Revenue, Public Works, Police and other Departments when asked. Otherwise, they should have no duties or responsibilities. Councillors should be removable from office by the Commissioner for inefficiency or neglect. All Councillors should, by virtue of their office, have the status of 1st class Surdars in darbars and other ceremonial gatherings. A record should be kept of the proceedings of the District Advisory Council and a copy forwarded to the Commissioner for information.

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For the Sub-Divisional Advisory Councils, I would suggest the following constitution:—To be composed of the Sub-Divisional Officer as Chairman, and of the members of the District Council residing in the sub-division outside the limits of city municipalities. To be appointed as above. To be convened by the Sub-Dvisional Officer, whenever necessary. Councillors to be remunerated at half the rate fixed for District Council meetings for each meeting. All questions of purely local interest on which the Collector or Sub-Divisional Officer may consider it necessary to elicit public opinion or advice should be referred to the Council. Sub-Divisional Officers to be bound to communicate to the Collector the advice or opinion of the Councillors, but not bound to adopt it. Otherwise as in the case of District Councils.

I am not in favour of District Boards interfering in any way with the administration of municipalities.

36001. What is the difference which you make here between town and city municipalities?—There are certain large towns like Karachi, Hyderabad, Sukkur, and Shikarpur; the municipalities of these towns are called city municipalities, the others are town municipalities. It is a difference of size, population and importance.

36002. Do the powers of the town and city municipalities respectively differ?—At present the powers of the municipalities are the same except that city municipalities may appoint chief officers who are vested with certain powers under Bombay Act III. of 1901. There is no difference in the provisions in the Acts regarding the sanctioning of rules and bye-laws; the Local Government sanctions them for city municipalities, and for the town municipalities the Commissioner.

36003. Are you in charge of a territorial area here?—No, I am assistant to the Commissioner, I have no territorial charge.

36004. What are your duties?—My duties are to look after the office and to deal specially with accounts; I take a portion of the office work, for instance, all work that comes to the General Department, and I supervise the work in all other departments as well; anything that the Comissioner wants carefully looked into I examine myself.

36005. You do not go out at all into the district?—I go to examine the treasuries on behalf of the Commissioner.

36006. You have never served as a District Officer?—No.

36007. Does the old Indian village as a constitution exist in Sind?—There is no village community in Sind.

36008. (*Sir Frederic Lely.*) Are not the villages also very much scattered?—Yes.

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36009. So that there is no community of interest whatever?—Yes, there is no community of interest.

36010. (*Mr. Dutt.*) You recommend that city municipalities should frame their own rules and that those rules should not require the sanction of any higher authority?—My suggestion was that the Collector should sanction the rules and bye-laws of town municipalities.

36011. But is not the Collector generally the Chairman of the city municipality?—Not in every case; it is a rare thing for the Collector to be Chairman (*i.e.*, President). It is only when the city municipality is not fit to have its own President that the Collector is appointed. For example, when faction feeling prevails. Karachi has its own Chairman.

36012. How many city municipalities are there in this province?—Four—Karachi, Hyderabad, Sukkur, and Shikarpur. The Collector is the President in Hyderabad and Sukkur, and the Assistant Collector in Shikarpur.

36013. Where the Collector is Chairman, do you still recommend that the rules should receive the sanction of the Collector and not of any higher authority?—My suggestion is that in the case of city municipalities the rules should still come to the Commissioner in Sind as Local Government, and in the case of town municipalities the Collector should sanction them.

36014. You also suggest that District Boards should undertake the duty of lighting towns within their own areas; are not the towns excluded from the District Board area?—No, that is not so; certain towns come within the District Board area. Not municipal towns: there are several towns that have not got municipalities.

36015. Would it be a proper way of spending District Board money to light towns?—It would be a very good way; lighting is very much needed in those little towns. I have been in a great many of them, and I know the state of things. After dark you cannot go half a mile down the road.

36016. Is not the main object of the District Board Fund to meet the requirements of the villages and the country at large, not of towns?—I think the object is also to provide for the needs of towns, if the towns come within the District Local Board area.

36017. At present the funds of the District Board are hardly sufficient for the requirements of the villages or of the country at large?—I do not think that is the case in Sind; most of the District Local Boards are in funds, and they have got large balances.

36018. Are the funds sufficient to meet all the charges of primary schools and communications?—Government have been giving special grants-in-aid for primary education, and with that aid the funds are sufficient. They have sufficient funds to provide for education.

36019. You recommend the formation of Advisory Councils for districts and for sub-divisions If conducted on the lines you indicate might they be of some use in eliciting public opinion?—Yes, and a further advantage would be that they would interest the people in the work of the administration.

36020. (*Mr. Hichens.*) As to personal appeals. Is not the present position that a man drawing Rs. 35 a month, or under, cannot appeal beyond the Collector, and a man drawing Rs. 99 and under cannot appeal beyond the Commissioner?—Yes.

36021. Would you restrict that?—I would leave that as it is.

36022. You say that you are in favour of the right of appeal being restricted?—Restricted to the extent I have mentioned, that is to say, I would leave the provisions of the law as to appeals as at present, but I would not allow an appeal beyond a second appeal; if an officer appealed against the decision of a Collector to the Commissioner and the Commissioner decided the matter, the decision should be final. There should be no further appeal to or revision by Government.

36023. Is this rule about appeals not going beyond the Collector in cases where the officer is drawing only Rs. 35 a month effective? Does not a man send in a petition for revision?—Yes, he does.

36024. Is it practical politics to prevent that?—It is prevented already to some extent. When no appeal lies the petition is generally returned to the man, and he is told that no appeal lies under the law. That is not invariably so with regard to appeals to Government. If a man knows that there is no appeal to Government he asks or suggests a revision.

36025. In practice is there any difference between revision and appeal?—There is no difference; an appeal might be a little more formal, but in the end the two come to the same thing.

36026. So that in practice, a man can drive a coach and four through the rule?—Yes.

36027. Can that be remedied?—I think it can be remedied. When the law says that the decision should be appealable to a certain officer, the decision on that appeal should be final.

36028. Is the Chairman of the Local Board the Collector?—Yes.

36029. Who is the Chairman of the *taluka* Board?—The Assistant Collector.

36030. Is there a Board in respect of each *taluka*?—Yes, there is a *taluka* Local Board for every *taluka*, except in exceptional areas like the Thar and Parkar District, in undeveloped portions of which two or more *talukas* form one Board.

36031. There is no system of Sub-Divisional Local Boards?—No.

36032. Have you ever thought whether that would be better than the system of *taluka* Boards?—I have not considered the point, but I do not think there is anything to be gained by a Sub-Divisional Board. The *taluka* Boards and Local Boards are quite sufficient for the administration of local funds.

36033. Have the *taluka* Boards any revenue of their own, or do they subsist on the charity of the Local Board?—They have assigned revenues; certain portions of the funds of the District Board are assigned to the *taluka* Board.

36034. But not a sum on which they can count annually; it may vary from year to year?—Yes.

36035. It is not a fixed proportion, for example, of the cess collected within the *taluka*?—I will not be quite sure about that, because the law lays down exactly what revenues should go to each Board. Bombay Act 1 of 1884 says in general terms that certain revenues shall go to *taluka* boards.

36036. In fact the position is practically the same here as in the Bombay Presidency proper?—Yes, the same law applies.

36037. Is the position the same here as in the rest of the Bombay Presidency that services such as education and such as the more important roads and vaccination, are carried out by Government agency and paid for by the District Board?—Yes. The position in regard to work is that works costing over a certain amount are to be carried out by Government agency. The law is the same throughout the Presidency. The Sind roads are different from the Bombay roads, because they are mostly not metalled roads but merely tracks. Several of the roads in the Bombay Presidency proper have been provincialised and handed over to the Public Works Department for management, but the Sind roads are repaired from local funds. Here and there there is a small section of the road which is metalled, owing to their being a lot of traffic over it. I am speaking of roads outside municipal towns.

36038. In that case is the metalling done by the Public Works Department?—It is done by the

Local Fund officers unless the cost exceeds Rs. 50 per mile.

36039. Then it is correct to say that certain roads are under the direct control and executive management of the District Board?—Yes.

36040. Are there any District Engineers?—No, nowhere in Sind. They have not got sufficient work for a District Engineer.

36041. What powers has the District Board as to appointments?—They appoint their own officers under section 38.

36042. They cannot create a new post?—They can create a new post.

36043. But not without the Commissioner's sanction?—The Commissioner's sanction is not necessary.

36044. Would you give the District Board any extra power?—No.

36045. It is only when you come to the city municipalities?—Yes, I would give further powers to the city municipalities.

36046. To-day have they got any power to create any new posts?—They cannot create a single appointment without the sanction of the Commissioner. I would allow the city municipalities to sanction new appointments without reference to the Commissioner provided the appointment did not carry a salary of over Rs. 250.

36047. And increases of pay?—I would leave those entirely to the city municipalities, provided it did not have the effect of raising the salary above Rs. 250.

36048. (*Mr. Meyer.*) Has all your official experience been confined to Sind?—Yes.

36049. In regard to certain appeals, the Collector's decision is final, or is supposed to be final, in regard to the certain classes of officers, but the Government every now and then exercise their power of revision?—I would not say that they "every now and then" exercise their power of revision; it is only when an officer moves Government that this power is exercised.

36050. But is that frequent or not frequent?—At present it is pretty frequent.

36051. That has the result of blocking out the Commissioner?—That has the effect of an appeal over the head of the Commissioner.

36052. You get the anomaly that there is no appeal to the Commissioner in respect of a clerk on Rs. 30 whom the Collector has dismissed, but there is practically an appeal over the Commissioner's head?—Yes, that is the effect.

36053. Have you any regular District Board cess in Sind?—We have a local cess in Sind, a one anna cess. It is a portion of the land revenue.

36054. Has it not been abolished?—The village officers' cess has been abolished; not the Local Fund cess.

36055. The Government hand over to the Board a certain proportion, one-sixteenth, of the land revenue realizations?—Yes.

36056. Has not the District Board Budget to be passed by the Commissioner?—Not at present. In future perhaps. Hitherto it has gone up to Government to be incorporated in the general accounts, but from this year there has been a change.

36057. Do you mean to say that previously the Local Government scrutinised the budget of each District Board and struck out items?—I do not think they altered any items, it was merely incorporated; the budget is passed by the District Board, but it comes to the Government for a final review through the Commissioner and the Accountant-General.

36058. Does the Commissioner exercise much practical control; does he alter items?—No.

36059. If he thinks the District Board is not giving enough for education would he add to the allotment for education?—He would not on the budget; any alteration would be afterwards.

36060. Do the budgets of the municipalities go up?—No, they pass their own budgets.

36061. Without any control whatever?—They pass their budget at a full meeting; the Commissioner calls for and sees the proceedings if he wishes to do so.

36062. In most provinces the municipal budget does not take effect until the Commissioner has approved of it; is that so here?—The law is different here; that is the case, I believe, in the United Provinces; the budget is passed by the Commissioner, but it is not so here; it is passed by the municipality itself.

36063. During the course of the year can a municipality or a District Board make any re-appropriation it likes?—Yes, without going to the Commissioner.

36064. Is there any limit beyond which individual works must get approval?—No, there is no limit.

36065. So that practically the only outside financial control is in respect of new appointments?—That is so.

36066. You have mentioned that city municipalities should have powers in regard to appointments up to Rs. 250; what do you say about the ordinary municipality?—I should say that the law should remain the same.

36067. They cannot appoint a clerk on Rs. 15 without going up to the Commissioner?—Without going up to the Collector. I have suggested that the Collector should pass the rules. Every appointment is sanctioned by rule, and the authority that has the power of sanctioning the rule will have the power to sanction the appointment.

36068. What happens in the case of municipal servants who are punished or dismissed; does an appeal lie to the Collector or the Commissioner?—No appeal lies.

36069. They might dismiss a man on Rs. 200 and he has no further appeal?—No, but under the Municipal Act the Commissioner has got certain extraordinary powers. Where a municipality has abused its powers the Commissioner can put that section in force, but that is a very rare thing.

36070. You have a considerable number of Irrigation Engineers. Do they also do the buildings and works?—Yes. There is no distinction between the two branches of work.

36071. You desire that the Commissioner should have power among other things to appoint the Chairman of the Karachi Port Trust?—Yes.

36072. Is not Karachi an increasing city?—Yes. The Commissioner already exercises very high powers under different Acts, so that the power of appointing the Chairman of the Port Trust would not be an unusual thing for the Commissioner.

36073. You think it is not such an important post as to demand selection by Government?—The post is a very important one, but the Commissioner can be trusted to make that appointment.

36074. Is the Chairman generally an official?—Yes, the Collector of Karachi.

36075. You also say that the Commissioner should have power to appoint Deputy Collectors. Are the Deputy Collectors in Sind transferable to other parts of the province?—Yes. But in practice a Deputy Collector has never gone to the presidency proper except in one case; that was an exchange between an officer in the presidency proper and an officer here.

36076. Is it not rather a large power to give to the Commissioner to appoint an officer of the Provincial Service?—I do not think it is. The Commissioner appoints officers of the Provincial Service in the case of Sub-Judges.

36077. Are they liable to go to the Presidency proper?—It is the same with the Sub-Judges as with the Deputy Collectors; they generally serve in Sind; I do not know whether in the past anybody has gone out of the province, but if the case had occurred it would be a most unusual thing, a matter of exchange more than anything else.

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36078. Anyhow, your recommendations are based on the fact that this is in practice a self-contained province?—Yes, and also that Sind has conditions peculiar to itself.

36079. You desire certain financial powers to be given to the Commissioner; among others the entertainment of temporary establishment; would you give him power to entertain permanent establishment, subject to budget allotment?—Yes, I would also give him that power. I would give him power to sanction new appointments up to a *mukhtiarkar's* appointment on Rs. 150.

36080. You mean that he should have full power of making permanent appointments, throwing a definite burden on the State afterwards, up to Rs. 150?—Yes, I have suggested only as to temporary appointments, but I should not object to that.

36081. Would you give the Commissioner a Public Works budget?—Yes.

36082. That is to say, he should have the sanctioning of ordinary works in the province instead of Government?—Up to a certain financial limit. I have suggested, in regard to buildings, Rs. 10,000.

36083. My question was in connection with the suggestion that the provincial budget for Public Works should be largely split up; the Local Government keeping a certain amount at headquarters for reserve and for any big works; otherwise the amount being divided amongst the divisions, and each Commissioner having sanctioning powers; it would be matter of lakhs; would you go so far as that?—I would go so far as a certain limit, that is to say any irrigational work up to fixed limit.

36084. An irrigation work may be a very big thing, but I was asking you in regard to other matters such as buildings?—In regard to buildings I would go as far as Rs. 10,000.

36085. (*Sir Steyning Edgerley.*) Does the system of contingencies give you very much trouble in the office?—It sometimes does when we have to apply for sanction for purchase of articles now classed as special contingencies.

36086. Do countersigned contingencies make unnecessary work?—Not apart from the provisions of Article 98 of the Civil Account Code and the transfers of grants.

36987. Would you favour any change in the direction of making everything contract contingencies?—Yes, I think that would be a good thing. It would lessen work.

36088. If all the Collectors' contingencies were put into one contract now would you see any danger?—I think that would be a very good arrangement.

36089. You examine all the travelling allowance bills that come up?—Yes.

36090. Does the daily travelling allowance bill examination give very much work?—At certain parts of the year it does give a great deal of work; there are then two clerks engaged constantly on it.

36091. Is it much more trouble than the permanent travelling allowance system?—It is a great deal more trouble.

36092. Have you noticed any difference in the power of controlling officers' movements under the two systems?—I have not noticed any difference.

36093. Is it more easy to control an officer's travelling under the daily allowance system than it is under the permanent allowance system?—No, I do not think it makes any difference.

36094. So that the permanent travelling allowance system gives less trouble and is equally effectual?—Yes, because the movements of officers are really checked through their diaries. When the diary comes up to the Commissioner he sees what amount of travelling the officer has been doing.

36095. In Sind do not most officers travel with permanent hired carriage?—Yes.

36096. They have to set up carriage in October or November, and keep it up to the end of the touring season?—Yes.

36097. Is not the province gradually being manned by Indian Civilians?—There is a proportion of Indian Civilians. There are only two of the old Commission left now.

36098. The Provincial Service is recruited in part to supply one-sixth of the Civil Service?—Yes.

36099. Would it not produce rather a complication if you gave the power of appointing those men to the Commissioner?—The *cadre* would be fixed.

36100. That has not been done yet?—At present it is settled. We have got 23 Deputy Collectors; I do not mean to say that the Commissioner should have power to increase the number of Deputy Collectors.

36101. But you would have to fix the one-sixth of the Civil Service due to Sind?—I do not think it would involve any alteration in the proportion.

36102. In Sind the "village" is really the zamindar and his cultivators?—Yes.

36103. The relations are rather feudal than communal?—Yes.

36104. (*Chairman.*) You put in a schedule of delegations which you think might be appropriately made; are these your own suggestions or have they been made in the office?—They are my own suggestions.

(*The witness withdrew.*)

Mr. TEKCHAND UDHAVDAS was called and examined.

Mr. Tekchand Udhavdas.

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36105. (*Chairman.*) You are Government Pleader at Karachi?—Yes. I live at Karachi.

I am not in favour of any curtailment of the right of appeal, nor is it a sound policy to require the production by the appellant of a certificate from the officer whose decision is appealed against.

Executive Officers have not sufficient opportunities to come in contact with the people, for they are generally stationed at headquarters for the greater part of the year. The existing obstacles are, that they have too much to do, and in consequence can hardly find time for free intercourse with the people.

Executive Officers generally do possess sufficient knowledge of the vernaculars.

I am in favour of Advisory Councils at important centres. Such bodies would be best constituted from amongst the following:—The educated independent class; landed gentry paying a minimum assessment of Rs. 500 a year; village *patels*, and merchants. In no respect should these Advisory Councils be invested with any administrative responsibility.

36106. Have you been a member of a municipality?—No but I was legal adviser to the municipality of Karachi and am now legal adviser to the Port Trust.

36107. You say that Executive Officers have not sufficient opportunities of coming into contact with the people?—They are generally at their headquarters, and it is difficult for these people from the *mufassal* to come and see them, or to mix freely with the officers at headquarters.

36108. Have you lived at Karachi all your life?—At Karachi and other places, too; I belong to Hyderabad. I was for a number of years at Hyderabad.

36019. You have had opportunities of seeing what Executive Officers do in the districts?—Yes.

36110. You say that they possess a sufficient knowledge of the vernacular; what do you mean by "sufficient"?—I mean, enough to let them fairly well understand the people, or to express themselves sufficiently well for the people to understand them; not that they could converse very freely or read petitions, but they could follow a conversation and keep it up.

36111. Can they read and write Sindi?—Very few of them.

36112. Could they carry on a conversation with educated Sindi gentlemen?—Yes.

36113. But with difficulty?—Not very great difficulty.

36114. With some difficulty?—A little difficulty. Sindi is very easy to pick up.

36115. You say you are in favour of Advisory Councils; for what particular class of officer?—The District Officers—the Collector or the Assistant Collector.

36116. Would it be difficult to get gentlemen of standing to come in?—It depends on the particular district or the division, and upon what sort of people they have here; they might be only zamindars, or educated people, or merchants; the selection is always very difficult to make; great care will have to be taken in the making of the selection, in order to make this an effectual body which will work well.

36117. Does the District Officer of the present day move about amongst the gentry and the people of the district generally?—Not as much as I should desire.

36118. When he goes to a village or to a municipality does the District Officer see the leading people?—In municipalities he comes across the leading people, but not in the *mufassal*; there are so many difficulties. In matters like these the personal element comes in; it depends on the officer; one man may consider that he has done all his duties during the day and will sit down in the verandah in the evening; another man may be inclined to go out and mix freely with the people.

36119. You think that the difficulty that might arise in consequence of the personal element being so strong would be overcome by having a formal Advisory Council?—In a measure; the Collector would be bound to come more into touch with the Advisory Council; he would know more about the popular views.

36120. It would not be a matter of great consequence in the case of an officer who does consult with the people, but it would make a material difference in the case of officers who do not; is that the idea?—Even in the matter of those officers who do consult, they will be bound now to consult; it may not make much difference with them, but those are exceptional cases.

36121. Would gentlemen in the district when they found they were merely advisers still desire to serve upon these Councils?—I think so.

36122. Because of the status which it would give them?—Exactly.

36123. (*Sir Steyning Edgerley.*) You are acquainted with Act V. of 1868. What is your opinion about it; is it a useful Act or not?—So far as regards the Commissioner I think it is a very useful Act.

36124. You have been in legal practice in Sind for over 30 years?—I have been connected with the Judicial Department for nearly 30 years.

36125. So far as you know, the Act has never produced any complaint in Sind?—No.

36126. When officers go about the province and come to a camp, is it not usual for the zamindar to come and call upon them?—Yes.

36127. If they are near a large town, is it not usual for the trading community to come up and see them?—They come up and see the Sahib.

36128. Unless he is very rude he practically sees everybody where his camp is situated?—That is so. The difficulty is this; for instance if I were a zamindar and wanted to see the Deputy Collector, or the Assistant Collector, I should find him surrounded by guards and police, and I should not get time to go and see him and speak privately to him if I had anything to say to him. It is only a formal visit, that is my experience. One finds it very difficult sometimes to have a private talk with the Sahib in the *mufassal*.

36129. Has that always been so?—Not always, there are exceptions.

36130. I meant in point of time; is that the growth of recent years or is it your experience all through your life here?—It has been for some time my experience.

36131. Is the system of Resident Magistrates working well in Sind?—I think so; it is an improvement on the old arrangement because it separates them from their executive functions.

36132. Is the law under which the Karachi municipality works sufficiently elastic to give it adequate powers to do its work?—I have not considered that, but I think it is elastic enough.

36133. So far as the law goes the municipality has plenty of powers to do what is necessary for the city?—I think so.

36134. (*Mr. Meyer.*) The Delegation Act V. of 1868 allows the Bombay Government, sometimes on its own motion, sometimes with the sanction of the Government of India, to confer powers which would ordinarily be vested in the Local Government on the Commissioner-in-Sind, the Commissioner-in-Sind being, from the circumstances of the case, a sort of minor Local Government himself?—Yes.

36135. Suppose it to be suggested that there should be a general Delegation Act applying to all parts of India, and allowing the Executive Government, after due notice in the Gazette, to make a general devolution of powers that powers which the Local Government formerly exercised might go to the Commissioner, and that powers which the Commissioner formerly exercised might go to the Collector, and so on all down the line; would you approve of that?—Considering the position that the Commissioner-in-Sind occupies now as compared with the Presidency Commissioners, he gets general powers; in fact he is now really the Local Government.

36136. But might such an Act be applied to India generally, not merely to Sind?—It has been suggested that there should be a general Act of this sort applicable to the whole of India. What would you think of that?—If that is found desirable it might be done. The status of the Commissioner in Sind ought then to be correspondingly increased; if you give a general power of delegation to the other Commissioners, you must make the position of the Commissioner here much better and stronger, if that is possible.

36137. Therefore, in present circumstances, you would not be in favour of a general Delegation Act outside Sind?—No, because that would put the Commissioner in Sind in the same position as that of the other Commissioners, if there was a general delegation.

36138. Then going further, the suggestion is that the Government should be allowed to make the law more elastic; the law having said that a certain thing must be done by the Local Government, the Government might say, "This or that thing may be done by the Commissioner or even by the Collector"; the law having said that a certain thing must be done by the Commissioner, the Government could say, "Let it be done by the Collector or possibly by the Sub-Divisional Officer." As a lawyer would you regard that with equanimity?—No, I do not think that would be desirable.

36139. When you come to criminal matters, the Criminal Precedure Code for instance, lays down that certain offences should be taken by a First-Class Magistrate, and others by a Sessions Court; would you be in favour of a law which would allow the Government of India or the Local Government to say that certain of the latter offences might be dealt with by First-Class Magistrates?—No.

36140. What is a Resident Magistrate, exactly?—Resident Magistrates are Magistrates who have not got any executive or revenue functions to perform; they deal purely with criminal cases under the Criminal Procedure Code.

36141. Are they *mukhtiarkars*?—They are graded as *mukhtiarkars*, and their promotions and status are in that rank. There are 13 I think in Sind.

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36142. Has the experiment been tried long?—Yes, for three or four years.

36143. (*Mr. Hichens.*) How would you appoint the Advisory Councils, by nomination or by election, or both?—Both; nomination by Government, and also election from the people.

36144. In what proportion?—One-third nominated and two-thirds elected. I would prefer if it could be done by election, but I do not think we are so far advanced as to have exclusively elected members.

36145. You specify the classes from which the members are to be drawn. Would there be no difficulty in getting election on those lines?—I think not; I mention four classes, and they are elastic enough—the educated independent class, landed gentry, village *patels*, and merchants.

36146. Would it not, perhaps, be a little difficult, if you were drawing up an election roll, to specify who was educated and who was not?—It is easy to find out in the district; there would be no difficulty at all.

36147. Is the President of the Karachi municipality an official or a non-official now?—A non-official.

36148. He is appointed by Government, not elected?—That is so.

36149. Would it be well to have him elected?—It would be well to let the municipality return its own President in a place like Karachi.

36150. Would you adopt the plan that they have in Bombay, and let them elect their own President?—Yes, they might elect their own President every year, or every three years.

36151. (*Mr. Dutt.*) Your experience is mainly confined to the Karachi and Hyderabad districts?—Practically the whole of Sind.

36152. In the *talukas* do the *mukhtiarkars* decide many criminal cases?—Yes, a great number of cases.

36153. What powers do they generally exercise?—Second class magistrate's powers, up to six months. Some of them have got first class powers, but they have mostly second class powers; it is only in exceptional cases that they are granted first class powers and powers to commit to Sessions.

36154. Are the criminal cases which come up from a *taluka* generally tried by the *mukhtiarkar*?—Yes.

36155. What is the class of cases tried by the Sub-Divisional Officer generally?—Important cases, or proceedings under Chapter VIII.—cases not triable by the *mukhtiarkar*.

36156. The Sub-Divisional Officer generally goes about on tour for about seven months in the year?—Yes.

36157. Are the people who have cases before him put to much difficulty because he has to go about from place to place?—There have been complaints that the parties are put to some inconvenience, but now I do not think any difficulty or inconvenience exists. The Magistrates are now given to understand that there must not be that inconvenience, and whenever there is any question the High Court or the District Magistrate is moved to transfer the case; they are now very careful to see that parties are not inconvenienced.

36158. Still is there some inconvenience experienced?—At times.

36159. Are there Resident Magistrates in every district?—Yes.

36160. And in every *taluka*?—Not in every *taluka*, but at the municipal towns.

36161. Where these Resident Magistrates have been appointed the inconvenience caused by the touring of officers has been minimised?—Not only minimised, but there is no inconvenience at all.

36162. You have never been a member of any District Board or legal adviser to any District Board?—No.

36163. Is not the Hyderabad municipality, a city municipality?—Yes.

36164. Does the municipality elect its own President?—No.

36165. You spoke of transfers being made by orders of the High Court; do you mean the High Court of Bombay?—The High Court of Sind, the Court of the Judicial Commissioner in Sind.

36166. There are three Judicial Commissioners in Sind?—Yes.

36167. Are their jurisdictions territorial—do they take up different districts?—Two of them are called Additional Judicial Commissioners, and they have also got original civil and criminal jurisdiction. The Judicial Commissioner sits on the appellate side with one of these Additional Judges and disposes of appellate work.

36168. Who tries Sessions cases generally?—The Judicial Commissioner.

36169. (*Sir Frederic Lely.*) You enumerate four classes from whom the Advisory Council should be contributed, but you make no mention of the smaller cultivators; would you not have them represented?—I think gentlemen of some status, men paying say Rs. 200 as land revenue might have the franchise; you must not take it down too low.

36170. But the smaller cultivators have numerically very much the largest interest in the country?—Yes, but they will be sufficiently represented by men paying Rs. 200 because they generally are the cultivators of these men.

36171. Is the zamindar the natural representative of his tenants?—I should think so in Sind.

36172. Are their interests practically the same?—Yes.

36173. You mention first of all "The educated independent class"; who would they be in an ordinary village or an outlying *taluka*?—An independent contractor, for instance, would be an educated man.

36174. Anyone else?—There may also be pleaders there.

36175. It would be a very limited class in an outlying *taluka*?—Or good shopkeepers.

36176. Would they not come under "merchants"?—Yes.

36177. You lay stress on "independence"; for a Council of this kind is not a sense of responsibility also quite as essential?—Yes.

36178. Would a sense of responsibility generally accompany independence in a Council like that; you say you would not invest them with any responsibility?—No.

36179. Then what sense of responsibility would they have?—If they are persons entitled to come to the darbar or to have a chair at the Commissioner's or Collector's darbar, they might be deprived of that if they were found not doing their work properly.

36180. You would confine them to advice; would you require the Collector to take their advice?—At the headquarters, but I would rather begin with the small villages, the Assistant Collectors and the *taluka* Officers.

36181. You would give them Advisory Councils?—To start with.

36182. In regard to what matters should such Councils advise?—In regard to sanitation, municipal matters, police organisation and so on.

36183. Could you give a concrete instance in which they would come forward and give their advice?—For instance, in a particular village there should be an organised police force, there would be the question of its strength and so on; also general principles on which remissions might be given, or sanitary conditions, or even education.

36184. Take your first instance, the strength of police in a particular village. The Assistant Collector or the Collector goes about the country a

good deal and come into contact with many classes? —Yes.

36185. They also have the police officers to consult with; and could thereby form an opinion of their own?—Yes.

36186. Suppose the opinion of the Council and the Collector's own opinion so formed clashed?—I would suggest that he should not at once reject their opinion and advice; he might refer the matter to the Commissioner.

36187. The Commissioner would know much less about local matters than the Collector?—On the reports before him he would see what view the Collector took, and what view the Council took.

36188. You would have the Collector surrender his own opinion, and simply leave it to the Commissioner to decide?—The Commissioner would decide whether the opinion of the Advisory Council should be accepted or not; in much the same way, from the Assistant Collector, the matter might go to the Collector.

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36189. Suppose the advice of the Council was not taken, would they not get rather tired of offering it?—That would be the result, but it depends on the particular officer how he takes it, if he goes on and says "I don't want the Council," the Council will get tired, and they will throw up the whole thing.

36190. Are these Resident Magistrates prevalent over the whole of Sind, are there not a great many parts that are still without them?—They are stationed in central places.

36191. A great many of the *mukhtiarkars* also do criminal work. What is the opinion you have formed of them as a class?—On the whole they are working very satisfactorily as Judicial Officers. In former times you used to hear complaints of these two functions being combined and the *mukhtiarkars* being prejudiced by something they had heard in their individual capacity; that view is now disappearing altogether.

(*The witness withdrew.*)

Mr. BULCHAND DAYARAM, B.A., was called and examined.

Mr. Bulchand Dayaram.

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36192. (*Chairman.*) You are the Vice-President of the Hyderabad municipality?—Yes. I was elected. I am not an official. I am principal of a high school.

The administration in India is getting more or less out of touch with the genius and spirit of the people and with local conditions. This is mainly due to the multiplication of rules and laws and the complicated and inflexible system of administration now adopted, but partly also to the insufficiency of personal contact by officers of Government with the people. The opportunities and leisure for such contact are much less than before, when the district officials travelled by slow stages on the back of an animal, halted long at places and came in wide personal contact with the people of the country. This was before the advent of railways and before the heavy routine desk work of the present day absorbed much of their time. It was so, at least, in Sind.

In Sind, the earlier Assistant Collectors and Collectors cultivated a knowledge of the vernacular with much greater zest and passion than the present officers. Men like George Stack and Mr. Ryland, Deputy Collectors, were reputed Sindi scholars, and some of the former Collectors spoke Sindi almost like a Sindi.

The charge that a District Officer holds in Sind is ordinarily too large to enable him to come in frequent personal contact with the people and to know his whole district thoroughly. With the extension of cultivation and irrigational works that is going on in Sind, it is desirable to reduce the charges. Roughly speaking, there should be about eight or nine districts in Sind. The present areas of territorial jurisdiction for District Officers are too large to be properly looked after. The population is not, it is true, very dense, but with the influx of foreign elements due to the increasing demand for labour, it will rise considerably.

The powers that District and Divisional Officers possess now are wide and no further extension is necessary. In Sind the Commissioner has almost all the powers of the Local Government. The District Officers, too, have therefore correspondingly larger powers.

Municipalities in Sind have been now in existence for over forty years and have done good work. The time has come therefore for the grant of an extension of power to them, with due safeguards, such as the preservation of the Commissioner's veto, Collector's powers of control, etc. Karachi, which conducts its business on very enlightened and advanced principles, might well be given the privilege of electing its own President, and the elected element of the Board could well be increased to two-thirds or three-fourths of the total number. The other municipalities should be given non-official Presidents, and the elected element in them raised from one-half to three-fifths or two-thirds of the whole number. The functions that they perform now embrace a large number of departments of civic work. But a few more, such as the regulation and control of liquor shops, licensing and hackney carriages, carts, motors, etc., might be transferred to them.

As regards District Boards, it is desirable to foster a greater sense of responsibility and arouse more active interest by relaxing official control and investing small committees of members with power to supervise certain departments of the Board's work. For instance, the supervision and control of the Board's schools may be transferred from the Educational Department of Government to a School Committee elected by the Board having its own educational officers and receiving a larger grant from the provincial funds. So, also the management and construction of roads, hospitals, markets, *dharmsalas*, bridges, culverts, etc., could be entrusted to a Works Committee. By section 32 of the Bombay Local Boards Act, 1884, the Board has the power to appoint such committees, but in practice there is not much delegation of authority and the District Boards are regarded, popularly, as almost a department of Government. For some time to come it is perhaps desirable to retain District Officers as Presidents of District Boards, but the Vice-Presidents and Chairmen of the executive committees should as far as possible be non-officials. The elected element in these Boards should also be increased. To District Boards could usefully be transferred certain other functions, such as the charge and control of minor forests, minor irrigational works, &c.

The *taluka* Boards, too, could be made more useful by investing individual members of the Board, or sub-committees of two or three members, with power of supervision and control of small works, *e.g.*, planting of trees, digging of wells, construction of small culverts and the supervision of conservancy and sanitation in the *taluka*. The Assistant Collector might continue to be Chairman of the *taluka* Board, but the members should be stimulated to take a more active interest by certain departments of the *taluka* Board work being entrusted to them for supervision and a larger sense of responsibility developed.

The formation of panchayats or village unions invested with the supervision of local petty improvements is an experiment worth making on account of its educative effect and as tending to broaden the base of self-government. The best men in the village should be selected to form the panchayat or union. At first the experiment should be confined to big villages. It is very doubtful, however, whether such panchayats (or village unions) should be invested with the power to dispose of petty civil and criminal cases. In Sind, such an experiment would not be desirable for some time to come at least, and is not suited to the conditions of village life prevailing now, as the feeling between the Muhammadan and Hindu population is not sufficiently friendly. The proposal to appoint, in Sind, Village Arbitrators and Conciliators and Munsifs under the Deccan Agriculturists' Relief Act (which applies to Sind), did not find favour on the same ground.

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I am in favour of the formation of District Advisory Councils to be consulted from time to time by the District Officers. They should be small compact bodies composed of well-educated men, carefully selected and representative of different communities and interest. These men could give valuable advice and information in respect of the well-being of the people in the district generally and correct erroneous views regarding them. They could, with profit, be consulted about plâgue and famine relief measures, imposition of punitive police, settlement and revision proposals, and any other large proposals involving the comfort and well-being of the whole district, or a large part of it. Due weight should be given to the opinion of the Council which should have a recognized status and to which the members should be appointed by the Local Government. In cases where a three-fourths majority of the Council differs from the Collector's view in any matter, it should be referred to the Commissioner in Sind for final orders.

It would not be expedient to give District Boards in Sind any power of supervision and control over the smaller municipalities in the district. The latter should be permitted to develop along their own lines and gradually be entrusted with larger powers, till they come to acquire the powers and responsibilities of the larger municipalities.

The great aim of any reform in the administration should be to increase the contact and the feeling of confidence between the rulers and the ruled to make the village and the small town as far as possible, gradually, a self-contained administrative unit, so as to remedy the defects of a system of rule, which not being indigenous, must naturally suffer from certain evils and not be quite suited to the traditional character and sentiments of the people. The character and emoluments of the lowest officials have also to be considerably raised to lessen materially their petty tyranny.

36193. Who is the President of your municipality?—The Collector of Hyderabad. He is appointed by Government.

36194. When the municipality frame their budget, is it prepared by you, as the Vice-President?—Yes, it is prepared by me in consultation with the President and is passed by the Managing Committe first and then by the Corporation.

36195. Is there a Standing Committee?—Yes, it is called the Managing Committee. There is also the School Committee, the Sanitary Committee, the Dispensary Committee, and the Works Committee.

36196. Who is Chairman of all these committees?—The Chairman of the Sanitary Committee and of the Dispensary Committee is the Civil Surgeon; I am the Chairman of the School Committee; the Executive Engineer is Chairman of the Works Committee.

36197. Do the Committees elect their own Chairmen?—Yes, but the President and Vice-President are *ex-officio* Chairmen of any Committees of which they happen to be members.

36198. Does the Collector often attend the meetings of the municipality?—Yes.

36199. Always?—Almost always. He is Chairman of the Managing Committee.

36200. What size town is Hyderabad?—The population is about 75,000.

36201. Do the members of these committees take much interest in their work?—Yes.

36202. How long have you had a municipality in Hyderabad?—For the last 30 years or more.

36203. What are your principal sources of revenue?—Octroi, wheel tax, water-rate, and water supply fees, &c.

36204. Have you a house cess?—No, we have no house cess.

36205. Do you get any contribution towards your expenses from Government?—No, except a few small items.

36206. If you have any scheme for drainage or water, would you then have a contribution from Government?—We have not received any yet. We have a scheme now for which we have applied for a grant.

36207. But hitherto, having had neither a drainage nor a water scheme, you have received no grant?—We had a water scheme and a drainage scheme; we have water works in Hyderabad.

36208. Did you pay for them yourselves?—Yes, entirely; we borrowed and paid off the loan.

36209. Did you apply to the Local Government for leave to borrow?—Yes.

36210. Do you know where the money was raised; did many of your own citizens contribute?—Some, not many. We have taken several loans in the last 20 or 25 years; when water works were introduced we borrowed from Government; afterwards we have been raising money in the market locally; in 1897 we raised a loan of about two lakhs, a large part of which was taken up locally; we wanted to supplement and improve our water works, to renew old plant, and so on.

36211. What proportion of the loan was taken up locally?—A little over half.

36212. People thought they saw something which was going on under their own eyes and they did not mind subscribing to the loan; did that influence them at all?—That does not influence them; it depends on the state of the market and the interest available.

36213. What interest did you pay?—Five per cent.

36214. What is the ordinary rate of interest for money at Hyderabad?—Seven or eight per cent.

36215. Are you a member of a District Board?—No.

36216. Your suggestions are not made from your own knowledge?—No.

36217. Are you a member of a *taluka* Board?—No.

36218. Do you live in Hyderabad itself?—Yes. I am a zamindar. I have got zamindar lands near Hyderabad.

36219. You think that a panchayat for a village could be formed?—Yes. For certain purposes it could be formed.

36220. What would be those purposes?—Looking after the sanitation of the village and small matters like that, supervising the construction of wells and matters of small village interest.

36221. Would you entrust them with any criminal powers?—Not yet.

36222. Would a villager, if he were imprisoned, even only for a day or two, feel disgraced?—It depends upon the class of person; for instance, if a *bania*, a shopkeeper, were put in jail even for one day, he would feel it a great disgrace; perhaps a Muhammadan cultivator would not feel it so much.

36223. What would the Hindu cultivator feel?—If he is of the same standing and of the same class, he would feel it equally with the Muhammadan.

36224. No more or less?—Perhaps a little more; the Hindu is a little more sensitive.

36225. So that there might be a danger if the panchayat had criminal jurisdiction?—I think so, in the present state of local feeling.

36226. Does feeling run pretty high in the villages, between Muhammadans and the Hindus?—I think so.

36227. You say you think Advisory Councils ought to be constituted; would you have the same difficulty there of finding Hindus and Muhammadans to sit on the same Council?—No; we would have a different class of men altogether, a much superior class.

36228. You would confine Advisory Councils to what you would call the superior classes?—Yes.

36229. Does the Collector now-a-days consult the gentry and the zamindars?—It depends upon the sort of Collector we have.

36230. Do they do so as a rule?—Yes, but not to the extent that is necessary or desirable.

36231. You would rather make it compulsory?—Yes, I would give Collectors a Consultative Council.

36232. By limiting their Consultative Council to perhaps four or five members or even more, would not that limit the sources of information of the local officer?—This Council would reflect generally the opinion of the district on certain matters.

36233. How large is one of your districts?—Several hundred square miles.

36234. Would three or four people make an adequate Advisory Council for such a district?—Not three or four; I would have a dozen or more.

36235. Would a dozen amply reflect the opinion of the district?—Yes, provided we got the right class of people.

36236. (*Mr. Hichens.*) You suggest that the Hyderabad municipality should have a non-official Chairman. But you would not go so far as to suggest that the municipality should elect a Chairman?—Not for some time yet.

36237. Might it not be difficult to find a man to fill the post of Chairman?—It would not be difficult. Perhaps it would be better to have a non-official President for some time; afterwards as the municipality improves, or gets accustomed more to civic government, we might entrust it with the larger power of electing its own Chairman.

36238. Can the Hyderabad municipality create a fresh post without the sanction of the Commissioner?—It cannot; it cannot even create the post of a peon; it cannot raise the salary of a peon without the sanction of the Commissioner.

36239. What power would you give them?—I would give them power to create posts carrying a salary of, say, up to Rs. 50, for the present.

36240. We were told that the powers of a municipality in regard to appointments were settled by rules and regulations; is it laid down in the Act?—Yes, it is regulated by the District Municipal Act.

36241. That the creation of all new posts must be referred to the Commissioner?—It is not laid down in specific terms, but we cannot increase the sanctioned schedule of appointments except with the sanction of the Commissioner-in-Sind. We have a schedule of appointments, and any alteration in that has to be sanctioned by the Commissioner-in-Sind; so that if we raise the salary of any appointment, or create any new appointment, we alter the schedule.

36242. Can the municipality dismiss the people?—Yes.

36243. Have they an appeal to the Government?—No, there is no appeal. The Collector has certain powers of control, and he can interfere if he chooses, but it is very rarely that he does so. He has general powers of control but they do not relate to the appointment of municipal servants.

36244. Suppose somebody has been dismissed from the municipal service and wrote to the Commissioner and said that he had been very badly used, would the Commissioner enquire into his case?—Not ordinarily.

36245. Does the budget go to the Commissioner? No. It is passed by the municipality.

36246. Suppose you had a non-official Chairman, would you still think that the budget should not be referred to Government?—Yes.

36247. What is the income of the Hyderabad municipality?—About 2 lakhs.

36248. You suggest that the municipality should have the power to impose a vehicle tax?—No. It has a wheel tax already; the licensing of carriages is done by the police now, and I suggest that it should be done by the municipality.

36249. You say, "A few more functions such as the regulation and control of liquor shops, licensing of hackney carriages and carts, motors, &c., might be transferred to the municipalities"; what do you mean by that?—Granting licenses to ply hired carriages; those are now given by the police; I think the municipality could do that better.

36250. Does the revenue come to you?—Yes, the wheel tax does.

36251. The police carry out the work for you?—Yes, we charge a wheel tax, however, that comes to us, but I think the license fees levied by the police do not; I am not quite sure.

36252. Your point is that the actual power of granting licenses should be in the hands of the municipality?—Yes.

36253. That would cost you money?—It would not cost much; there is the license fee which would recoup it.

36254. But the work is being done for you now for nothing?—It is being done by the police, but I am not sure if it is being done for nothing. The power had better be in the hands of the municipality.

36255. As regards education, does the Government give you a definite contribution?—For municipal schools, yes.

36256. And you have to make up the balance?—Yes, they give one-third. Lately when the Government of India gave a special grant of 5 lakhs for primary schools, they raised it in the case of certain schools to half; that is in the case of new schools opened by the municipality after the grant was sanctioned by Government.

36257. Have you complete control over the primary schools?—Yes, in consultation with the inspector in Sind.

36258. Have you any inspectors of your own?—No.

36259. Do you in practice do more than hand the money over to the Education Department for distribution?—No, we appoint and dismiss schoolmasters and we manage the schools; the Education Department is mainly the supervising body; it examines the schools and reports on the work of the masters.

36260. Have you as much power as you require?—Yes.

36261. (*Mr. Dutt.*) Did you say that the budget does not go up to any higher authority?—No, the sanction of higher authority is not wanted.

36262. As a matter of fact the Collector is your Chairman?—He is now, but even before, when we had a non-official Chairman, the budget merely went up to him for information.

36263. But the law does not require any sanction from any higher authority?—No.

36264. You have schedules of appointments, which you cannot exceed. You only want sanction if you have to go beyond the schedule, or modify it in any way?—Just so.

36265. Is that schedule a part of the Act itself?—It is a part of the rules.

36266. A part of the rules which have been passed by the Executive Government under the sanction of the Act?—Yes, the municipality frames the rules, and they are sent up to the Commissioner for sanction; after he has sanctioned them they are put in operation.

36267. Have you many primary schools in the town?—Yes. The municipal schools are all primary; there is one technical school.

36268. Are there any secondary schools in the town?—Yes, there are private and Government schools. The municipality has nothing to do with them.

36269. What is the system you follow in supporting these primary schools; do you entirely pay their expenses, or do you simply give them monthly stipends?—We entirely defray the expenses; we pay the salaries of the masters and bear the entire expense.

36270. Are there a sufficient number of primary schools to educate the boys of school-going age in the

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town?—In addition to the municipal schools there are several primary private schools; if the municipality chooses to open more schools it could do so.

36271. But on the whole is there a fair number of schools to supply the educational needs of the town?—Yes.

36272. Have you any dispensaries in the town?—Yes, we have three municipal dispensaries supported entirely by the municipality.

36273. Who appoints the doctors?—The municipality.

36274. You do not require the sanction of any authority to appoint those doctors?—No.

36275. Have you also the power of dispensing with their services?—Yes.

36276. Do you get any Government contribution for the support of these dispensaries?—No.

36277. Has the management been quite satisfactory?—Quite.

36278. Are the dispensaries fairly popular?—Yes they are very popular.

36279. You have no hospitals?—We have a Government hospital, but no municipal hospital.

36280. As regards District Boards, you say "There is no legislative restriction, but in practice there is not much delegation of authority or duties." Do you suggest that the work should be carried on by committees as is done in municipalities, and that the committees should appoint their own Chairmen?—Yes.

36281. At present are all the big roads done by the Public Works Department?—Yes.

36282. Would you approve of the District Board having their own Engineer if they can afford it?—Yes.

36283. And also of the District Board inspecting their own primary schools?—Yes, I would have a School Committee, just as municipalities have a School Committee.

36284. In Sind has every village got a recognized headman, or a *patel* or a *mukhi*?—Yes.

36285. If you organize panchayats would you take the existing *patel* as the headman?—Not necessarily.

36286. Would you strengthen his hands by associating him with a number of other villagers?—It would depend on the sort of headman we have.

36287. Would you do that where you have a satisfactory headman?—Yes, I would make him a sort of Chairman of the panchayat.

36288. (*Sir Frederic Lely.*) You make several recommendations about extending the powers of municipalities and District Boards and panchayats. Do they all imply that you can get competent men on these Boards to devote their time to the work?—Exactly.

36289. As a matter of fact are there private persons able and willing to direct, let us say, education?—Yes, I think there are, except in some backward districts like Thar and Parkar. To begin with things would not be so satisfactory as they ought to be, but it would be the first step, and a right step. They would improve.

36290. Would you employ educational inspectors under them?—Each District Local Board might have its own inspecting staff, just as the Karachi municipality has its own inspecting officer to inspect its primary schools.

36291. Would you withdraw the schools altogether from the ken of the Educational Department?—Not altogether; the Educational Department might have the power of general supervision, just as it has over municipal schools now.

36292. Would you give them power to dismiss the employees of the Local Board?—No, only to examine schools and make recommendations.

36293. Would that not imply a double staff of inspectors—the Board's inspectors and the Education Department's inspectors?—Yes, but the number of Education Department inspectors could thus be reduced—I mean the deputy inspectors and the assistant deputy inspectors.

36294. Still, you would have a double staff to control?—But the total number would not be larger than we have at present.

36295. You would have a sufficient staff under the control of the Board to supervise the schools, and they could not be less than the existing staff?—Yes, they could, because the existing staff has many other things to do; they have a number of things to examine and control and supervise, and they have a lot of departmental work.

36296. But your Board staff would have to do that also?—I think a smaller staff would suffice.

36297. At present are more men employed than the work requires?—I do not mean that. The present staff of the Educational Department has to supervise not only the work of the District Board schools but private schools and aided schools, indigenous schools and municipal schools, &c.

36298. Would you not put the aided and indigenous schools under the District Board also?—No.

36299. You would only have the schools that are directly dependent on the District Board. Why would you make that distinction?—The indigenous schools are private schools owned by private persons.

36300. Is not education in itself an object of interest to the District Board?—I think it is not necessary to put the indigenous schools under the Board.

36301. In effect you would keep up two educational staffs in the district, one under the Department and one under the Board?—Yes.

36302. And you would trust for the supervision of the Board staff to the voluntary efforts of certain members of the Board?—Yes.

36303. In the case of a road could you get gentlemen to serve on a Works Committee and to go out some miles distant from their homes to look after the repairs of roads?—There would be certain officers under the Board—something like road overseers.

36304. Could the members of the Works Committee be trusted to supervise them?—Generally yes.

36305. How many members are there in a *taluka* Board as a rule?—Five or six.

36306. Do they live in scattered parts of the *taluka*?—Generally in the larger villages.

36307. A man who lives in a village would take an interest in a work belonging to that village, but would a man who lives in a *taluka* necessarily take any interest in a road some ten or fifteen miles away from him?—Yes, he would if he understands his responsibility.

36308. Is there any necessary connection between a man and the works of the *taluka* in which he lives?—No, but if the responsibility is thrown on a man he would rise equal to it.

36309. Is there anything in the experience of the past to lead you to think that?—I have not much experience of *taluka* Boards, but I think we can get men now to feel their responsibility.

36310. What class would they be?—Zamindars or merchants.

36311. You think a merchant could afford to leave his business and go off to examine *taluka* Board roads or village schools?—Ocasionally; he would have to supervise the work of the officers appointed to do the direct and daily supervision.

36312. Are not villages in Sind very much scattered?—Yes.

36313. Would not that very much militate against their joint action?—It would to some extent.

36314. Is there now in the ordinary Sind village a common village well, or is there a well for each portion of the village?—There is generally a well or two for each village. It depends on the size of the village.

36315. As a matter of fact there is not very much work in common for the whole of a Sind village. Is not the village divided up into sections?—Still there would be a common village well or two, and other work to look after.

36316. (*Sir Steyning Edgerley.*) You are a master of a high school in Hyderabad. Do you receive any grant from Government?—Yes.

36317. What number of scholars have you?—It is a very large school; altogether we have about 1,500 with the primary schools and branches. In the main school there are 750 boys.

36318. Have you anything to tell us about relations with the Education Department; are they satisfactory to you?—Yes.

36319. So far as you can see the arrangements that are made for controlling the Government grants for examinations, and so on, are satisfactory?—I would have a different system; I would have a fixed grant system. Our grant is regulated according to the expense, and therefore the examination of accounts is very detailed and very inconvenient sometimes, and it does not give us room for expansion. For instance, if we had a fixed grant for a certain number of years we should know what our financial position would be year by year, instead of which it fluctuates every year.

36320. But if your school is managed up to standard, you know that any variation in the grant will be very small?—That is so, but if we had a fixed grant we could do the work up to it, and we could increase our expenditure with a view to getting a larger fixed grant hereafter.

36321. Had not the Hyderabad municipality at one time a non-official Chairman?—Yes.

36322. Difficulties arose, and they had to put the Collector in?—Yes.

36323. When those are composed will there be a non-official Chairman again?—I hope so.

36324. As to the District Board, have you really any experience at all as regards the work of a District or *taluka* Local Board?—No.

36325. Do you know which roads in the Hyderabad district are provincial and which belong to the District Board?—No.

36326. So that what you have told us about the District Board is to be taken as hearsay?—Yes.

36327. (*Mr. Meyer.*) In your municipality you have got roads and streets, of course; who looks after them?—The Municipal Secretary and the Municipal Engineer and the members of the municipality.

36328. On what pay is your Engineer?—Our Engineer and Secretary is paid Rs. 400, rising to Rs. 500.

36329. You are independent of the Public Works Department?—Yes.

36330. Have you anything to do with vaccination?—No, we pay the vaccinator only.

36331. Who controls him?—The Deputy Sanitary Commissioner.

36332. You have nothing to say to it practically except paying?—That is all.

36333. Is that a good arrangement?—It has been working satisfactorily.

36334. If you pay for vaccination might you not control the local vaccinators?—The municipality would have no objection.

36335. I am asking your opinion; do you think the municipality ought to control its own vaccinator?—Yes.

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36336. Is there any limit as to your power of sanctioning particular works?—No, there is no limit; we can sanction to any extent within the budget.

36337. But you have told us there is no control over the budget?—That is so; but we cannot spend more than our income; we have to leave a statutory balance of Rs. 500 every year.

36338. Is that the only control over you?—Yes.

36339. Apart from that, suppose you wanted to build a lot of new latrines, for instance, would you have to consult the Deputy Sanitary Commissioner?—No, he visits the city once a year and sends a report, and we generally accept his recommendations; but we are free to accept them or not.

36340. If you were dealing with a drainage scheme for which you had to borrow money, would estimates have to be passed by Government?—Yes; the estimates only are passed by Government if we apply for a grant for drainage; we would send up our estimates, but I do not know whether it is left to the Government to alter or add to those estimates.

36341. There is a Sanitary Engineer for the Presidency; does he ever come round to you?—Yes, once a year.

36342. In your time have there been any of these big schemes for which you had to borrow money?—Yes, there was a scheme to renew the old plant and engines, costing about 2 lakhs odd.

36343. Who made the estimates for you?—The estimates were first framed by our engineer, then they were examined by the Sanitary Engineer.

36344. The provincial Grant-in-Aid Code lays down certain limitations under which grants-in-aid can be given. Is there anything about requiring so many boys in a class, and such and such a curriculum, and so on?—No, that is altered now. Formerly there was a grant payable according to the number of boys and the results of examinations; that is now altered; it is now given for general efficiency and discipline and equipment, and building and quality of teaching.

36345. Have you full liberty as to opening your school at whatever hours of the day you like and closing it whenever you like?—No, we are subject to certain restrictions as to the certain number of hours. Every boy must attend school for at least four hours a day.

36346. But the school need not be opened or closed within certain hours?—No.

36347. In the hot weather you could give your teaching in the early morning and in the evening and so forth?—Yes.

36348. Are you under restrictions as to the subjects that you are to teach?—Yes, the standards are prescribed, and we have to teach according to them.

36349. And text-books?—Yes, there is some freedom about text-books, but there is a list of books selected by the Government, and we have to choose some out of those.

(*The witness withdrew.*)

Mr. HAMID MOIZUDIN ABDUL ALI, I.C.S., was called and examined

36350. (*Chairman.*) You are an Assistant Collector and a member of the Indian Civil Service?—Yes. I came out about 3½ years ago. I am in charge of revenue and magisterial work in my own sub-division, Hala. My headquarters are at Hyderabad.

Expenditure on contingencies in *talukas* can be incurred only when the *Huzur* Deputy Collector sanctions it and issues a cash order. As each *taluka* has its fixed contingencies provided for beforehand, this procedure appears cumbrous and it would be better if *mukhtiarkars* were empowered to draw the amount of their bills straight off and required to send the bills as vouchers with the daily sheet.

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36351. You do not reside in your sub-division?—Hyderabad is inside my sub-division. The headquarters of the Collectorate is also at Hyderabad.

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The other Assistant Collectors in the same district also live at Hyderabad during the hot weather.

36352. What is the size of your sub-division?—A little over 2,000 square miles.

36353. Do you go on tour for seven months in the year?—For six or seven months.

36354. Can you get about your sub-division very easily?—Yes, it is not very difficult.

36355. Have people any difficulty in getting to you; you live rather at one end of the sub-division?—It is rather at one end, but there is the railway; they can easily get to it.

36356. When people have to come and appear before you, is it a difficult thing for them to come in; does it cause delay or expense to them?—It does not cause delay, because as far as possible I try cases in camp, when I am in the *taluka*.

36357. Is that easier than making them all come into the sub-divisional headquarters?—It is much easier for them, and also for the police officers who have charge of cases.

36358. What are the officers under you?—I have four *mukhtiarkars*.

36359. Anything below them?—There are supervising *tappadars*.

36360. Then below them are the headmen of the villages?—We have no headmen in the villages, I mean, none that are officially recognised as such.

36361. Who is the responsible officer in every village?—There is a *tappadar* who is in charge of several villages. There is no one particular man in each village.

36362. What is a *patel* in charge of?—We have not got official *patels*; the *patel* is only a man recognised by the villagers themselves as their chief man.

36363. He has no official authority?—No, and very often very little unofficial authority either. If he happens to be a big zamindar or an influential and rich man he can command a great deal of obedience, but if he is himself bankrupt and not a man of any ability or means, he has not much authority.

36364. It is an hereditary office?—It is hereditary.

36365. Who actually collects the revenue?—The *tappadar*.

36366. He hands it I suppose to the *mukhtiarkar*?—Yes, there are certain days on which the revenue is paid into the *taluka* office in the presence of the *mukhtiarkar*.

36367. Have you got any power of remission or suspension of revenue?—None, except that I recommend; I can grant suspensions.

36368. Up to what extent?—I think it is practically unlimited, for one year; we can grant suspension up to the due date of the next instalment.

36369. Have you any irrigated land here?—It is all irrigated. There is no unirrigated land.

36370. Do you make agricultural loans as an Assistant Commissioner?—Yes.

36371. What power have you in respect of them?—I can grant loans up to Rs. 500 under the Agriculturalist Loans Act; and up to Rs. 1,000 under the Lands Improvement Act.

36372. What is the reason for the difference?—Not so much money is wanted under the Agriculturalist Loans Act; it is only for seed and cattle and so on.

36373. But for the Lands Improvement Act?—It is for the clearance of canals or sinking wells, and so on.

36374. Is the responsibility the same in both cases?—It is the same.

36375. Does it require greater discretion to grant Rs. 500 under the Agriculturalist Loans Act than it requires to grant Rs. 1,000 under the Lands Improvement Act?—It very rarely happens that more than Rs. 500 are wanted under the Agriculturalist Loans Act.

36376. That is the reason for the difference?—I suppose so.

36377. What part of India do you come from?—From Bombay.

36378. What language do they speak at Hyderabad?—Sindi. My own people speak Hindustani.

36379. Had you much difficulty in learning Sindi?—No, it was not very difficult; it is rather like Urdu and Persian.

36380. Is there much difference between the people in Bombay and the people up here in Sind?—Very much difference.

36381. Had you much difficulty in getting acquainted with the customs and habits of the people?—I did not have very much difficulty.

36382. There was a considerable difference?—Yes, there is a considerable difference between the people there and the people here.

36383. Notwithstanding that, you had not much difficulty?—No, because they are very simple, and there is nothing very complicated about it.

36384. Do you find that the people are shy of coming to speak with the officials?—Yes, they are certainly shy. Not with me, because I am an Indian myself, and besides I am a Muhammadan. Also the people in my district are almost entirely Muhammadans; only a fifth are Hindus.

36385. You think there is a real difficulty when it comes to the case of a man who is a non-Muhammadan?—There is a difficulty, yes.

36386. Whether he is an Indian or an European?—I think there is more difficulty if he is an Indian.

36387. If he is an Indian and a non-Muhammadan there is more difficulty?—I think so.

36388. (*Mr. Meyer.*) The Sub-Divisional Officer is on tour constantly for seven months in the year?—Yes, even more than seven months sometimes.

36389. He is never long at one place?—No, except in Hyderabad sometimes. When travelling, he is never more than 12 or 10 days at a place.

36390. If he has a large sub-division such as you have, have people to follow him a great deal from camp to camp if they want to see him upon revenue matters?—They can wait until I go to their village.

36391. That may be until next year?—The tour is always complete every year.

36392. Do they know what time you are coming to their village?—Yes, we send our programme to the *mukhtiarkar* beforehand, and through the *tappadars* they can easily know.

36393. The other four or five months of the year you are at district headquarters and the people have to come to you?—Yes.

36394. Might it not be better for the people that Sub-Divisional Officers should live in their own sub-divisions?—I suppose it would be better; I am living in my sub-division.

36395. But some officers do not live in their sub-divisions at all; they live at headquarters?—It is only for about three months in the year that they are at headquarters.

36396. Still they are not obliged to travel for more than seven months?—I do not think they are obliged to.

36397. As a general rule what would your opinion be—that the Sub-Divisional Officer should live in his sub-division and travel through it throughout the year, but without any consecutive months of travelling, or that, as in Bombay, he should do a consecutive tour, and then live the rest of the year at headquarters?—I do not think there is any inconvenience under the present system.

36398. Have you a Resident Magistrate in your sub-division?—Yes. He takes the first class cases.

36399. Who takes your second and third class cases?—The *mukhtiarkars* and the head *munshis*.

36400. Who takes the appeals?—I take the appeals from Second and Third Class Magistrates.

36401. You say you have full power to give suspensions of revenue up to one year?—Yes.

36402. Suppose the crop is entirely lost over a large area, have you full power to suspend, or must you report for confirmation?—I have power to postpone payment.

36403. But have you to report your action to the Collector?—At the end of the season, I report, not till then.

36404. So that the Collector may find that some Sub-Divisional Officer has practically postponed the whole of the revenue in his sub-division?—But I have to report at the end of the year.

36405. Do you have a *jamabandi* system here?—Yes.

36406. What sort of work generally speaking do you do then?—We make up the accounts for the year.

36407. Do you settle remissions at that time?—Remissions are settled before the second *jamabandi* which is in July.

36408. Do the people have a chance of representing their grievances and getting redress?—Yes, it is very easy for them to come to the Sub-Divisional Officer.

36409. Do they come at *jamabandi* time?—Yes, they do come, in large numbers.

36410. What is the tenure in your sub-division?—Mostly they are small proprietors paying rent to Government.

36411. Is the *tappadar* the officer in the village who is responsible for the Government work?—Yes.

36412. For the collection of revenue and for the peace of the village?—Not for the peace of the village; he is only a revenue officer. He keeps accounts and is responsible for the collections.

36413. Who corresponds to the police *patel* of the Presidency proper?—I do not think we have any police *patels*.

36414. Is the *tappadar* hereditary?—No, he is appointed.

36415. What is the meaning of *malkhana*?—That is the occupancy fee when land is settled; the fee levied by Government is called *malkhana*.

36416. Do they levy it in this province?—Yes.

36417. You ask that the *taluka* Boards should be able to re-appropriate within their own budgets; do they make their own budgets originally now?—Yes, and then they are sanctioned by the District Board.

36418. Does the District Board alter the budgets much?—Not usually; they do occasionally.

36419. We were told that in the Presidency proper the *taluka* Boards only had a few thousand rupees to dispose of?—In my division each *taluka* Board gets between Rs. 6,000 and Rs. 9,000. It is usually spent on roads and bridges.

36420. The District Board keeps the educational expenditure in its own hands?—The educational expenditure is quite different; the Education Department looks after that.

36421. But we have been told that in Bombay proper, although the Education Department manages the schools, the Local Boards can vote what schools they will have and where they shall be; is that the case in Sind?—The Education Department starts the schools.

36422. And sends the bill in to the District Board?—They have their own separate budget from the beginning.

36423. So that the *taluka* Board has nothing to say to it one way or the other?—No.

36424. Has the District Board power to re-appropriate?—Yes.

36425. Without going to the Commissioner for sanction?—Yes.

36426. (*Sir Steyning Edgerley.*) Are the villages in the Hala sub-division compact or very scattered?—The villages are very scattered. There is a very large number of small villages. The houses in a village are together.

36427. Have you many village *patels* in the sub-division?—Every village has its own *patel*.

36428. How long has the village had its *patel*?—I really do not know how long; I suppose it is a very ancient custom.

36429. What is a *patel* usually called?—Either the *patel* or the *wadhero*.

36430. Are those terms interchangeable?—No, *wadhero* is used very often as a term of respect to anybody.

36431. Is the *patel* recognised by any Act in the Hala sub-division?—No.

36432. You simply mean that he is the descendant of the chief man of the village?—Yes.

36433. Do you not really mean the *wadhero*?—Yes, there is no officially recognised *patel*.

36434. (*Sir Frederic Lely.*) As Sub-Divisional Officer, have you any connection with the police?—Not direct.

36435. Do you consider it your duty to inspect the police stations?—I do inspect the police stations; it is my duty to inspect the police stations and records once a year.

36436. If you find out anything wrong, what do you do?—I should report to the District Superintendent.

36437. Have you anything else to do with them?—No, nothing else.

36438. You have got a *mukhtiarkar* in every *taluka* under you; does he pass any original orders of any sort or does he refer every matter of any importance to you?—All matters of any importance are referred to me.

36439. Might the *mukhtiarkar* be entrusted with any power?—Yes, there are some powers that might be given to him.

36440. In the case of the death of a registered occupant, has he power to register the name of the heir?—No, he has to refer to the Assistant Collector.

36441. Might he do that of his own authority?—Yes, I think so.

36442. Are there other matters in which he might be trusted?—Yes, there are trifling matters in connection with revenue that might be entrusted to him.

36443. As to the *tappadar*, is he efficient?—I think he is generally efficient.

36444. And honest?—I do not think so.

36445. Is he usually a Hindu or a Muhammadan?—They are about half and half.

36446. Are they sufficiently well paid?—No, they are not very well paid. There are two grades, Rs. 20 and Rs. 25.

36447. Do you think that, having regard to their responsibilities, that is enough?—I do not think so.

36448. Are you President of each *taluka* Board?—Yes.

36449. Does the *taluka* Board make its own budget?—It makes up its budget and sends it for sanction to the District Board.

36450. Do they get a fixed grant from the District Board?—Now, in this district of Hyderabad they have a fixed proportion.

36451. The *taluka* Board makes its own budget against that, and sends it up for incorporation in the District Board Budget?—For sanction; it is not incorporated.

36452. What is their function with regard to the execution of works; do they supervise the execution of all works?—All except the very large ones.

36453. Do they superintend even the works that are in the District Board budget?—No, they have nothing to do with those; the larger works are generally carried out by the Public Works Department.

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36454. As a rule are District Board works carried out by the Public Works Department and the others by the *taluka* Board?—I think, as a rule, that is so.

36455. How many members of the District Board are resident in your sub-divison?—About ten.

36456. Do they take any active part in the administration of the local funds?—No. I do not think they are sufficiently interested.

36457. If they took any interest in the work would their co-operation be accepted?—I think so; they can suggest a great deal to be done by the District Board.

36458. A member of the District Board has no particular power?—No.

36459. Would a member of the *taluka* Board have more power?—No, but he probably sees much more of the *taluka* works; the matters dealt with by *taluka* Boards are smaller, and probably he would have much more to say to them.

36460. As a matter of fact do the *taluka* Board members take a more active interest in the work than the District Board members?—I think they do.

36461. How many meetings do you have in a year of the *taluka* Board?—Generally we have one every month.

36462. Is the attendance pretty good?—Yes, fairly good.

36463. On the whole there is more interest shown in local works by the *taluka* Board than by the District Board?—I should say there is more interest taken in the *taluka* Board by the members generally.

36464. Has the *taluka* Board got as much funds as it knows what to do with?—They generally want more than they get.

36465. Are there complaints in your *taluka* by many villages that they have never got any benefit from their contribution to the local funds?—I have not heard any complaints about it, because there is so little interest taken by the villagers in Local Fund matters.

36466. Are there a large number of villages that have never obtained any benefit from their contribution to the Local Fund?—I suppose there are many villages through which no road passes, and where there is no school and no local well; they may be said to receive no benefit.

36467. (*Mr. Dutt.*) What is the approximate income of your District Board from the one anna cess?—I should think between 1½ lakhs and 2 lakhs; a lakh and a half would be the probable income from the local cess.

36468. Under the rules, you have to make one-third of that to the Education Department for village schools?—Yes.

36469. You do not take any steps in administering that portion of the money; it is all administered by the Education Department?—That is so.

36470. Is it the rule that the District Board keeps one-half of the balance, and the other half is distributed amongst the *taluka* Boards?—It is not a rule; it is entirely at the discretion of the District Board.

36471. But in your district has that rule been introduced?—The Collector has not fixed it at 50 per cent., but in one or two small *talukas* he has assigned only 25 per cent.

36472. After deducting the money given for the Education Department do you keep one-half of the remainder for the District Board?—Not invariably.

36473. As a rule?—It is only since this year; we are doing it in most *talukas*.

36474. Do the *taluka* Boards know before the actual allotment has been made what they are to expect?—Not until this year; under the rule introduced by the Collector this year, they will have a fairly good idea of what is coming to them.

36475. So that is a good rule to follow?—I think it is a very good rule.

36476. You say that from the money that is distributed to the *taluka* Boards, each *taluka* Board gets Rs. 8,000 or Rs. 9,000?—Between Rs. 6,000 and Rs. 9,000 in the year.

36477. Is the whole of it spent on small village roads?—Not on the main roads which go through the whole district or the whole province. The whole of it is not spent on the smaller roads. Some of it is spent on bridges, and there are road-side trees.

36478. Have you got an engineering establishment under the *taluka* Board?—We have not got a regular engineering establishment, but we have an overseer who knows something of practical work.

36479. Who looks after the larger works?—The overseer looks after the bigger works, too; that is for the whole division.

36480. But he does not look after those works which are undertaken by the Public Works Department?—No, he has no connection with those.

36481. Are the *mukhtiarkars* generally men of education?—Yes, almost invariably. They are often University men.

36482. Are the newer ones an improvement on the older class as a rule?—No, the older men have got more experience, so that it is very difficult to compare the two and say which is the better.

36483. Have they generally a reputation for integrity and honesty?—Most of them are quite honest.

36484. What does their pay run up to?—From Rs. 150 to Rs. 250.

36485. At how many different centres in a *taluka* have you to stop to do the *jamabandi* work?—It is not fixed; very often we do it at only one centre in each *taluka*, but where there are several Government district bungalows, we divide it into two or three tracts.

36486. So that it really depends upon the accommodation you have, and whether it is convenient for you to stop at a place?—Yes.

36487. When you do the *jamabandi*, do the villagers come round to you in large numbers and represent their grievances?—There is very little co-operation and very little consultation amongst the villagers at all; each man comes to represent his own personal grievances.

36488. You have a real opportunity of coming into close contact with the villagers on such occasions?—Yes.

36489. Do you do the *jamabandi* work for the whole *taluka*?—We do the *jamabandi* in the whole of the *taluka*. Personally I only test the work as it is done by lower officials.

36490. The work itself is done by the *mukhtiarkar*?—The *mukhtiarkar* does the work, then it is tested in the office, and I again test it personally, a certain amount of it, to see whether the test is correct or not.

36491. So that the *jamabandi* work which you do is really testing the *jamabandi* work of the *mukhtiarkars*?—Yes.

36492. How many municipalities have you got in your sub-division?—Five excluding Hyderabad.

36493. You are the President of all five municipalities?—Yes.

36494. Is that under the law, or has Government appointed you President?—I have been appointed President by Government.

36495. Is it the rule that the Sub-Divisional Officer is President in all small municipalities?—Yes.

36496. Do these municipalities generally undertake primary education within their own limits?—Yes.

36497. Is your income sufficient for undertaking those duties?—We are assisted by the Education Department.

36498. Have you any dispensaries in these municipalities?—Yes, in most.

36499. Who are the Vice-Presidents of the municipalities?—The *mukhtiarkars*.

36500. So there is no non-official Vice-President in any of these municipalities?—No, we have Chairmen of the committees, and a separate Vice-President and a separate Chairman for each municipality.

36501. What are the functions of the Chairmen?—They carry out the usual routine work, the making up of the bills and looking after the accounts and so forth.

36502. Something like the duties of a Secretary?—There is a separate Secretary also, but the Chairman immediately supervises the work of the office.

36503. Anyhow, all the Vice-Presidents are officials?—Yes.

36504. Could suitable men be found to take the post of Vice-President in some of these municipalities?—As far as this division is concerned, I cannot think of any.

36505. Is the work of these municipalities largely done by committees, each committee taking up a different department such as schools, dispensaries, Public Works, and so on?—They do appoint committees, but as a rule they do not take very much interest in the work.

36506. Do you leave sufficient power with these committees to dispose of matters and to induce them to take some interest in the work?—They can bring matters as they like to my notice.

36507. But can they do the thing themselves?—Generally the President and Vice-President are not present at the meetings; they can hold their meetings themselves.

36508. But is it their function only to make suggestions to you?—They would make resolutions which would then be approved by the general body.

36509. They have not got the power of finally disposing of cases, or passing orders on questions?—No.

36510. (*Mr. Hichens.*) Do the municipalities generally hold their meetings once a month?—Yes, they hold more than one meeting a month generally.

36511. Has the District Board at least one meeting a month?—The District Board has only two meetings in a year.

36512. So that what with the *taluka* Boards and the municipalities, you are fairly busy attending meetings?—I do not attend many meetings; it is only when I am at the headquarters of the *taluka* that I attend the Local Board meetings; that happens about two or three times in the year.

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36513. Do you generally attend the meetings of the municipality?—That also, when I happen to be there; that happens about twice or thrice in every municipality in the year.

36514. Can a man know enough about a municipality to be President of it and to know the work if he is only there two or three times a year?—Yes, I think so. There is very little interest taken to begin with. If there were intelligent men who took sufficient interest in the working of the municipality and who were conscious of their own responsibility, it would be all right, but there are no such men; I think there is some one necessary who is impartial to direct the work of the municipality.

36515. In order to stir up their interest would it be necessary to have an officer who was there a little more frequently?—Probably it would spur them up a little.

36516. In what language are the minutes of the *taluka* Boards kept?—In Sindi.

36517. And the District Board?—Also in Sindi.

36518. And the municipality?—Also in Sindi.

36519. The debate is conducted in Sindi?—All in Sindi; at the District Board it is rather mixed, but at the other meetings it is always in Sindi.

36520. Do the European official members speak in Sindi?—Yes; if they want to say something difficult they get it translated by the *mukhtiarkar*.

36521. (*Chairman.*) How many members are there of the *taluka* Board?—Twelve in each *taluka* Board.

36522. How many as a rule attend?—6 or 7.

36523. Of the District Board members how many are there?—About 35 or 40.

36524. How many of them attend as a rule?—A very large percentage; there are only two meetings in the year and they get a fairly long notice, so that about 25 to 30 attend each time.

36525. You said that when anything difficult had to be said an interpreter had to be brought in. Does that shew a great knowledge of Sindi on the part of the Collector or the local officers?—The experienced officers find no difficulty in expressing themselves.

36526. But is it generally the case that when anything difficult has to be said the Collector has to have it interpreted?—I personally find it always necessary to do it, because the people do not understand if you use any complicated or unusual expressions.

36527. But can you translate all that you want to say?—Mostly; it is only when accounts have to be examined and so on that I find difficulty.

(*The witness withdrew.*)

Mr. MATHRADAS RAMCHAND, B.A., L.L.B., was called and examined.

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36528. (*Chairman.*) You are a Pleader at Hyderabad?—Yes, I have been a member of the municipality there for the last 18 years. I was Chairman of the School Board and some other Committees.

Decentralization is not desirable unless it is intended to give greater power of administrative initiative and control to local bodies independently of official control. In any case no decentralization will succeed, unless and until Administrative Councils are provided to assist Divisional and District Officers.

The present system of financial contract between Local Governments and the Supreme Government should be altered by assigning certain items of revenue to Local Governments, which they may develop and adapt to local conditions.

I would not give larger powers for the creation of new appointments or the enhancement of salaries to provincial Governments, and I am not in favour of extending the powers of Heads of Departments or Commissioners of Divisions.

In my opinion Act V. of 1868 should be abrogated and the exclusion of Sind from the rest of the Presidency should be removed.

The right of appeal is very much appreciated by the public and should not be curtailed, especially when they are willing to pay for it.

Executive Officers have even now sufficient opportunity to associate with the people if they are inclined to do so. The areas under their control may profitably be diminished.

Some Executive Officers have pretty good knowledge of the vernacular of the district they are serving in, but many have not. They should have a better knowledge of the vernaculars.

The administrative staff is sufficient, but the areas in many cases may be diminished. There is a good deal of unnecessary red-tapeism in all departments which could be greatly curtailed, and the work done more regularly and systematically.

Seniority should not be the only standard of promotion and appointment to office. On the other hand there is fear of growth of favouritism if seniority is altogether ignored.

In some cases the transfers of officers are frequent, but no change is necessary in the present system.

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Larger powers should be granted to all local bodies. In the case of municipalities there should be a larger percentage of elected members with a non-official President elected by themselves. By electing their own Presidents they will feel their responsibility better, and consequently will be bound to discharge their duties much better than they do now.

District Boards are now under complete official thraldom, and can be well-leavened by some mingling of more independent and intelligent non-agricultural element. They might be allowed to have a greater control over primary education than they have got now. The functions of the local bodies may suitably be extended in the direction of education, both primary and technical; temperance by giving them local option in the matter of opening of liquor shops, and finally in the disposal of petty civil and criminal work.

I am in favour of creating Administrative Councils to assist Divisional and District Officers. Such Councils may be constituted partly, by nomination and partly by appointing representatives of local bodies. These bodies may be trusted to help the authorities in the matter of periodical settlements, remissions and suspensions of land revenue, in times of famines and plague, and in matters referring to abkari and forest grievances and police requirements of the public.

It is desirable, but not possible under the present circumstances, when, most of the villagers are uneducated, to give greater powers to village communities. This disability should be removed by spreading education.

36529. As Chairman of the School Board Committee what had you to do?—I had to supervise the schools, to look after the masters, and to see to the management of the schools, and to visit the schools constantly.

36530. Was there really a great deal to do?—Yes, if a man has a mind in it, there is plenty to be done.

36531. Are you Chairman of other committees?—Yes, at present I am not Chairman of the Works Committee, but I am constantly presiding; the Chairman is constantly in the districts.

36532. Have you a good deal to do as Chairman of that committee?—Yes.

36533. Does the presence of the Collector as Chairman of the District Board, or of some other official as Chairman of the municipality, put any check upon your criticisms or speeches?—Yes, a good deal. We had a non-official President for 12 years from 1892 to 1903, at Hyderabad; he was selected by the municipality and his appointment was confirmed by Government and he kept it for 12 years. After that Government tried to put in their own Presidents; each President only lasted for a year and a half.

36534. Why do you feel afraid to discuss or criticise matters when there is an official Chairman?—Speaking for myself I do discuss and criticise, but most of the members feel very shy, and they do not do what they used to do before.

36535. Why did these Chairmen that you have spoken of last only a year and a half?—They did not enlist the confidence and respect of the municipality.

36536. Was the municipality rather glad to get rid of them?—They were not efficient for their duties as the Municipal Commissioners thought and in the end it was proved that they were right; one was obliged to resign, and the other was told by the Commissioner in Sind that he might resign.

36537. What were these two gentlemen who were appointed Chairmen?—One was a retired Assistant Judge and the other gentleman had no position; he was a small merchant.

36538. That is to say, the Government tried the experiment of putting in a non-official Chairman?—It was not a proper experiment by Government; on the contrary we had a non-official President in 1892 who was successful.

36539. But after you had your non-official President the Government tried a similar experiment?—They selected their own men. The first non-official President was our own selection; we selected a man in whom we had confidence and who commanded the respect of the municipality; he lasted for four terms, that is to say, for 12 years. Then since 1903 somebody else was put in by Government without consulting the municipality.

36540. The Government tried the experiment of continuing the non-official Chairman and it did not succeed; is that what you mean?—They tried it in a different way—half way, as I would call it.

36541. What do you mean when you say the public should pay for the right of appeal?—They pay in the way of court fees.

36542. You consider that they should have the privilege of employing some one to appear for them?—It is not that; it is not only a question of privilege, but they have confidence in the higher authorities more than in the men on the spot.

36543. The more they pay the more they like it?—It is not a question of payment.

36544. Then what does this mean, "especially when they are willing to pay for it"?—I only meant to say that it does not cost Government anything; the people are willing to pay; they pay in the form of court fees, and they feel that the right of appeal is very essential, and they should not be deprived of it; if it could be made free so much the better, but even if it costs them something the people will be willing to pay.

36545. You think the Executive Officers of a district do not have a very good knowledge of the vernacular?—They have not a good knowledge. Their whole work is done in English; only rarely do they try to speak some broken sentences in Sindi.

36546. We were told that the correspondence is conducted in Sindi?—No; in the municipality and the District Board all the correspondence with the Collector is in English.

36547. Is the correspondence in the office in the vernacular, or in English?—Both in English and Sindi.

36548. You think that at the present moment it would be impossible, however desirable, to give powers to village communities?—Unfortunately the Sind village communities are not homogeneous; there is a part of the Presidency in Gujarat and the Deccan where the two communities, the Hindus and the Muhammadans, are not divided. In Sind the Hindus happen to be the creditors and the Muhammadans the debtors; that is generally the position in the smaller villages. Unless a village is homogeneous the experiment would not work.

36549. (*Mr. Dutt.*) You tell us that District Boards might be allowed to have a greater control over primary education than they have. Will you explain exactly what you mean?—At present the whole of the educational work is done by the education inspector; the District Board has no voice. One third of the money is paid to the Education Department, but the Local Board has no voice whatever.

36550. What do you suggest?—That some kind of duties ought to be allowed to the District Board; outlines of principles might be laid down by the Education Department, and the District Board be left to carry them out.

36551. Ought the District Board to have its own Educational Officers to inspect and supervise the village schools?—It could be done, provided another element be introduced into the District Board. The present members of the Local Boards are zamindars and generally Muhammadans, who themselves have not much education.

36552. Have you not sufficient men on the District Boards now to form small School Boards?—We have now.

36553. Would you approve of the idea of forming a School Board under each District Board especially to look after primary education?—That would be a very good idea.

36554. Do you know much of these primary schools that are now in existence, or of the way in which they are managed?—Only in Hyderabad city.

36555. You do not know much of the villages?—No.

36556. Generally speaking, if the District Board aided these village schools with a monthly stipend of Rs. 5 or Rs. 6 would the villagers themselves undertake to keep up the schools?—You mean in place of the present arrangement. I think they might do it.

36557. It would be a good deal cheaper than the present arrangement?—Yes.

36558. You suggest that the functions of the Local Boards should be extended in the direction of education and also as regards the opening of liquor shops; do you propose that the control should be given to the District Boards?—No; I would have local option; many shops are opened against the opinion of the people.

36559. To which local bodies would you give the option?—The *taluka* Local Boards.

36560. You suggest the formation of Administrative Councils. If such Councils were formed would they not be proper bodies to advise as regards the opening of the liquor shops?—The *taluka* Boards would be more in touch with the people of the small villages, and they would be in a better position to judge than people at a distance.

36561. What kind of duty would you delegate to these Administrative Councils?—They might be allowed to have a voice in many things. In Sind we have a peculiar land settlement system; every ten years our settlement rates are revised.

36562. You think that they might be consulted in these matters?—Especially at the time of the revision of the settlement and at the time remissions are given on a general failure of crops.

36563. Would you leave the final decision in the hands of the Revenue Officers?—The final decision must be left for some time to the Revenue Officers.

36564. But you think that these Councils could give valuable information and advice?—Yes. For instance, in regard to the police; they could tell how many policemen were required and where the force was undermanned; there are places where there are more officers than rank and file, and in other places the force is very much undermanned.

36565. They could only speak about local needs, they could not frame a general scheme?—If they were entrusted with the framing of a general scheme they could do it.

36566. Have you village headmen?—Yes, there is the Hindu headman called the *muhki* and the Muhammadan called the *patel*.

36567. Could you not combine them to form a panchayat?—I think not.

36568. You do not think the experiment could be tried at present?—I think not.

36569. (*Mr. Hichens.*) Are the Administrative Councils that you suggest to be purely advisory, that is to say, is the Collector to be at liberty to accept or reject their advice?—Their opinion should be taken as far as possible; final action might not be left to them for some time.

36570. Is the idea that they are merely to advise the Collector?—At present they should be consulted and reasons for dissent be recorded by the Collector.

36571. He would take their advice if he thought it was good?—They must be consulted whatever their opinion may be.

36572. But must the Collector take their advice, or may he reject it?—He should take their advice in such matters which may be defined for their opinion, as for example, exemptions and settlements and remissions; sometimes there is a general failure of crops, but individual remissions are made; a certain time is given for the people to put in their applications; sometimes their applications are not put in in time, and they lose the advantage of any remission to which they would be entitled if general remission were given.

36573. If the Collector thought in a particular case a remission should not be made and the Administrative Council thought there should be a remission made, should the Collector be bound by the opinion of the Council?—In Sind the inspections are made by numbers; each number is inspected by an officer and the quantity of the grain is estimated; if the assessment is less than half the gross produce no remission is given at all; if it is more than that, one-third of the produce is charged; each number is taken by itself; on each number the opinion of the Council could not be taken; whenever there is a failure of crops in a certain portion of the *taluka* a general remission should be given.

36574. If the Administrative Council were of opinion that a remission should be made and the Collector was of opinion that it should not, should the opinion of the Administrative Council prevail?—I suppose so.

36575. (*Mr. Meyer.*) You desire Act V. of 1868 to be abrogated and Sind to be brought on a level with the rest of the Presidency; do you mean that it should be treated just as an ordinary division of the Bombay Presidency?—Exactly.

36576. Why do you advocate that?—For instance, the Mufussal Municipal Act has been framed with the object that the city municipalities should be under the control of the Governor in Council, and town municipalities should be under the control of Commissioners of divisions. By giving those powers to the Commissioner in Sind our city municipalities have been replaced under the Commissioner, which is against the very policy of the Act itself. There must have been some reason found for dividing them under those two divisions, and by this very Act the Sind municipalities are brought under the very authority which has been condemned in the Act itself as not sufficient.

36577. You rather resent the city municipalities being put on the same footing as the town municipalities?—No, I only give that as an instance; we get an individual ruler instead of a Governor and his Council.

36578. You do not think that the circumstances of Sind are so special that it requires to be treated as a sort of division by itself?—At one time Sind was far away from the Presidency, but now it is no further away than the southern districts of the Presidency, and there is no necessity for the division. At one time there were no railways and the sea journey was very difficult. There were many things that brought about this disision, but it is not necessary now.

36579. Are you a Sindi yourself?—Yes, I am a Sindi by birth.

36580. It has been suggested, occasionally, that so far from the Act being abrogated, it is an excellent Act to extend all over India?—I have seen those opinions expressed. Possibly things which one has not got one desires to have; I do not know whether they have had experience of it.

36581. Your opinion is against extending it?—Yes.

36582. (*Sir Steyning Edgerley.*) Does not the Municipal Act expressly save the provision as regards the Commissioner in Sind?—It does not expressly save it; it is only by the delegation under Act V.

36583. But the position of the Commissioner in Sind is especially referred to in the Municipal Act of 1901, and therefore it has been accepted by the Legislature?—Yes, but that is because the delegation Act V. of 1868 is in existence.

36584. That being so, the illustration you gave is not correct?—No. The necessities of the Sindi municipalities are on the same footing as those of the Presidency.

36585. The legislature did not intend to put your city municipalities under the Bombay Government instead of under the Commissioner?—That is true,

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but when they placed all the rest of the municipalities under the Governor in Council they could not have intended to treat Sind municipalities otherwise; if the Act had not been there, they would possibly have not made that difference.

36586. You are entirely in favour of a fresh financial arrangement between the Government of India and the provincial Government?—Yes, some heads might be handed over.

36587. You would have a separation of revenues? Yes.

36588. Is that of great importance?—The Government would be free to develop them.

36589. You would like to see that done?—Yes, if it can be done.

36590. (*Sir Frederic Lely.*) Was not the first non-official President of the Hyderabad municipality elected?—He was selected by the municipality, and his name submitted by the municipality to the Commissioner.

36591. Then subsequent non-official Presidents were chosen by the Commissioner?—Yes.

36592. Do you attribute the fiasco to any extent to that? Would the municipality have chosen better men?—Certainly; if the municipality could have been left to select, they would have been able to find men they considered efficient to control them and lead them. In fact the second President selected by Government was selected notwithstanding the opposition of most of the Commissioners; when they heard of the appointment they protested.

36593. What was the position of the first President?—He was a zamindar and a pleader.

36594. You think that the District Board should be re-organised by adding to it "more independent, intelligent, non-agricultural gentlemen"; why non-agricultural?—At present the whole body consists of agriculturalists—all zamindars.

36595. But the great mass of the ratepayers are agriculturists?—Yes, but others contribute also; others are concerned in the roads and in educational institutions, and they ought also to have a voice.

36596. But do they not represent a very minute fraction of the ratepayers?—They do; it may be one-seventh of the agricultural population, but they ought to have seats accordingly.

36597. You seem to attribute some particular virtue to the quality of being non-agricultural?—If you attend any meetings of the District Board you will find that nothing could be carried except what pleases the authorities. If I moved any resolution which would benefit the whole community, I should not find a seconder.

36598. Is your point that it is only the non-agricultural men you can trust to be independent?—What is wanted is some element of those who can voice the requirements of the district.

36599. But the vast majority of the ratepayers are agriculturists?—Quite true.

36600. Would you not admit that their interests would be best represented by men of their own class?—Yes, provided that they will speak out, but they are not always bold enough to do so.

(*The witness withdrew.*)

The Hon. SHEIKH SADIK ALI SHER ALI was called and examined.

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36601. (*Chairman.*) You are the Wazir of the Khairpur State?—Yes, since 10 months, since May last. Before that I was Deputy Collector for nearly 20 years in different parts of Sind—Larkana, Jacobabad and the Sukkur districts. Before I was Deputy Collector, I was a clerk first in the Collector's Office; then I was head clerk to the Deputy Collector and Registrar; I was for some time head *munshi* to the Political Agent of Baluchistan; then I became a *mukhtiarkar* after passing the Lower and Higher Standards.

In Sind full powers may be given to Collectors—

(1) to grant remissions of land and miscellaneous revenue;

(2) to sanction the writing-off of arrears of land and miscellaneous revenue which are irrecoverable. At present all remissions of revenues and writing-off of arrears are sanctioned by the Commissioner as a matter of form only, as he has no means to test their nature and justification in individual cases. It is very rarely that any recommendations of Collectors are rejected by him and the procedure followed merely increases correspondence and involves the preparation of elaborate reports and returns;

(3) to authorise the refund of over-collections of land and miscellaneous revenue up to any extent and for any past period. At present their powers are limited as to amount and period.

Sub-Divisional Officers may be given full powers—

(1) to grant remission of land revenue only up to Rs. 100 in each individual case, and over that limit the sanction of the Collector should be obtained. The Collectors during their tour season rarely test any individual claims for remission, and merely examine the general causes to which the failure of the crops are due;

(2) to authorize the refund of over-collection of land and miscellaneous items of revenue up to Rs. 100 in each individual case irrespective of the limit of period.

The Sub-Divisional Officers, when placed in charge of *talukas* or a division under section 10 of the Land Revenue Code, may be invested with larger powers regarding appointments, transfers, dismissals, leave, etc., of subordinate establishments in their charge. At present they are given no powers whatever. In some districts the Collectors delegate to them the powers of granting privilege leave and sanctioning temporary appointments.

The *taluka* officers may be delegated the powers of appointing, dismissing their own peons and the peons of the *tappadars* of village establishments. At present they are not given such powers.

It is quite possible and most desirable to allow Commissioners and Collectors to control, to a greater extent than at present, expenditure in their divisions and districts. Government should assign a certain allotment to each province or division in proportion to its needs, to be worked out on an average of 3 or 5 years' receipts and expenditure. The Commissioner of the division in turn should allot a proportion to each district, reserving a share of the allotment made by Government for the special needs of the division under his control. The Collectors should then assign allotments to each sub-division. The Sub-Divisional Officer should distribute the allotment over the *talukas* in his charge. The *taluka* officers should prepare budget estimates for each *taluka* which should be incorporated in the sub-divisional budget after they are discussed and passed at a meeting to be held by Sub-Divisional Officer and his *mukhtiarkars*. The sub-divisional budgets should be then submitted to the Collector and incorporated in the district budget. In like manner, budget estimates for irrigational and protective works and for civil and other buildings to be carried out and constructed in each district should be prepared by the Executive Engineers and incorporated in the district budget. The district budget should be discussed by the District and Sub-Divisional Officers of the Revenue and Public Works Departments and, after approval, should be submitted to the Commissioner-in-Sind.

The budget estimate of large and important irrigational and protective works and civil and other buildings should be prepared by the Superintending Engineers in consultation with the

Executive Engineers, and after discussion and approval by them at a meeting, should be forwarded to the Commissioner. These budgets should be incorporated in the divisional budget to be prepared in the Commissioner's office and discussed and passed by a Committee consisting of the Commissioner, Superintending and Executive Engineers and Collectors. A copy of it may then be submitted to Government for their information. If each province or division were treated as a distinct unit in itself and its budget estimate deals with the receipts and expenditure of all the departments excepting those under the direct control of the Government of India, then all the Heads of the Departments should prepare their own budgets which should be incorporated in the divisional budget, and all the Heads of those Departments should attend at the meeting to be held for the discussion of the divisional budget. Each division should be treated as a distinct and separate unit, especially the province of Sind, in which the local conditions are quite peculiar and distinct from those of the other parts of the Presidency, and the Commissioner-in-Sind should have all the powers of a Local Government and his budget estimate should be quite separate and distinct and should not be incorporated in the Presidency budget. Sind has always been neglected in respect of funds for irrigational and other works, establishment, sanitation, education, &c., and deserves a very liberal treatment in this respect.

Executive Officers have not sufficient opportunities for personal contact with the people owing to the press of heavy clerical work, in which the greater part of their time is occupied. The remedy most necessary is to reduce the areas of their charges and increase the administration staff. I am speaking of the province of Sind only, in which the Collectors' and Sub-Divisional Officers' charges are too large and unwieldy, and they have scarcely time to visit all parts of their charges. In Sind no sub-divisional charge should consist of more than 3 *talukas*. In the Larkana division it should not consist of more than 2 *talukas*, as both the revenue and judicial work is very heavy. The Larkana, Hyderabad and Karachi districts are also very heavy charges, though the Larkana district was reduced some years ago.

The Executive Officers do not generally possess sufficient knowledge of the vernaculars. They scarcely understand the vulgar speech of the villages and their own pronunciation being very defective and their fund of common phrases and words being very limited and scanty, they are hardly able to convey their own meaning fully and clearly and make the people understand them. I think this is also one of the reasons why they avoid visiting the people who do not know and speak English. They prefer speaking the English, and for this reason English knowing *munshis* are generally appointed as head *munshis* and *sharishtadars*.

The grant of larger powers to Commissioners, Collectors and other local authorities will necessarily involve greater care in their selection.

The transfers of officers of all grades are unnecessarily frequent. They hardly get conversant with their work and become acquainted with the people and the conditions of their charge, before they are transferred. No district, Sub-Divisional or *taluka* Officers should be transferred within a period of less than 5 years. Their pay is always personal, and there is no possible reason why they should be transferred so frequently from one charge to another even within the same district or province.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional and District Officers in Sind, as even the smallest majority of people have not as yet attained that standard of education and intelligence most necessary to qualify them to understand the various problems which arise from time to time for the better and peaceful administration of the province. People are divided into petty factions. They are extremely jealous of one another. They are ready to cut one another's throats and to compass and cause one another's downfall and ruin. The chapters on Village Munsifs and Arbitration Courts in the Deccan Relief Act were extended to the province of Sind 4 years ago, but they are still a dead letter, as qualified persons are not available for those offices.

It would be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. The budget estimates of these municipalities should be submitted to the District Boards for discussion and final approval, and members of the District Board should supervise some of the large works and schemes while under execution.

36602. Are the methods in the Khairpur State practically the same as they are here?—Generally they are now.

36602. You think that the Government ought to give a certain allotment to each division in proportion to its needs; are you talking only of Public Works expenditure?—Of all kinds of expenditure; the divisional budget should be on the same lines as the Local Government budget.

36604. A division should have a sum of money allotted to it, and then the Commissioner could spend it as he likes?—Yes.

36605. Is that what you do in your State at the present moment?—Yes, we do the same.

36606. You give the Head of the district so much money, and he spends it as he likes?—Our administration in regard to the budget is not like the administration here, but we are now commencing it; formerly no budget was prepared in the State.

36607. You say that the Executive Officers do not possess sufficient knowledge of the vernacular; do most of them read and write it?—They do not read and write it themselves; they cannot write anything themselves; they write in a very broken hand, and nobody can read it.

36608. Could they read a petition?—With great difficulty; some of the old officers can read a petition if it is in clear writing, but not all.

36609. Is it desirable that they should have that knowledge?—Yes, it is very desirable; if a man has something which he does not like to reach the ears of the *munshi* or clerks, the Executive Officer ought to read it himself.

36610. It really is a drawback to Government that officers cannot read the vernacular?—Yes. Sindi is a very difficult language. In other parts of India Hindustani can be read by any officer; Sindi is more difficult; the foreigner cannot pronounce certain letters properly, though he may lead his whole life here; even natives of India cannot pronounce them properly; still, with great difficulty and study you can speak it sufficiently to make yourself understood in it.

36611. Is it because the officers do not know the vernacular, that the people in the districts keep away from them?—That is one of the causes; it is not always so. If a man has his grievance, he comes to the Collector and the Assistant Collector, or when the officers go on tour.

36612. Then you say that a District Officer ought to remain for a period of not less than 5 years?—Yes, if he wishes to be acquainted with the people and their customs and manners and grievances he should remain a long time at one place, and should not be transferred in six or twelve months before he gets acquainted with anybody.

36613. Should he stay longer than 5 years?—That should be the least period, and he should remain even longer.

36614. How long?—Eight or ten years. When we had the Sind Commission, Civilians were very few, we had uncovenanted Officers who remained always in Sind; they know Sindi very well, they knew the people and their customs very well, and they were very useful. Now Civilians come for one or two years and then they are transferred or go on sick leave or something; a new Collector comes and he has to make new acquaintances; so that the administration suffers and the people also suffer.

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36615. (*Sir Frederic Lely.*) You have known Sind for many years?—I was born in Sind and I know it from my childhood, though my parents belonged to the United Provinces, the Saharanpur side.

36616. Has the character of the administration improved or otherwise during that period?—Of course it has improved; there is no doubt that it has.

36617. Has the character of the subordinates of Government improved—the village officers and the *munshis*?—It has considerably; it is not like the old days.

36618. But there is room for still further improvement?—Yes.

36619. In what direction?—As to their pay and their status; the subordinate officer's pay is generally low, rising from Rs. 20 to Rs. 25.

36620. You are speaking of the *tappadars*?—Yes, they are the foundation of the whole administration of Sind, at least the revenue administration. Whatever they write, upon that the *mukhtiarkar* and the Assistant Collector and the Collector pass their opinion.

36621. Are they equal to the position in point of character?—They are not; their work is very important but their pay is very low. The worst thing is this; that all the old officers in Sind are of opinion that you may increase their pay to any limit, but they would never withstand temptations which are thrown in their way.

36622. If they were better paid a better class of men would gradually grow up?—Yes.

36623. Are the *mukhtiarkars*, good men?—Yes; we have graduates and others who are *mukhtiarkars*. Still, there is one difficulty, the standard of vernacular education is not sufficient. After studying four standards of the vernacular they go and join English schools and become graduates; when they are employed in the Government Service they can hardly write Sindi properly.

36624. Are you speaking of natives of the province?—Yes, *mukhtiarkars* and Deputy Collectors.

36625. The tendency is to neglect their own language for English?—Yes.

36626. How about the *karkuns*?—They are generally Sindis; they do most of the work.

36627. They all know Sindi perfectly?—Yes.

36628. And are they efficient?—Yes.

36629. Are they sufficiently paid?—The establishment now has been revised; their minimum pay is Rs. 15, but considering the times that is a low standard for them; Rs. 15 is hardly sufficient for them to maintain themselves.

36630. Is there attached to the cutcherry of every *mukhtiarkar* a number of *umedwars*—candidates?—Yes, one or two, and they are not paid anything.

36631. But they are necessary to get through the work of the cutcherry?—Yes, and they have got a better claim to recognition than those who are not serving candidates.

36632. Is it a good arrangement?—I think so; it supplies the deficiencies of the staff.

36633. Is the present system for ascertaining the wants of the people sufficient?—I think it is sufficient.

36634. Anyone who has a grievance has a fair chance of making it known?—Yes, quie.

36635. Are the present arrangements all that could be made for enlisting the help of the people in government?—I think they are quite sufficient considering the present educational acquirements of the people

36636. Is there any room for extending the powers of the *taluka* Boards, for instance?—They have already sufficient powers. We have got a certain standard fixed, and in that their powers might be increased. I mean, if a road is to be constructed, if it costs more than Rs. 50 a mile, it has to be carried out by the Executive Engineer of the Public Works Department. That is not a very good limit; there are certain works costing Rs. 2,000 or Rs. 2,500 which should not be carried out by the Public Works Department. Generally, work which the *taluka* Board would carry out for Rs. 5,000, the Public Works Department would estimate at Rs. 10,000. The limit of the *taluka* Board should be raised.

36637. You would have more work done directly by the Board?—Yes.

36638. Would you make any distinction between the *taluka* Board and the District Board; which is most in touch with the people?—I think the *taluka* Boards are most in touch with the people. The District Board members are generally elected or nominated from the *taluka* Board, with the exception of *jagirdars*; they share each one member if he has got one whole village alienated, otherwise they are elected from *taluka* Boards.

36639. Is it possible to carry the powers still lower down to the villages in Sind?—Villages are not sufficiently advanced to warrant giving them more powers. We have now a Sanitary Act; we have Sanitary Committees, but still they do not do the work unless they are guided by the Government officials; they are generally timid; they have considerations of their caste, and they do not act properly; they have not got a strong character, as we should call it.

36640. Have these Sanitary Committees succeeded in any cases in Sind?—In many villages now the work of conservancy is carried on by Local Boards, by the District Boards, by Government, and by their own contributions.

36641. Are they accompanied by a rate in any case?—There is no rate; a lump sum is levied.

36642. That is supported by contributions from Government?—Yes.

36643. Then they have been to a certain extent a success?—Yes.

36644. (*Mr. Dutt.*) What funds have these Sanitary Committees?—There is a fixed share; Government pays one-fourth, an equal share is paid by the Local Boards, and the remaining half is paid by the communities themselves.

36645. Are there many Sanitary Committees in each district?—Yes, where the population of 500 or more there is generally a Sanitary Committee.

36646. Is the power entrusted to the headman?—Yes, to the panchayat and the headman.

36647. One headman assisted by a few other men?—Yes.

36648. Do they employ a staff?—Just the conservancy staff, three or four sweepers; where they have got sufficient money they have got lighting also.

36649. So far as you have seen their work, do they get on fairly well together, without wrangling or quarrelling amongst themselves?—They do not quarrel, but when their personal interests are concerned they try to take sides; that is the evil amongst these communities. Then there are jealousies; one man is Chairman, and his brother is also a member, and he resents that he should not be made Chairman. Still, they go on doing the work under the supervision of the officers.

36650. And in course of time could more powers be given to them?—Yes.

36651. Do the present Deputy Collectors rise from the ranks of ministerial officers?—Yes, many of them in Sind.

36652. Is that a good system?—It is a very good system.

36653. You do not approve of men being appointed straight away as *mukhtiarkars* on probation for two or three years?—No, because they have not the necessary experience; they are entirely in the hands of their *munshis* and clerks.

36654. Do not some of them contract habits of corruption as clerks, and find it difficult to get rid of those habits afterwards?—Yes, but if they wish to rise they give up those habits, otherwise they have no prospects, because it is not only seniority, but fitness and good character that helps them.

36655. You would not like to try the other system of men being appointed directly as *mukhtiarkars*?—No, that is not my principle; a man should rise from the beginning of the ladder, then he will know everything; otherwise, if he gets to be a big man at once he does not pay so much attention to his work.

36656. About these *tappadars*; are there *tappadars* in all villages?—No, we have a number called *tappadars*; each has so many villages under his control.

36657. Are they the same class of officers as the circle inspectors?—No, we have supervising *tappadars* corresponding to circle inspectors.

36658. Is their main duty the collection of revenue?—No, the Sind system is different. You were asking Mr. Hamid Ali about the *jamabandi*; I think you were referring to the *jamabandi* of the United Provinces, where the Assistant Collector makes the *jamabandi* and all the people come together. Here that is not the system. We have got each field surveyed and made a separate unit, which is called a survey number; each survey number is inspected by the *tappadar*; every number, whether it is cultivated or not, is inspected. If it is cultivated an assessment is fixed upon it and that is recovered from the occupant; that is not recovered at *jamabandi*. First of all the *tappadar* shows in his inspection book all the numbers, cultivated and uncultivated, held by a registered occupant; then he enters all those in each village; then he enters the assessment which is due, the local cess and everything; then it is transferred to another form which we call the ledger account; then they all come to the *taluka* headquarters, where the Assistant Collector and the *mukhtiarkar* are, and there they are examined and compared, and if it is found that they are correct they are signed; if there is a mistake found it is corrected. That is the *jamabandi*.

36659. Are these *tappadars* generally local men?—Yes, they are trained in Hyderabad in the Agricultural School before they are appointed.

36660. What is their pay?—It is 20 to 25 for *tappadars*; then it rises to Rs. 30 and Rs. 35 for supervising *tappadars*; from that, they are made head *munshis* and *mukhtiarkars* also.

36661. Is education spreading now gradually amongst the people?—Yes, the leading men are now taking a greater interest than before, and they are trying to spread education, at least among the backward classes.

36662. Is the number of Board schools increasing in the villages?—Yes, we have got too many Board schools.

36663. Then there is a large number of indigenous schools where only the Koran is read by Muhammadan boys?—Yes.

36664. Has any attempt been made to introduce secular education there?—Yes; they are called now aided *mullah* schools.

36665. They teach the Koran and also give some secular education?—Yes; the schools are inspected, and according to results a grant is given every year.

36666. Is that a good system?—Yes, very good, because it is improving and spreading the vernaculars. It used to be only the Koran and Persian, and they neglected the vernacular; now they are learning the vernacular, and in that way knowledge of the vernacular spreads to others who do not go to the regular Board schools.

36667. (*Mr. Meyer.*) Who aids the *mullah* schools?—I think it is the District Board as well as Government; the District Board gives a share of the local cess for the Educational Department; then the Educational Department prepares the district budget and sends it to the District Board, where it is approved; then the expenditure is incurred by the Educational Department, and the *taluka* Boards supervise the schools; they make recommendations for new schools.

36668. Part of it, any rate, comes out of the District Board fund?—Yes. It is the District Board cess from which the share is given to the Education Department.

36669. You desire that Collectors should have power to sanction the writing off of irrecoverable arrears; should they have full power?—Yes, I think so, these sanctions which are obtained increase the correspondence, because the Commissioner has got no one to check these recommendations; he has not any opportunity of checking them; he merely depends on the Collector's recommendations.

36670. Is not a Collector's business supposed to be to collect all revenue promptly that is capable of collection?—Yes.

36671. Suppose you had a Collector who had been rather slack with his collection, might there not be temptation to say "The balance is irrecoverable, I will write it off"?—But it is not in the hands of the Collector. Primarily the revenue is collected by the village officer and the *mukhtiarkar*, who are responsible for making arrangements to collect it, but if there is a calamity and crops fail and remissions are given to a certain extent, the arrears remain, because the people have nothing to pay with; the Collector has very little to do with these outstanding arrears.

36672. Suppose the *mukhtiarkar* has not taken the trouble what is easier than for him to say "This is irrecoverable and I recommend it to be written off"?—Then the Assistant Collector would come down on him; he goes round and scrutinises the returns and sees that there are no arrears. The machinery is all connected. Unless there is combination between the *tappadar* and the *mukhtiarkar*, and the Assistant Collector and the Collector, there will be no arrears. Our system is quite distinct from that of the Presidency. In the Presidency when there is no rain they give a certain remission, but here every survey number has to be examined.

36673. You think the extension of power to write off arrears as irrecoverable would not involve any abuse?—Very rarely.

36674. Would you be in favour of a system of conferences for the provinces, the Commissioner meeting his Collectors and his Heads of Departments regularly twice a year or so?—I think that is generally done even now, the Commissioner calls in his Collectors and other British officers, and they hold consultations.

36675. You say the people are no more ripe for panchayats than for Advisory Councils; do you mean owing to their factions?—Their factions and their ignorance.

36676. We were told by another witness that the ordinary village is divided into two parties, the Muhammadan cultivator, who was in debt to the Hindu money lender; is that the case?—It is not generally the case now since the application of the Deccan Relief Act and the Encumbered Estates Act; the cultivators are not now so much indebted to the *baniya*, still the *baniya* in many instances advances money.

36677. You say that certain provisions of the Deccan Agriculturalist Relief Act have remained a dead letter?—Those relating to village munsiffs and village arbitrations; those were recommended for application to Sind, and I was one of the officers who recommended it, but they have not been successful up to this time, because Collectors find it very difficult to know to whom to delegate these powers.

36678. So far as the working of the ordinary Courts goes, the Act has been successful?—Yes, to a certain extent.

(*The witness withdrew.*)

Mr. H. M. GIBBS was called and examined.

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36679. (*Sir Frederic Lely.*) You are Deputy Inspector-General of Police for Sind?—I am officiating.

Local Governments should be given sufficient power to pay their officers at a fair market rate instead of being tied down to prices that may suit some other part of India. They should also be allowed to recruit their police on the lines needed by the natural features of the various districts and temperament of the people. It is no more possible to standardize for the whole of India than it would be for Europe. The present rate of pay is insufficient for Sind. No allowance seems to have been made by the Government of India for the facts that in Sind there is no system of village police, there are no recognized *lambardars* or *zaildars*, on the reverse of whose *sanads* the provisions of the Indian Penal Code showing the penalty for omission to report certain offences, harbouring offenders, &c., are clearly printed, nor have we, as in the Panjab, special men for the service of non-cognizable summonses, a service which takes up a very great portion of the time of the unarmed police in Sind.

The armed police is practically recruited by foreigners. It was bad enough before the reorganisation scheme was introduced, but since the rate of pay has been standardised, the constables in the Punjab and United Provinces have had their pay raised and so the better men take employment at home and we are getting a much worse class of recruit than we were. Not only is the rate of pay insufficient, but the work of the armed police is heavy whilst the force is utterly undermanned, and the shortage makes it impossible for the District Superintendent of Police to give the men leave they want and have due to them, and should ordinarily speaking be given them. In this Presidency every *taluka* has its *mukhtiarkar* and *mamlatdar*, who is a 1st and 2nd class Magistrate, and has its treasury and sub-jail; cases are tried in the *taluka* and prisoners are confined in the sub-jails. The cases are not taken to the district headquarters for trial. A strong case showing the impossibility of standardization for the whole of India has just occurred at the Hala sub-jail in the Hyderabad district. The treasury and sub-jail guard was 1 head constable and 4 constables; these men have no regular relief. At about noon some prisoners asked the sentry for water, he was alone on duty; he got the water, opened the door of a cell in which there were 14 prisoners; 8 of these rushed out, snatched his musket and bayonet, bayonetted him and seizing all the other arms bolted. The *naik* of the guard and a revenue peon hearing the noise ran up and were fired on. The peon was not hit, but the *naik* was slightly wounded with a buck-shot and bayonet. The 8 got clear, shot a chaukidar 14 miles off and were only arrested after a 4 days' chase led by the District Superintendent of Police, who collected police and villagers as best he could; six have been arrested after an interchange of shots and 2 are still at large. Had there been a guard such as we have in the Presidency proper and has been advocated here, the probabilities are there would have been no escape and the sentry and chaukidar would still have been alive.

The Government of India should content themselves with seeing Local Governments keep to certain broad lines: purely local details should be left to the various Governments, as needs vary with localities and they know better than anyone else what those needs are. They should be allowed to adopt any suggestion of reform that is expedient, no matter the source it comes from.

There is no doubt the demand for information has, for some years past greatly increased, and I can only conjecture it is due to the Government of India calling for it. Whether they in their turn are pressed by the Secretary of State I cannot state.

More weight should be given to the opinion of Commissioners than the Secretariat, for one reason or another, is apt to give. They are senior, experienced, and very responsible officers; they base their reports on those of the local officers; they know their districts and the local needs, and so should be supported.

Police officers have not sufficient opportunity of personal contact with the people. Many charges are so large, it is impossible for them to inspect their stations and men as they should and are expected to do, to visit the scenes of crime and still have time to stay long enough in one place or *taluka* to get to really know the people. The consequence is their influence is diminished. Not only is this noticeable with the people, but with Government servants in different departments. People naturally often do not see, and when seen will not speak out to, an officer they can only see for one or two days in a year. It would be a boon to the people, and a very great aid to Government, if the old system of making officers live out in their charges were revised; at present there is too much concentration to headquarters and consequent loss of supervision and so touch with the people. I know the old plan would be disliked, but that is another matter; officers so trained (in all departments) would probably be better for it later on. This rush makes men only look into matters connected with their own department: they could, if the rush were stopped, be expected to look into the general working of the *talukas* and so be able to give Heads of other Departments most useful information.

My Executive Officers have not that knowledge of the vernacular they should. I would go further and say all Government servants, including all grades of clerks, should be able to read and write at least one vernacular language fluently. It would be no hardship on Indian born and educated officials. The school curriculum should arrange for this. This knowledge should be kept up: it would not only facilitate everyday work, but, in the higher grades of clerks, would be of immense value in confidential work. The remedy lies (1) in the orders the Government of India are pleased to pass and (2) the degree of strictness with which examiners carry out the orders they are given.

In large charges the administrative charge is too great: no charge should be so large that the Heads of Departments in it cannot thoroughly know it. I speak not only from a police point of view, but as regards what the District Magistrate is expected to do. In big places he seems for ever preparing and sending in long reports, and so gets little time to promptly look into local matters, which it would be better he should sift. The District Magistrate is the pivot on which our machinery works, and so too great a strain should not be put upon him: it is bad for all concerned.

Commissioners should be given greatly enhanced powers, but I do not think "selection" is necessary. Seniority is a claim that should not be passed over except for reasons than can be plainly given.

Ordinarily speaking, officers should not be transferred under three years: for their districts' sake five years would probably be better, but I doubt the strength of the departments being enough to allow of this.

The Government of India should insist that there is in every district a rifle or musket with a proper reserve against accidents for every policeman and ammunition for practice and reserve. I would not have every policeman go armed, but the firearms should be there and so stored as to be readily available. Every recruit is made to pass through a proper course of musketry before he is confirmed. It would be easy to keep him familiar with the use of firearms.

36680. The chief event that has happened lately in Sind in connection with the Police is the issue of the Police Commission report and the various action that has been taken on it. Have you anything that you wish to say in particular as to the effect of the orders issued under the report?—The effect has been materially to reduce the content of the men, and we have got a very indifferent stamp of man; not only that, but the men have resigned most freely.

36681. In consequence of what particular orders?—The rates of pay have been so reduced that men who might shape into good head constables and *jamadars*, will not come now; the rates of wages in Sind are very high; a head constable here can now only get Rs. 20 instead of Rs. 32.

36682. The rate of pay laid down by the Government of India is limited to Rs: 8?—Rs. 9, Rs. 10 and Rs. 11.

36683. Do those rates correspond with the market rate of wages in the province?—Not at all; they are infinitely less. The Superintendent of Police for Karachi sent out two recruiting parties; nearly the whole of the men left.

36684. The rate of wages laid down by the Government of India for constables is quite insufficient?—Absolutely insufficient.

36685. As to the wages of head constables?—They, too, are too small. Mr. Ingle had a man in his office on Rs. 15 and the man found the work was too heavy for him. Mr. Ingle wrote, "This man's knowledge of English is so elementary he is practically of no use to me." The man resigned and promptly got a place at Rs. 25 in the municipality as a tally clerk. Provisional sanction to raise the pay of constables in Karachi itself has just been given. The men are, however, tied down in this way; they have to serve for three years and they only get a rise of one rupee. You can reduce a man because he has committed a fault and so forth, but if four men enlist together and one man does some exceptionally good work you cannot give him one rupee advance; you can make him a head constable or anything you like, but you cannot give him one rupee promotion.

36686. What was the rate of wages formerly drawn by head constables?—Rs. 32, Rs. 22, Rs. 16, Rs. 14; now the rates are for the unarmed police Rs. 20, Rs. 17-8, Rs. 15, and for the armed police Rs. 20, Rs. 16, and Rs. 12.

36687. They have been reduced by the Government of India?—Yes.

36688. Is that a wise change?—It is absolutely fatal. Men will not join; under these orders, men we used to get who were fairly good from the Punjab and the United Provinces have had their pay raised there and they will not come here; why should they when they can be getting more money serving in their own homes?

36689. Generally, you think that the action of the Government of India, on the Police Commissioner's report has been to interfere too much with the local details, which would have been better left to the Local Government?—That is so.

36690. What is the average length of service at which an officer in the Presidency gets charge as a District Superintendent?—It is something very short now; it was infinitely longer in the old days; some of them now get an acting charge in about three or four years.

36691. As a rule are the Police Superintendents equal to their position; are they men of judgment and temper?—I have heard very few cases of men being what you might call hot-headed; I have only just come here.

36692. I am speaking not only of Sind but of the whole Presidency?—I have never had such men under me. I have only known of one or two men who have been called hot-headed; I have never seen them at work.

36693. So far as your experience has gone in Sind, do the Superintendents know the language fairly well?—I think most of the men, as policemen going into Court, and asking questions relative to their work, and giving orders to their *munshis* to record in the vernacular, are quite sufficiently well acquainted with the vernacular. I know Gujerati pretty well; as long as I was talking with men who were more or less official men I was all right, but if I got amongst native gentlemen who began talking their home language, many words come out that I know absolutely nothing of. I think for one's practical work it was all right; conversationally perhaps, when you were talking on outside subjects, it was a bit difficult.

36694. You are an advocate of Sub-Divisional Officers living not at headquarters but in their sub-divisions?—Yes, I think I am; I did it myself, and I had much more touch with what was going on. It is not altogether an ideal existence, but of course in the old days we joined the Service much younger. I do not speak for the police alone.

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36695. Do you make that recommendation, taking into consideration all the disadvantages to a man of living more or less by himself during the early part of his career?—Speaking personally I did not mind it; I like it.

36696. But it does not follow that it is good for a man?—No, it does not. When I was in Sind in a place called Mehar there were two Europeans there; they were quite happy; they used to come in for a week to headquarters and see their Collector or the Executive Engineer and talk things over; it was not so very far.

36697. Are Sub-Divisional Officers sufficiently in touch with their people in Sind, or would you like to see them revert to the old system of living in their sub-divisions more than they do?—I was not thinking so much of Sind as of the Presidency. In Sind it is so absolutely different; it takes you years to learn Sind; everything is zamindari; the officers seem to know their zamindars, but they do not get to know the population; if there is anything to be done it is the zamindar who has to be consulted.

36698. Your recommendation refers rather to the Presidency than to Sind?—That is so.

36699. For Sind you are not prepared to say anything definite?—No.

36700. Has one result of the Police Commission Report been to alter the position of the District Magistrate in relation to the police?—I have not found it so; perhaps a few minor details might be altered, but they could probably be settled by Government.

36701. (*Sir Steyning Edgerley.*) In this province Bombay Act. IV. of 1890 is still in force?—Yes.

36702. So that the position of the District Magistrate, except as to internal economy, cannot be altered very much until that Act is altered?—No; he is Head of the district including the police.

36703. Your suggestion about the pay of the head constables is purely a matter of detail?—I should say so.

36704. The scheme of the Police Commission for the direct recruitment of sub-inspectors has nothing to do with whether a head constable receives Rs. 20 or Rs. 25 or Rs. 35?—No.

36705. You could alter the pay both of constables and head constables without affecting any of the principles of the scheme of the Police Commission?—Quite so.

36706. And also you could improve the prospects of those ranks without altering any principle, simply by altering the details of the 15 per cent. who can be promoted as sub-inspectors?—Yes.

36707. It would be perfectly simple without altering the principles of the re-organisation scheme, to put that up to 30 per cent. and so increase the attractions of the force?—Quite so.

36708. So that anything that may be wrong there is remediable as the result of experience without touching the essentials of the scheme?—Yes.

36709. As to this incident which happened at Hala, how did it come to be the case that there was so small a guard on duty?—The guards have been apportioned there and we cannot increase them really, partly because the men will not enlist, and partly because the orders are that we must keep them down to one and three and one and four.

36710. At a similar place in the Presidency what would be the guard?—It would all depend on the length of escort work you have; it would probably be three head constables and ten constables; the average is 13 men. If you have very

long leads for prisoners' escorts, they give one or two more men.

36711. You attribute that incident entirely to the absence of part of the guard in the middle of the day?—Yes.

36712. This is one of the points on which there is a difference of opinion between this Government and the Government of India?—Yes.

36713. If this system of small guards and leave to be absent in the middle of the day is to obtain along with the system of First Class *taluka* Magistrate and the consequent detention of serious criminals in the *taluka* lock-ups, you must be prepared for occasional incidents of that kind?—Quite so.

36714. (*Mr. Meyer.*) The Government of India did not invent all these rates of pay which you have been questioned about out of its own head?—That I can barely say.

36715. Were they not recommended by the Police Commission?—They were.

36716. Did not the Police Commission take evidence in Bombay?—They did.

36717. And in Sind?—I do not know; I suppose they must have done so; I was not here.

36718. The Commission contained a Bombay representative?—Yes.

36719. And the Bombay Government put certain suggestions before the Commission?—Yes. I did not give evidence, but in my written memorandum I strongly wrote (from Surat) that the rates of pay were absolutely too small, and I advocated the rates that have just now been sanctioned by Government.

36720. The Resolution approving the general proposals of the Police Commission was issued after consultation with the Local Governments?—Yes.

36721. So that it was not a case of the Government of India ramming certain rates down the throats of the Bombay people, but of the Government of India accepting the recommendations of a Commission upon which Bombay was represented, and the Bombay officers had full opportunities of putting forward their views?—I presume so, but what the Bombay representatives really tried for I do not know, because I do not know how much *force majeure* there was.

36722. Your idea would have been that the Local Government should have had a free hand to deal with the matter?—Certainly, on certain broad lines. Even in the Karachi district alone you will find the rates of wage and food all changed; if you go into one district the rates are entirely different from the rates in the next district, and it is the same in the Presidency.

36723. Instead of raising the pay of the Superintendents and so on, they ought to have raised the pay of the constables?—They ought to have raised them all.

36724. You would have left the choice to the Local Government whether to raise the pay of the superior police officers or not?—Speaking generally, I suppose one ought to leave it to the supreme power.

36725. Which do you mean by the supreme power?—I refer to the Government of Bombay in my particular department; I presume it would lie with them whether the Superintendent of Police or the lowest constable was to be recommended for the prior benefit.

36726. You say the Government of India should content themselves with laying down broad lines and leave details to the Local Government, which should be allowed to adopt any suggestion of reform which it considers expedient, no matter where it comes from. Is the Government of India to have power to enforce a reform that it considers desirable?—In matters of detail I think the Local Government should have the say; they must know the local conditions better.

36727. You say, "The Government of India should insist that there is in every district a rifle or musket, with proper reserve against accidents, for every policeman and ammunition for practice and reserve." Is that not rather a detail?—I looked upon that more with the idea of the Arms Act.

36728. You say, "The Government of India should insist"; that rather contemplates a difference of opinion between the Government of India and the Local Government, and the Local Government being over-ridden?—I was thinking of India as whole, because there is no doubt that our men ought to be armed. I will retract that and say that the Government of Bombay ought to do it. I have heard policemen from other parts of India discuss the matter, and it is their general opinion that every man ought to be able not only to shoot, but that he should have a firearm available. The arms could be kept in certain central stores which are convenient, and called out in times of necessity.

36729. Suppose the Government of India held your view and the Government of Bombay did not; ought the view of the Government of Bombay to prevail in its own province?—Perhaps not; personally, I think the Government of Bombay would agree.

36730. Suppose it did not; supose it thought one rifle for every three men would be sufficient; in such a case would you leave the decision with the Government of Bombay or with the Government of India?—Speaking personally, I think the Government of India ought to insist upon it. I consider this an imperial matter and not merely provincial such as police work usually is. In case the troops had to be suddenly called away, the prompt arrival of police who knew how to use firearms would have very quieting effect. The police have a good record, and could be trusted.

36731. (*Mr. Hichens.*) There are no village police in Sind?—Absolutely none of any sort or description.

36732. How is the work that is done by village police in other provinces done here?—The actual district police have to do it.

36733. Does that require a large number of constables?—A very great number. In other places, if a packet of papers has to be taken to a sub-inspector a few miles off, the village chaukidar is the man who would do it, instead of calling on the police. Here we have not only to carry papers about, but we have to serve all sorts of things, including papers in non-cognizable cases, which are not really police cases at all. Up country they have a special service for the purpose; they are all men of superior service; and they have a civil process serving establishment, locally known as *peadas*, whose scale of pay is laid down, and whose appointments are pensionable.

36734. From the point of view of efficiency, would it be better to give part of the work—the detection of crime, for example—out to village police?—I think a good village police, properly looked after, with a *patel*, is of infinite use. They know everybody; they are born and bred in the village. But I do not know how you could initiate that in a place that had never had them. From the little I have seen I think it would be worse than it is; the only thing is to have the actual district police with inspectors and sub-inspectors. The distances are so very great in Sind; our figures have been cut down; instead of having 150 square miles to each station it is 279; the walking is dreadful, and the Sindi is not a walker.

36735. Is that the effect of the Government of India Resolution?—Yes; the figures have been sent back and sent back again. When Mr. Stewart was Inspector-General of Bombay he sent in a report for certain districts; that was in 1906; the Commissioner kindly sent me a Government of India note that had just come to him; it simply says that Mr. Stewart's figures are all wrong, and everything is to be cut down.

36736. (*Mr. Dutt.*) Was not this general reduction in the pay of constables and head constables suggested in the Police Commission's report and then endorsed by the Government of India?—I cannot say straight off.

36737. The Government of India simply accepted the proposals of the Police Commission's report?—That is how I take it.

36738. The mistake, if one has been committed, was in the Police Commission's report?—I take it so.

36739. Representations have been made by this province, and the mistake has been to some extent rectified?—Yes, orders came quite recently; they only affect Karachi city; the cry is for the whole division.

36740. Was a representation made as regards the whole division?—I wrote for the whole province; what the Commissioner wrote I cannot say.

36741. As a matter of fact, has the pay of constables throughout the province been reduced in consequence of the Government of India orders?—The pay of head constables has been reduced, not of constables.

36742. You said you would like the Sub-Divisinoal Officers to revert to the old practice of residing in their sub-divisions. Many of these Sub-Divisional Officers are Indian gentlemen, Deputy Collectors, and it would be no hardship to them if they were to live in their own sub-divisions among their own countrymen?—We have Parsis here: if they had to live out amongst these other people I do not think they would like it.

36743. Still, Parsis live everywhere for the purposes of their own business?—No doubt that is so; but a man who is on ordinary business can go away when he chooses; whereas a Government servant is not free to withdraw himself whenever he chooses.

36744. You think that that system would bring them a little more into touch with the people of their sub-divisions?—Speaking from my own experience, I certainly found it so in the old days.

36745. Have you noticed whether the new rules issued on the Police Commission's report have in any way withdrawn the control of the Magistrate over certain police matters over which he had control before, such as the promotion and transfer of police officers?—I do not think our District Magistrates ever interfered in the matter of transfers, unless they got private information that a man was doing something wrong. Even then they would write to the Superintendent and say "I have heard so-and-so about so-and-so, don't you think it would be advisable to take him away for a bit?"

36746. According to the old rules, the District Magistrate had power to veto the promotion of sub-inspectors?—Yes.

36747. Has not some of that power now been withdrawn under the new rules?—I have not noticed it.

36748. Have you been enlisting sub-inspectors according to the new rules?—Yes.

36749. Have you had a sufficiently large number of them to be able to judge of the result?—In a few cases it will be a failure; some of course are smart boys, and in another three or four years they will be better I daresay; but if we had our old rate of pay, educated men would join for say three years and get local experience; then if you sent those men to the Training College, got them brushed up and made to understand what discipline means, and then sent them back, it would be infinitely better than taking these raw school boys. There was one sent the other day; he got through two terms and then broke down.

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36750. But it is too early to judge yet; you have no knowledge yet of what these raw youths will turn out eventually?—No, but I have talked to men like Deputy Superintendents, men of long service, who understand what men are, and they all think the same thing. You get a boy straight from school; he cannot have enough weight over a lot of rough, raw men from the back of these hills, until he has some knowledge of police training, understands what "*hukam*" means, and understands how to enforce it without losing his head. We are rather putting the horse before the cart.

36751. You admit that the school training itself is a good thing?—Yes, especially in the matter of teaching discipline.

36752. (*Chairman.*) Are you a member of the Police Service or are you an Indian Civilian?—I am a member of the Police Service.

36753. Do you see anything here of the Director of Criminal Intelligence?—No; I once got a letter from him just before the visit of the Amir.

36754. You have not received any orders on any particular subject from him?—None.

36755. Can you post your own subordinates?—Yes, I can transfer sub-inspectors; the inspectors are in the hands of the Commissioner-in-Sind, who is the local Inspector-General.

36756. And the Commissioner as such controls the police in Sind?—Yes, he is the Head.

36757. Do you have any difficulty about the posting of inspectors?—The only difficulty I find is to find a man fit; then I send the name to the Commissioner with my representation; he has other names in front of him and he posts the inspectors as he likes.

36758. Is that a satisfactory system?—Certainly, so far as I am concerned it certainly is because I do not know Sind; it is a little difficult.

36759. You have come up here recently?—Quite recently.

36760. From where?—From Satara; I have just come from six months' leave. I have been here once before, I left Sind in 1884; I came to Karachi as an Assistant.

36761. Is there any trouble about housing the police in Sind?—There is great trouble.

36762. Did you make proposals to the Local Government about it?—It has been going on from year to year, and, as a little money comes in, so money is granted here and there.

36763. Gradually you are improving the house accommodation?—Yes; it is frightfully slow.

(*The witness withdrew.*)

Mr. F. G. Pratt, I.C.S., was called and examined.

36764. (*Chairman.*) You are the Collector of Hyderabad, are you?—Yes, since two years and a half. I was in Sind as an Assistant Collector for nearly four years.

The iniative in administrative reforms, which have been effected in recent years, is largely due to the Government of India; I cite the recent reforms in land revenue administration connected with the remission and suspensation of land revenue, the reforms in police re-organization, the reforms in the system of land records in the Bombay Presidency. Ordinarily, provincial Governments should be left free to adopt or reject, at their discretion, suggestions of reform brought to their notice from outside. But the Government of India should always reserve the right to overrule the decision locally arrived at if, upon full consideration and discussion, such intervention should appear necessary. Such a power would naturally be employed but sparingly, but it appears to me to be necessary. Reforms necessary in themselves might otherwise come to be rejected, partly through conservative dislike of change and partly through insufficient examination, itself a consequence of the initial dislike or prejudice.

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I would be in favour of extending the provisions of India Act V. of 1868 to all Commissioners. Such an increase of the Commissioner's powers would strengthen the hands of the Collector as well as of the Commissioner.

I have no suggestion to make for any extension of the powers of Collectors regarding matters of general administration.

I have had very little occasion to use the Court of Wards Act, and have not felt the necessity for any extension of my powers under it.

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There is not much need nor scope for enlarging the Collector's control over expenditure in his district. The provincial budget allotments for major works are framed after consideration of his statements as to his requirements, and as he cannot hold the purse he has to be content with whatever share he can get of its contents. As President of the District Local Board, the Collector has already considerable power for directing and controlling local expenditure for the benefit of his district.

In the case of contingent charges officers are not now allowed enough freedom. Permanent advances, especially in *mukhtiarkars'* offices, are often too small, and this often causes considerable inconvenience and hardship to the public.

The right of appeal should generally conform to the principles laid down in sections 32 and 35 of the Land Revenue Code. A Collector's order dismissing an officer drawing pay less than Rs. 35 should not be appealable, and there should not be more than one appeal against an order of dismissal passed by, or with the approval of, the authority by which the officer is appointed.

Executive Officers, at present have sufficient opportunities, when on tour, for personal contact with the people. Pressure of work at headquarters often deprives them of the necessary leisure. I am, however, inclined to doubt whether the Sind Executive Engineers are as closely in touch with the people as they should be, and as they are in other provinces where canal irrigation is the only method of cultivation. And the result of this aloofness is, that the Executive Engineer's subordinates acquire and usurp more power than they can properly be trusted with.

Executive Officers do as a rule possess sufficient knowledge of the vernaculars.

The police in the whole province of Sind are very much undermanned and incapable of coping with the amount of work that has to be done. There are some districts and *talukas* which urgently need reduction as they are too large to be adequately administered by one Head.

In municipalities, sanction to petty increases of establishment should not be required. A municipality, with an income of Rs. 2,00,000, ought not to have to wait for sanction before it can raise the pay of its sweepers or lamp-lighters by a rupee or two all round.

I am not in favour of formal creation of Advisory Councils. District Officers can, and do at present, obtain advice and assistance by the informal consultation of the recognised leaders of the local communities.

It would not be expedient to give District Boards control over minor municipalities. The District Boards have no surplus energies to spare which they could devote to other local bodies.

I do not see how it would be possible to give village communities powers in respect to revenue, sanitary, and educational matters. The experiment of allowing petty civil and criminal cases to be disposed of in the village on the spot would be well worth trying. *Patels* in some of the Bombay districts have petty criminal powers, and I know of no reason why they should not be allowed to exercise petty civil powers also, with or without the assistance of the village panchayat.

The minute scrutiny now exercised by the Accountant-General over the accounts of District Local Boards under the audit rules of the Bombay Local Boards Act is no longer necessary. These rules were framed 22 years ago, when District Local Boards were still in their infancy, and have continued in force unchanged ever since. The accounts of municipalities are not now subjected to this minute scrutiny, and District Boards should now be put on the same footing. The present system involves the maintenance of an expensive central audit establishment in the Accountant-General's office for which the Boards have to pay, and it also gives a great deal of work to the Collector's account office. Decentralization in this respect could be effected with perfect safety, because the Board's accounts, unlike the accounts of municipalities, are incorporated with those of the Local Government treasuries, and the local audit of the District staff supplemented, if necessary, by inspection of the travelling auditor, would be quite sufficient.

It would be useful if it were to become a regular feature of our administration that the Heads of districts should once or twice a year meet the Commissioner for joint consultation as to matters of general importance in the division and of discussion of administrative measures or reforms in contemplation. There need be little or no formality in the proceedings at such meetings, but a record would be needed of the conclusions, provisional or final, arrived at. Heads of other Departments and other District Officers, Superintending and Executive Engineers, the Inspector-General or Deputy Inspector-General of Police, the District Superintendent of Police, and the Educational Inspector might also be invited, whenever necessary, to attend such round table conferences.

A necessary complement of decentralization is vigilant and efficient supervision on the part of the central authority, and this is especially the case in India where the personal factor bulks so largely in every branch of the administration. Decentralization, which is not coupled with such supervision, is not attended with the happiest results; and this might be illustrated by the case of the subordinate Civil Courts. There can be no question but that the work of these Courts does not receive sufficient supervision and that much good would result from increased supervision.

36765. What is the size of the Hyderabad district?—The area of the whole district is just over 7,900 square miles, with a population of roughly a million.

36766. You have three Sub-Divisional Officers; can you move them yourself?—No. I cannot order them from one sub-division to another; I have never wanted to. If I did want to I should ask the Commissioner to do it.

36767. Can you transfer a *taluka* from one Assistant Collector to another?—No, I have not the power to do that; I have never wanted to exercise such a power.

36768. You are bound to do seven months' touring?—No, a Collector is bound to do four months, but he very often tours longer than that; he cannot do his work in four months.

36769. Do you do that continuously, or do you go out for a fortnight and come back?—One is called in very often, perhaps once or twice in the month, perhaps more; at the same time, one is very often absent for long periods. In my first year in my present district I was out on tour more than six months; I was out, with returns to headquarters occasionally, from November to the end of May; it was a new district, and I had to see the whole of it.

36770. Is it a good thing that the Collector should tour a good deal in his district?—I think it is indispensable.

36771. Ought your Sub-Divisional Officers to live at headquarters or out in their sub-divisions?—In the old days in Sind they used to live all the year round in their sub-divisions, but the present system is on the whole a better one, because during what we call the recess, the three Assistant Collectors are together at headquarters, and the Collector is able to discuss general questions with them, jointly, and see them altogether; it is a good thing that he should be able to do so.

36772. Could he not do that if they were to live out in the sub-divisions by calling them in for a week?—He could, but it would be inconvenient to arrange that they should all be in at the same time; besides which, it would be a very considerable hardship to them to have to live in their sub-divisions all the year round; in a climate like that of Sind it would be a life of very great hardship and isolation.

36773. Apart from the question of their comfort, is the present system the better one?—Yes; the existing orders are that they should be out during seven months of the touring season; during the recess when the canals are flowing it is recognised as a good thing that they should see something of the conditions of the country; the

conditions are then quite different from the conditions during the cold weather; they have to go out for about a month during the inundation season; during that month if they go round and keep their eyes open they see anything that strikes them particularly during that time.

36774. You tell us that you think the Sub-Divisional Officer as a rule has a good knowledge of the language; most of the Indian witnesses who have come before us to-day take rather the opposite view?—I think they have a good working knowledge of the language.

36775. Can most of your officers read or write Sindi?—One of my three Sub-Divisional Officers now is a Muhammadan Covenanted Civilian.

36776. He told us that he could neither read nor write Sindi, although he could speak it; then what about the other two?—They certainly cannot write Sindi with their own hand as a *munshi* can; at the same time they are able to read, and I am able to read sufficiently well to check the *munshi* who is reading to me; if I wanted to check anything particularly in a petition in Sindi it would be quite easy for me to do so.

36777. Could you or your officers read a petition?—I certainly could not; I used to be able to, but one has not the time to keep it up; one loses the habit; it requires constant practice to keep proficient.

36778. Is it not essential that a District Officer should be able to read petitions placed in his hand?—No, I do not think it is.

36779. You think it is not one of the reasons why people keep aloof (if they do keep aloof) from the District Officer, or at all events are shy of approaching him?—They are not by any means shy of approaching him in any part of the Presidency where I have served.

36780. Any statement to the contrary you would look upon with suspicion?—I should, certainly. A District Officer in this Presidency has to tackle three or four languages; if he is transferred two or three times, it is very difficult for him to be absolutely proficient in one language. I know some District Officers who are extremely efficient in the Mahrati language, men who have not been transferred, who would sit down and read or write vernacular letters with their own hands; but if you have been moved about, and have had to tackle two or three languages, it is a different matter.

36781. Which is the more essential; that an officer should know one language thoroughly or that he should have a smattering of two or three languages in two or three districts; I mean from the point of view of Government, not from that of his own comfort?—From the point of view of Government it is not desirable that the District Officer should be confined to one corner of the Presidency in which he serves, or to one partition of the Presidency in which he serves; he has to be something more than a District Officer some day, and if his experience is to be confined to one section of the Presidency his value to that extent would be impaired.

36782. You do not think that Sind, with a population of 3¼ millions and an area of some 42,000 square miles, is big enough to engage the life service of an officer?—No, I do not think it is.

36783. You would like to see the Heads of districts meet the Commissioner. Is there not a conference of Collectors in this province?—Not regularly; we have had them sometimes.

36784. Would they serve a useful purpose?—They would be very useful, just in the same way as the Collector can very usefully meet his Assistants.

36785. Does the Commissioner go round constantly?—He tours in the cold weather through the province. One sees him every year; I have seen him in the cold weather and in the hot weather.

36786. (*Mr. Hichens.*) You refer to the audit of District Board accounts, and you say that in your opinion the audit might be simplified; in what way could it be simplified?—I had in my mind the monthly cash account which is sent from the Collector's account office every month; it is a very elaborate statement, and it gives a great deal of trouble to prepare. Since I wrote that note, orders have been issued suspending the monthly cash account; to a great extent that difficulty and inconvenience have been done away with.

36787. There are no other respects in which the audit could be simplified?—I think the audit should be entirely a local audit. It should be made by a travelling auditor; we should send nothing up to the Accountant-General.

36788. Is it more economical to send it up to the Accountant-General; is that the reason why it is done?—I do not think it is more economical.

36789. Then what is the reason?—It was supposed when the Boards were first framed to be the best way of exercising control, but it is expensive and unnecessary; it is quite sufficient to allow the control to be exercised locally, with the check, if that is considered necessary, of the travelling auditor who is sent round by the Accountant-General.

36790. Would the accounts when audited locally be audited by a Government officer?—Yes, by a Government officer appointed by the Accountant-General.

36791. Are the officers who are sent round by the Accountant-General usually confined to municipal audit, or do they do Local Board audit?—They do both.

36792. Are they confined to those two?—The auditors I have in my mind now are confined to that branch entirely—to the audit of local funds, that is to say, District Board funds and municipal funds.

36793. Are you Chairman of the District Local Board?—Yes.

36794. Do the auditors make a report to you?—They make a report to the Accountant-General, from whom it comes down to me.

36795. Are you satisfied, speaking generally, with the way that the audit is carried out?—The system of local audit for District Board accounts is quite a recent one; it has only been started the last year or two; before that the system was that all the accounts were sent up in detail monthly to the Accountant-General and were checked in Bombay. For that, this system of local audit has been now substituted, under which the accounts are no longer sent up to the central checking office in Bombay, but the local officer comes round once a year and makes the audit on the spot.

36796. Are you responsible, or is some one responsible, for checking their cash balance from time to time?—Yes; the District Board funds are kept in the Government treasuries.

36797. Who checks the municipal cash balances?—They do it themselves; they appoint their own auditor.

36798. One witness told us to-day that the District Boards in Sind, speaking generally, had large balances, which seemed to imply that they have a fairly liberal financial endowment; is that your view?—We have no liberal financial endowment; we are richer than the Presidency Boards; our funds are derived from the same sources; the local funds cess is one anna in the rupee.

36799. Speaking generally, have you got enough money to carry out the duties that are imposed upon you?—I think we have, speaking generally, and our funds have been quite recently augmented by another provincial grant.

36800. We were told to-day that a scheme had just been started for giving a definite proportion of the cess to the *taluka* Boards; does that apply to your District?—Yes.

36801. Has it been working long?—I introduced it a few months ago only.

36802. In your opinion, will it produce satisfactory results?—I think so.

36803. How many *talukas* are there in your district?—I think 14; there have been one or two new ones recently.

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36804. What sort of sum would they get each?—For annual expenditure it might be Rs. 6,000 or Rs. 7,000.

36805. They would not have to contribute anything in respect of education out of that?—One-third is always deducted from the one-anna cess; for every three rupees of the one-anna cess that they collect, one rupee is immediately set on one side for educational purposes. That is done automatically; the residue the District Board deal with.

36806. The *taluka* Board get their contribution nett, after the deduction of the educational cess?—That is so.

36807. Would you be in favour of giving the Collector further powers in regard to contract allowances; that is to say would you include what are known as special contingencies, and allow them to spend any of it without getting express sanction?—I should be inclined to favour that, with a contract allowance. I should be inclined to fix a contract grant, giving him a sum within which he should be free to spend at his own discretion.

36808. Including practically everything in the way of books and so forth?—Yes.

36809. It has been suggested that he should have some allocation for Public Works which he could spend at his discretion; would you think that advisable?—It depends upon the amount proposed; as a matter of fact our present system works well enough. I would not press for that.

36810. You do not find any difficulty in getting the works you desire carried out?—No.

36811. (*Mr. Dutt.*) You tell us that one-third of the income of the District Board is deducted for education; is that according to some provision of the Act itself, or is it under Government orders?—That is under the Act; not less than one-third of the cess has to be spent on education.

36812. We have also had evidence that all the larger Public Works are done by the Public Works Department; is that according to a clause of the Act, or is it under Government orders?—I think that is in a clause of the Act.

36813. So that if you undertook the work of education or the making of important roads yourself, you would have to modify the Act before you could do it?—But the Public Works Department has nothing to do with our roads; we repair all our own roads; we have practically no metalled roads; all our roads are earthwork roads; we do the whole thing ourselves.

36814. Who looks after them?—The President or the Vice-President of the *taluka* Board, who are the *mukhtiarkars*.

36815. You have no large works requiring skilled supervision?—Yes, we have a good many; we have bridges over canals, for instance; those are the chief things.

36816. Who does that work?—In the case of a big bridge which requires skilled supervision and estimates prepared by a professional engineer, the plans and estimates would be prepared, and the work carried out, under Public Works Department supervision.

36817. Anyhow, no rule is laid down in the Act itself; you can give such work to your *mukhtiarkars* or you can have it done by the Public Works Department as you think best?—I am not sure whether it is in the Act, or in an order under the Act, about the limit of Rs. 2,500.

36818. With regard to Act V. of 1868, you have said that you are in favour of extending the provisions of that Act to all Commissioners. Of course you recognise some distinction between the conditions of Sind and the conditions of other divisions in this Presidency?—There is a great difference.

36819. As a matter of fact, in Sind, those powers which are conferred by that Act were really exercised by the Commissioner long before the passing of the Act; the Act only legalised those powers?—I believe that is the fact.

36820. Therefore, are those powers as indispensable and as absolutely necessary in the other divisions as they are supposed to be in Sind?—I think the necessity in Sind for such a delegation was greater. At the same time that delegation would be very desirable in the other divisions also.

36821. Still, you make a distinction between Sind and the other divisions as regards that necessity?—Yes.

36822. If such an Act was extended to other advanced divisions like Gujerat and the Deccan, would it be popular?—Yes, I do not think the people would have anything to say against it.

36823. They would not object to the powers of Government being transferred to the Commissioner by Gazette notification?—I think not; the people prefer the power to be near them rather than distant.

36824. You have told us something about the aloofness of the Executive Engineer, which results in his subordinates acquiring and usurping more power than they can properly be trusted with; are you referring to the Canal Engineer?—Yes.

36825. What remedy would you suggest?—I think one thing we want in Sind is more superior establishment, more Assistant Engineers perhaps.

36826. Has the Collector or the Deputy Commissioner any control over the Canal Engineer with regard to the distribution of irrigation water?—That is a professional question which he would be very slow to interfere with.

36827. But the question has been raised in other provinces, not with regard to other work, but simply with regard to the distribution of canal or irrigation water. Should not the Collector or the Deputy Commissioner have some control over the action of the Engineer?—He has in Sind as a matter of fact because there are distinct orders that an Engineer shall not, for instance, restrict cultivation on any canal without informing the Collector of what he is doing, and the Collector, if he thought the action was improper, would certainly protest.

36828. Can the Collector pass orders to let out more water or not to let out more water?—I think he would be very slow to do so; he would not want to do so, because he would be meddling with a matter which he is not competent to deal with; on a scientific canal, with an elaborate system of sluices and rotations, it might be very mischievous if he attempted to interfere. At the same time, if he became aware of any great scandal, it would be his duty to interfere and have the question threshed out.

36829. Suppose the people came to the Collector and said "Our crops are dying and we want more water let in." Do you not think the Collector should be entrusted with power to instruct the Engineer to let in more?—The first thing he would do would be to consult the Engineer and get the facts from him.

36830. But you would not give the Collector any actual control in that matter?—Not in that way, no.

36831. You think that decentralization necessarily requires more supervision; does that apply to all ranks in the Service, down to *mukhtiarkars* and chaukidars?—Yes.

36832. Do you think it is possible to modify the powers of revision exercised by the superior authorities as to personal orders?—No, I should not interfere with revision; that would mean that the superior authority would call for proceedings and look at them, and if he found that the man had been given a fair hearing he would would send the papers back.

36833. (*Sir Frederic Lely.*) Are you sure that the Collector cannot transfer his Assistants from one charge to another without authority?—I am not sure of it; I have never known such a case.

36834. Do you remember how it is in the Presidency proper?—My impression is that the Collector

if he wants a change of that sort, would ask his Commissioner's approval.

36835. You spoke about reading manuscript; as a matter of fact that is exceedingly difficult?—Yes, it is, and it requires a great amount of practice.

36836. Of ordinary educated natives, can one in a hundred read easily ordinary manuscript?—Very many of them cannot read it fluently; it is very common to find a Sindi clerk, for instance, who has been accustomed to deal with English papers for a good many years, hung up if he is called upon suddenly to read a Sindi petition.

36837. There would be nothing extraordinary in a man being able to talk quite fluently, but at the same time not being able to read easily?—Nothing at all extraordinary.

36838. With reference to the question of the Executive Engineer and the control over him, it has been suggested by some that the Collector should have the same control over the Engineer as he has over the forest officer for instance; do you see the necessity of that?—With an Irrigation Engineer it would be very difficult because irrigation is a difficult and a technical subject.

36839. Technically and officially does he not occupy a position entirely independent of the Collector?—The position has not been very well defined in Sind, but I do not think any Engineer would claim to be entirely independent of the Collector.

36840. That is, he would feel himself bound to work in unison with the Collector?—Certainly.

36841. Do you see the Public Works Department budget of your district?—No, I do not know that there is one.

36842. You do not know what is going to be done in irrigation matters?—No, I am not informed.

36843. If the budget is framed and sanctioned, and a re-appropriation is made from one canal to another, do you know anything about it?—No.

36844. Ought not the Collector to be in closer connection with the Public Works expenditure of his district?—I am inclined to think he ought, and the conviction has been forcing itself upon me more and more during my present touring season; I would like to know for instance what sums the Superintending Engineer or an Executive Engineer is able to spend on the improvements to the canals in his charge—either the Executive Engineer's division or the Superintending Engineer's charge. I am inclined to think that the Executive Engineer, for instance, ought to have a fairly free hand up to a certain limit in making improvements in the canals in his division.

36845. You occasionally notice yourself certain improvements which you think would be desirable?—Yes, obvious improvements.

36846. At present you have no hand in bringing them about?—What one can do is to see the Superintending Engineer, and write to him either officially or demi-officially.

36847. But you have no official position in the matter?—No very clearly defined position, beyond the general responsibility for the administration.

36848. With reference to the question of touring, how long have your Assistants to be out in the district?—Seven months, from the 1st November to the 1st June.

36849. Is it not rather trying for them in the months of April and May?—It certainly is trying, but in those months they are able to take shelter in bungalows; nobody can be in tents in May.

36850. That must very much limit the range of their touring; is there a bungalow in each *taluka*?—Several.

36851. Do you insist on a man moving camp so many times in May, or are you less strict than you would be earlier in the year?—I should not be inclined to interfere in a matter of that sort.; I should generally trust my Assistant sufficiently to arrange his tour, without interfering in any detail of that sort.

36852. Early in the year do you insist on a certain amount of activity?—I do not need to insist on it; the necessity does not arise. If he were living at headquarters the whole of December, for instance, of course I should order him out, but fortunately the case has not arisen.

36853. Is the average Collector overburdened with work?—It depends on the district; I am inclined to think he is; here are particular districts where the burden is universally admitted, my present district for instance.

36854. What remedy would you suggest?—The remedy now under contemplation in my district is to split it up into another district making three districts out of two; I think the scheme has gone up to the Secretary of State; Thar and Parkar and the Hyderabad district with the newly developed area under the Colonization Officer would be converted into three Collector's districts.

36855. The Collector is now often called upon to spend a great deal of time on work which lower paid men could do just as well, merely routine work, signing papers which he does not read?—Certainly, account papers particularly.

36856. What would you say to giving certain Collectors personal assistants?—I think it would be a very good thing.

36857. What Class of men would you suggest?—He should be an Assistant Collector; I have not thought carefully about it, but what I am thinking of now is the personal assistant system that used to prevail in Bombay in times of famine, when an experienced Assistant was given to the Collector who also exercised the powers of District Magistrate; that would give the Collector of a very heavy district a very great relief indeed.

36858. It is not always that a man like that is forthcoming?—No.

36859. In that case what position would you give to a man of the rank of Deputy Collector; might he be made useful as personal assistant?—He would take a good deal of routine work off the Collector's hands.

36860. Would that be advisable in overworked districts?—Yes, at the same time the routine work would not give him a full day's work; if he did nothing else it would not fully employ an officer of that calibre.

36861. Would it not be possible to provide him with a day's work in a large district?—Not a day's work purely of routine.

36862. (*Sir Steyning Edgerley.*) You have *daftardars* in Sind—that is, a Deputy Collector?—Yes, most Collectors have *daftardars* still.

36863. If you wrote to the Engineer and said "I think this canal ought to be improved and certain money spent on it" and so on, would he not have to give you a very full explanation if he did not do the work?—Yes, but how much independent power has the Executive Engineer to carry out an improvement?

36864. Of course if he has not power or money he cannot do anything, but so far as he has power, if he did not do what the Collector asked, he would have to "stand and deliver"?—Certainly, and the Collector would see to it that he did.

36865. You say Assistant Collectors ought to go out in August; is it not practically necessary that they should go out in order to close the *taluka* accounts and certify the figures for your *jamabandi* report?—I do not think they do that; I feel sure they do not.

36866. (*Mr. Meyer.*) You say that yours is a very heavy district. Among your duties is the Chairmanship of the Hyderabad municipality; is it absolutely necessary that the Collector should be burdened with that?—Not absolutely, not as a permanent measure.

36867. Is that municipality one which might afford scope for a Deputy Collector, say, as full time Chairman of the municipality?—Certainly.

36868. If he did good work there, the municipality might afford to pay for him and find the money well spent?—That is possible. At the same

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time, a municipality in that position has to pay fairly heavily for its Secretary, who is its Executive Officer, and if it had to pay in addition for a man of the rank of Deputy Collector, the burden would be too great.

36869. In that case you need not have so highly paid a Secretary?—If you had a full time official as Chairman, probably you would not want so highly paid a Secretary. In the Ahmedabad district, they had very great difficulty, and the problem was solved by having as Secretary an experienced *mamlatdar*; he is Secretary there now and has been for some years.

36870. You know the constitution of the Bombay Presidency municipality. It has been suggested to us that in large cities like Ahmedabad and Karachi the same system might be followed; an Executive Officer appointed by Government, with very large powers to the Corporation, who would elect a Chairman of their own; are you in favour of that?—I think that would be a very unpopular step in large cities like Hyderabad and Ahmedabad. I will give you an instance. In Hyderabad, not very long ago, they objected very much even to appointing a *mukhtiarkar* as Secretary as their own servant, and they might be inclined to regard any permanent arrangement of that sort as an attempt at officialisation.

36871. But in Bombay City itself they are quite satisfied with the system?—I am not familiar with the conditions there, nor with the system.

36872. However, apart from any possible discontent it might provoke, would you think it a good system to adopt in some of these larger *mufassal* towns?—It would certainly tend to efficiency, and I believe that in the larger towns of the north, in Lahore and so on, the Collector is always identified with the municipal administration; that is in Lahore and Delhi and Agra.

36873. Is it a good thing that the Collector should be directly identified with the administration?—It certainly makes for efficiency.

36874. If a Collector is overburdened, is not the best way to relieve him of the details of municipal administration?—Yes, that is so, but the circumstances under which, in my particular case, that burden was laid upon me, were rather peculiar.

36875. Your Assistant Collector who was before us this morning mentioned that he was an absentee from his municipalities for most of his time; he said he went round to each about two or three times a year; is that a good system?—It amounts to this, that the Vice-President is *de facto* the President; that is what it comes to.

36876. The nominal President cannot know anything about the daily affairs of the town simply from two or three visits in the year?—No, he can only know the broad facts and the broad outlines.

36877. Does it not merely obscure the real government, which is in the hands of the Vice-President, and delay cases?—I do not think it leads to any delay.

36878. Surely, if the papers have to go to the President for sanction, and he may be at the other end of the sub-division?—I do not think any papers have to go to him for sanction. The Vice-President in these small municipalities exercises all the powers of the President.

36879. Then it is a farce more or less?—The President is a nominal President, with a general control.

36880. Is there any reason why if the *mukhtiarkar* is the real President he should not be the *de jure* President also?—I do not think there is any reason why he should not.

36881. You say that one advantage of your Sub-Divisional Officers living at headquarters when they are not touring is that they are with each other and under the supervision and care of the Collectors; on the other hand, does not the *mukhtiarkar* lose supervision that would be very good for him; if the Sub-Divisional Officer had headquarters of his own, he would have a *mukhtiarkar* with him and be nearer his other *mukhtiarkars*?—He would be a little nearer; he would be near the one particular *mukhtiarkar* who was living in the *taluka*.

36882. Is it not a good thing for *mukhtiarkars* to be looked after occasionally, or do you think that they can go along quite well without personal supervision save every now and then?—They are looked after very closely during the touring and inspecting season.

36883. And then there is an interval in which they are not looked after at all?—I do not think it is correct to say that they are not looked after at all; an Assistant Collector has means of knowing what work is being done in the *taluka*, although he is not on the spot.

36884. There is no personal supervision at any rate; it is all paper for four or five months in the year?—A great deal can be learnt from returns and papers which come to the Assistant Collector.

36885. Have you a separate Treasury Officer?—Yes. He is a Deputy Collector.

36886. Have you not a Local Fund audit clerk in the Collector's Office?—I have a Local Fund accountant.

36887. You said that all the accounts used to go up to the Accountant-General's office for audit; surely they were first of all audited in the district treasury here?—Yes; nevertheless they had to go up to the Accountant-General.

36888. Now that is dispensed with; there is a regular diurnal audit in the treasury, and there is the inspection *in situ* by the inspection of the Local Fund accountants?—Yes.

36889. Are not the municipalities subject to his inspection also?—They are.

36890. Therefore when you said that they had their own audit you meant that they were not subject to the regular continuous audit in the Collector's office, but they are subject to the Accountant-General's peripatetic audit?—They are.

36891. (*Chairman.*) Have you any forests at all in your Collectorate?—Yes.

36892. Have you one or two forest officers there?—Yes.

36893. Does the forest officer send his correspondence to his Conservator through you?—No.

36894. Then you practically see nothing of his correspondence?—Practically nothing.

36895. Have you any power to alter the time of the kists—the revenue instalments?—I am not sure whether that is a thing which I should do myself or should refer: I can always give a postponement, of course, but as for altering the dates, I am not sure.

36896. Have you power in connection with agricultural loans?—Yes.

36897. Are the accounts in connection with them complicated?—No, not in Sind; I believe they have given a great deal of trouble in the Presidency, because of the enormous dimensions which the famine accounts reached, but in Sind it is within bounds.

36898. The form of account is simple enough?—It is fairly simple in Sind; as to the Presidency I am not sure.

(*The witness withdrew.*)

Adjourned.

FIFTY-NINTH DAY.

KARACHI. *Tuesday, 17th March*, 1908.

PRESENT:

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

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

Mr. A. G. WRIGHT was called and examined.

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36899. (*Chairman.*) You are Educational Inspector in Sind?—Yes.

Though the educational inspector in Sind is local Head of the Educational Department in Sind, he does not possess the powers which, under the Civil Service Regulations and other codes, are delegated to Heads of Departments. In view of the peculiar geographical and local conditions of Sind, I would propose that he may be made Head of the Department in Sind, and the powers exercised by other Heads of Departments conferred on him.

Except in the case of dismissals, no appeals should be allowed except subject to a certificate from the officer whose order is appealed against. All other matters should be for departmental action only as they are based on departmental rules which are clearly laid down. There is nothing in the Educational Department against which appeals are necessary. All that it has to deal with is appointments, promotions, dismissals, grants of pensions, awards of grants-in-aid and such other details. The decision of the Head of the Department in such matters should be practically final.

Appeals to Heads of Departments in all matters seem to be necessary. This will only lead to a careful re-consideration of the cases. But in such appeals, except in cases of the dismissal and reduction of officers drawing a salary of Rs. 100 and upwards there seems to be the necessity of laying down that the officer appealed against should certify that grounds for appeals exist before these are admitted. Every order of an officer is based on certain rules from which he has little, if any, option to deviate. The matters on which appeals can be preferred against the orders of the educational inspector are matters of appointments, promotions, transfers, rejection of applications for grant-in-aid, his awards of grant-in-aid and such other routine matters. The educational inspector's authority in such matters should be final, as it is always based on rules and practice and knowledge of local conditions.

As far as the Educational Department in Sind is concerned, the Commissioner in Sind has practically no powers. He has, however, full knowledge of Local Board and municipal schools administration, so far as finance is concerned and in accordance with the rules governing municipalities. As the local executive Head of the province of Sind his knowledge of the Educational Department should be more thorough and his control over it more effective than at present. The local conditions of the province of Sind are so peculiarly different from the rest of the Presidency that the administration of the Educational Department in Sind can, without any prejudice to its interests, be detached in large measure from the Director of Public Instruction and be placed more in touch with the Commissioner in Sind. This will require considerable change in the *personnel* of the educational staff. A local Head as an educational adviser to the Commissioner in Sind may be appointed with suitable and necessary staff.

For efficiency, a larger inspecting staff is necessary. At present inspecting officers are only able to see each school once in the touring season, and very few schools in the summer owing to the difficulty of getting conveyance and of travelling and too large ranges for work. If, say, 2 *talukas* were assigned to each assistant deputy educational inspector, and he were required to remain within them and move incessantly in them, better work would be done. There will be no difficulty of conveyance owing to smaller distances to be done. This will lead to a vast improvement in the village schools. For owing to the smaller area for work the assistant deputy educational inspectors will be able to confer with the people, with a view to bringing home to them the advantages of education, to instruct the masters, and by fully acquainting themselves with the local conditions to attend to every detail of the schools. They could relieve the Revenue Officers of much of the detailed work of school attendance, building, repairs, etc., to which these cannot attend owing to the multiplicity of their duties.

Transfers of officers in this department are undesirably frequent and should be stopped. This can be effected by having graded progressive appointments in every office and school. Besides minimizing the occasions for transfer, this principle has the further advantage of furnishing impetus for work with energy and zeal, and would attract the best men into the Service. Under the present conditions, it happens that one or two vacancies cause much disturbance in schools and offices, and sometimes as many as 15 or 20 transfers have to be made.

The pay bills of officers and staff require too many details to be entered in them. The usually sanctioned pay of the officers is drawn and sometimes increase or decrease occurs. The writing of unnecessary details only entails waste of time and energy in all offices through which the bills pass. I propose that this bill should be drawn in lump for the whole establishment. A column may be provided in which the sanctioned establishment charge can be shown. There may also be a column in which any increase or decrease may be explained. This will save a good deal of audit expenditure without entailing any fraud. Penalties for fraud are severe and it cannot be indulged in, except in very rare cases, without detection.

The travelling allowance and contract contingent bills are also elaborate. The above remarks apply here. A lump sum may be drawn on the authority of the officer countersigning them. The grant of certificates in these bills is useless. The signature of the Head of the office signifies that the bills are correct in all details and that he vouches for them.

Unnecessary detailed indents are required for standard forms and stationery, and they can, with advantage, be simplified. Two columns are sufficient—(1) for sanctioned quantity and (2) for quantity required.

Permanent travelling allowance should be granted to all officers as far as possible. This will save much trouble in the preparation of bills, in the countersigning office, in the treasury in which they are passed and in the audit office of the

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Accountant-General. These can be fixed according to the area to be visited and the position and requirements of officers, or by a method which the Government may determine.

Indents are at present sent through the Director of Public Instruction. I recommend their being sent through the educational inspector in Sind as local Head of the Department.

All the statements attached to pension applications are based on service books which are the only reliable documents, and on which all detailed information is based. One statement showing all the necessary details is sufficient. The educational inspector may prepare this and forward it with his recommendation for pension to the Accountant-General, who, after verification, may issue his certificate. The pension may thereafter be paid.

Office accounts of stationery and service stamps are very detailed, and kept under instructions from the Stationery Department. Since the stationery has to be kept by an honest clerk and under check, there seems no necessity of keeping such a detailed account. There is very little chance of stationery being stolen as the quantity supplied is only sufficient for use during the year, and is branded. Account is kept of each service stamp used. It is impossible that these can be misused. The only account that need be kept is the one which may suit each office for its own information in regard to the balances after certain periods.

36900. You say that you do not possess the powers which are delegated to other Heads of Departments. What are your particular duties as inspector of education?—As regards indigenous education, which is the lowest form, that is practically entirely in my hands.

36901. What form does that take?—It takes the form of *mullah* schools in Sind. As regards District Board education I simply administer the primary schools under the Act, that is to say the framing of the budgets which are sanctioned by the Boards which have the power also of selecting the exact curriculum, and the opening and closing of the schools; but we administer them for the Board. The other class of primary schools, the municipal schools which are under the control of the municipalities receive a grant-in-aid from the Government and are inspected by and receive advice from the educational inspector. The secondary schools are mainly aided schools, with the exceptions of the Government high schools of which there are three in Sind. These are entirely under the charge of the department, and in addition to that we give advice and assistance on educational matters to any bodies who require it.

36902. What powers do you ask for exactly when you say you want to be Head of the Department?—Mainly powers as regards the appointment and dismissal of members of the staff of masters in the Local Board schools, and also in the Government schools.

36903. Who pays for the Local Board Schools?—The Local Boards contribute a certain sum, and there is also a Government grant. The Government grant is not given on a fixed proportion at present. It was reckoned on the expenditure of the Local Boards in 1902-03, and it was then roughly an equivalent sum to what they were spending then. It does not bear any exact proportion to the present amount spent by the Local Boards; it varies, it depends on the amount of the assessments, and the amount the Local Boards can spend.

36904. *Has a Local Board freedom to spend what it likes on education?—Up to the assessed amount of one-third of one anna in the rupee.

36905. *Then if the Local Board spend up to that limit do the Government contribute a corresponding sum?—No, the Government contributes a sum equivalent to half the sum which was spent in 1902-03.

36906. *Which is the larger contribution?—As a rule the Local Board sum.

36907. *By how much?—That varies.

36908. *By a considerable amount—say ten or twenty per cent.?—Say up to ten per cent.

36909. Who appoints and dismisses the masters employed by Local Board schools at present?—The appointments are made here, that is to say, a man coming out from a training college is examined by me, and appointed; but in the case of dismissals I have no power.

36910. Has everything to go to the Director?—Yes.

36911. What is the length of your service?—About 10 years.

36912. What did you start as?—I started as head master of a Government high school in Poona.

36913. What is the pay of the masters who you ask for leave to dismiss?—From Rs. 10 up to Rs. 60.

36914. Do none of them get more than Rs. 60?—No.

36915. What are the other powers which you seek as Head of the Department?—Practically the various powers given by the Civil Service Regulations, with a few exceptions, to the Director of Public Instruction. My point is, that in the case of Sind these powers which require sanction are formal.

36916. You say that the Commissioner in Sind has practically no powers with regard to education, and the Commissioner himself makes exactly the same statement; is it a wise arrangement that the Educational Department should practically in no way be controlled or directed by the Head of the Administration in the province?—I do not think it is a wise thing in Sind.

36917. What are your relations with regard to the Commissioner in Sind?—Practically none at present, except that he receives copies of the Local Board and municipal budgets which I send for sanction for every Local Board and municipality. That is all.

36918. Have you absolutely no other dealings with him?—I have none. There is a Government Resolution that in questions affecting Sind the Director of Public Instruction has to send his proposals to Government, through the Commissioner in Sind, so far as they relate to Sind.

36919. Does the Director of Public Instruction come to Sind often?—He comes as a rule once a year, and stays perhaps a week or two weeks.

36920. Does he travel about?—Yes, he is in the habit of visiting one or two of the larger towns, but he does not travel in the districts. He comes to Karachi, Hyderabad and Sukkur.

36921. Does he formally on his own initiative, or on your advice propose schemes in connection with education for Sind?—No, that has not been the case in my experience.

36922. What sort of proposals would he submit to the Government of Bombay through the Commissioner in Sind?—He would submit financial proposals as regards the allocation of imperial grants, and he would submit recommendations for building grants, and so on.

36923. Where do these proposals originate?—Here. In the case of an imperial grant, the Imperial Government gives to the Government of Bombay a certain sum which the Director is requested to allocate; he would then write up to me and say that he proposed a certain proportion of that sum should be allotted to Sind and ask how it would be spent; then I would draw out a scheme which would go to him and, according to the Government resolution, he ought to submit that through the Commissioner in Sind to Government.

* The witness subsequently represented that by a recent provincial grant both the basis of reckoning and the proportion of the Government grant have been altered. The sum spent from Local Board funds is now almost equalled by the Government grant.

36924. Does he submit it?—I do not know; it does not come within my absolute knowledge. I believe it is not the case.

36925. It is not sent through the Commissioner in Sind, although there are Government orders that it should be done?—I believe that is so.

36926. Is it a good thing that the Commissioner in Sind, according to your statement, should have no powers with regard to education?—I think he ought to have powers.

36927. Do you think that you yourself ought to be under his control?—Not exactly under his control—that is to say I do not think the administration of education ought to be under the Commissioner in Sind, but he ought to be associated with the department in the way of being able to make original proposals as regards financial questions.

36928. Which the department should, or should not accept, according to their pleasure?—That I am not so certain about. As a rule the opinion of the Commissioner in Sind would be more valuable than that of the Director of Public Instruction.

36929. Would the Commissioner, or the Director of Public Instruction, be the better authority?—According to the suggestion I would make, you could not give complete control to one or the other, that is to say, one would have the final authority in certain things,—the Director in all technical questions—but in the case of the assignment of finance the Commissioner in Sind ought to have the final voice.

36930. How many departmental officers have you in Sind?—The inspecting staff numbers 16.

36931. How many of them belong to the Indian Educational Service—are you the only one?—No, the head master of the high school at Karachi and the inspectress of girls' schools.

36932. How many represent the provincial establishment?—There are two masters, and the deputy inspectors of divisions are Gazetted Officers, but not borne on the provincial list—there are four of them and with their assistants they make up 16.

36933. (*Sir Frederic Lely.*) Is it your view that the education inspector should be the Head of the Education Department in Sind. Would you have two distinct Heads, namely, a Director of Public Instruction in Bombay and an education inspector in Sind, both being collateral?—No, the education inspector in Sind should be subordinate, and all I ask for is certain powers which are commonly given to a Head of Department which I do not at present possess.

36934. Then you would not do away with your subordination to the Director of Public Instruction?—Not at all.

36935. Have you any other variations to suggest with regard to the administration of the Education Department in Sind?—None except that certain powers which under the Civil Service Regulations, are given to local Heads of Departments ought to be given to the educational inspector seeing that the conditions are so peculiar, and the only other suggestion is that regarding the Commissioner in Sind being given more direct control over education.

36936. Has a District Board power to make alterations in the curriculum in private schools?—No, it has not power to alter the curriculum, but it has power to select which curriculum shall be used in a particular school.

36937. Has it any power over the masters?—No, they are absolutely under the control of the department.

36938. Have you a system of visiting committees?—There are School Committees.

36939. Are their recommendations attended to?—They practically give no recommendations; they are more or less, speaking generally, a dead letter.

36940. Do the people at large take absolutely no interest in their schools?—Yes, practically speaking.

36941. Can you make any suggestions for attracting their interest in the schools and securing their help?—I think if it were the fact that the Commissioner in Sind was directly connected with the department, it would be of great assistance, because that would re-act through the Collectors and the Assistant Collectors on the School Committees.

36942. Do not Collectors and other District Officers take any interest in them now?—They do, but if it is realised that the Commissioner was directly interested in the question it would still further help.

36943. Has the Collector any definite connection with village education?—Yes, as President of the District Board.

36944. And as such does he visit the schools?—Yes.

36945. Does he stir up the School Committees?—Yes as far as possible.

36946. Have the Collector and other District Officers any direct connection with higher education?—They have with a large part of it, because a large portion of it is managed by municipalities; the municipalities have a good number of Anglo-Vernacular Schools and then connection is of course direct.

36947. But it is on the financial side?—Yes; of course the Assistant Collector or the Collector is very often President of the municipality and, as such, takes a direct interest in the schools.

36948. How many normal schools have you in Sind?—Three altogether. All at Hyderabad.

36949. Has the Collector any definite connection with them?—No.

36950. Does he visit them at all?—No.

36951. Has he no responsibility whatever in connection with them?—No.

36952. Would it not be a desirable thing to attract the help of the District Officers in the higher branches of education—in secondary and normal and high schools?—There would not be much advantage to secondary education, because that is going on most successfully, and I do not think any assistance is required with regard to it.

36953. Are you satisfied with the general tone of higher education in Sind?—Yes, quite.

36954. You would not even appoint visiting committees for these higher institutions?—No.

36955. Would you prefer that they should stand absolutely aloof from the current administration of the district?—Yes.

36956. (*Mr. Dutt.*) Will you explain exactly what *Mullah* schools are?—*Mullah* schools are those where the ordinary village boy goes to learn his Koran which he is bound to do. It takes him roughly two or three years to complete his Koran studies, and about 1886, or 1887, a proposal was made whereby the *Mullahs* received a grant, which was originally a capitation grant, on the boys attending the schools and learning the Koran; that grant was originally paid by the District Boards, but later on Government assigned a grant for the purpose, and the system has been entirely changed into one whereby no grant is given unless secular education is imparted. Now the *Mullah* receives no grant for a boy who simply attends a school and learns the Koran, but he does receive a grant according as the boy has passed certain standards of secular education. At present there are about 650 *Mullah* schools in the whole province which are recognized, educating about 25,000 boys, 50 per cent. of these schools being now practically on as good a basis as a rural school, and in time they will all come up to the standard.

36957. Do you pay the *Mullahs* according to the results of examinations?—Yes.

36958. On the whole has the scheme been succesful and is it capable of further expansion?—Yes.

36959. Are they paid from Government funds entirely?—Yes.

36960. And not from Local Board funds?—In working out a scheme some few years ago in order to encourage certain *Mullahs*, the Local Boards

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sanctioned a grant of Rs. 3 or Rs. 4 a month to those who were really doing well, the Government grant at that time being limited to Rs. 72 per annum for each *Mullah*, but since then I have had the maximum raised to Rs. 150, and the amount is paid annually from Government funds.

36961. The average comes probably then to over Rs. 100 for each *Mullah*?—I should say the average for the current year has been from Rs. 70 to Rs. 90.

36962. Are all these schools primary schools?—Yes.

36963. I suppose the boys are all Muhammadans? Yes, entirely.

36964. Are the Board Schools entirely supported by the Local Board or are they aided?—They are purely schools belonging to the Local Boards, and the Local Boards finance them partly from their own assessments and partly from the Government Grant.

36965. Do you administer the money?—Yes.

36966. You do not give a village a monthly stipend of Rs. 5 or Rs. 10 and ask the villagers to support their own institution?—No.

36967. When there is a school in existence you support it entirely from these funds?—Yes.

36968. Is the amount which the Boards spend on education one-third of the one anna cess, in addition to the amount which is received from the Government of India through the Bombay Government?—Yes.

36969. And the whole of these amounts are made over to you?—They are made over to me, and distributed according to the budget which I send to the District Board.

36970. Has the District Board power to alter or modify the budget in any way?—Yes.

36971. As a matter of fact do they modify it?—Very little; you may say practically not at all.

36972. Is the number of Board schools large in every district?—Yes; they vary according to the number of villages and according to the desire on the part of the people for education.

36973. What is the average number of village schools in a *taluka*?—That would be impossible to give, because in some *talukas* there are practically none at all.

36974. What is the average number of schools in an advanced district like Hyderabad or Karachi?—Karachi is one of the worst places in that respect; I cannot give you an estimate by *talukas* at all.

36975. Are there 100 Local Board schools in the Karachi district?—Yes, I should think there are not more.

36976. So that the number of schools is very small, compared with the number of villages?—Yes; one school very often in the more closely populated parts serves three or four villages.

36977. Is there a School Committee attached to each of these village schools?—Yes.

36978. Is the committee supposed to look after the management of the schools?—Yes, there is supposed to be a Visiting Committee to look generally into the affairs of the schools and to make suggestions.

36979. Does the committee consist of men resident in the village?—Yes.

36980. Do these Committees give you any practical help in the way of suggestions?—None at all.

36981. If you gave them a little more power might they interest themselves more in the schools?—I do not think so.

36982. You said that the appointments of teachers are made by the Director of Public Instruction, but is that so?—Masters come out of the training college when they have passed their examinations, and a list of them is submitted to the Director of Public Instruction who formally sanctions it.

36983. Would you give District Boards a voice with regard to appointing or removing teachers?—No, I do not think that would be possible. I do not see how it could work; they have no means of judging or selecting whatsoever. Take for instance the Upper Sind Frontier District, if you gave such a power to the local bodies of selecting masters they would naturally wish to select people they knew, but as a matter of fact there are practically no candidates coming to the training college at all from that district.

36984. Supposing a recommendation came from you and the final appointment rested in their hands, would that work?—I do not see what would be gained by it; you would simply submit the name of a master, and they would know nothing about him.

36985. They pay for these schools, and should they not have some voice in the appointment and removal of the teachers?—Not on that particular point.

36986. They practically have no power over their own schools; do you not think that they ought to have some power?—I do not think in the appointment of masters it would be a practical suggestion. There is however, one point on which they are always listened to as regards masters. Very often the village people know a man very well and have had experience of him and write and say "May we have so and so?" and if they do, it is almost invariably sanctioned.

36987. So that they ask for your sanction, and under your sanction they can appoint a certain man?—No, that is hardly so. A man makes a reputation in a certain place as being a good master, and very often the village people write and ask as a favour that that particular man may be sent to them, and it is done.

36988. But the Board cannot pass any orders in that matter; they have to be passed by you?—Just so.

36989. What degree of control would you leave with the Commissioner in Sind in regard to educational matters, between you as inspector, and the Director of Public Instruction?—The financial proposals ought to be in his hands; practically it would resolve itself into this. In framing its budget the Government of Bombay, instead of assigning a lump sum for a grant-in-aid and building grants and so on, would give a portion of it to Sind, and allow it to be administered under the direction of the Commissioner.

36990. Are municipal schools entirely supported from the municipal funds?—Yes, together with the Government grant.

36991. Is the management partly in the hands of the Municipal Commissioners?—Almost entirely.

36992. So that they have a larger hand in the administration of their institutions than the Local Boards have in regard to their Board Schools?—Yes.

36993. Does that answer fairly well in practice?—I would not put it so strongly as "fairly well"; I think it would be very bad if we had not a certain amount of control in the matter.

36994. But with your control the system works well?—Yes, fairly well.

36995. (*Mr. Hichens.*) Do the scholars in the Board schools have to pay any fees?—Yes, there is supposed to be a fee, but as a matter of fact in Sind the local remissions are very large, that is to say, the total amount of fees derived from our schools only amount, to about Rs. 6,000 per annum.

36996. What is the monthly fee?—It would vary from one-half anna to four annas.

36997. Would that apply to all the primary schools?—Yes.

36998. In the higher standards do they pay more?—No, about four annas is the highest fee.

36999. In some countries there is a plan by which a teacher, before he can be appointed to a post has to satisfy the Director of Education that he

has the necessary qualifications and for that purpose the Director of Education keeps a list on which anybody with the prescribed qualifications can be registered, and the local authorities are entitled to select anyone they like from the list and make the appointment themselves. Would that plan, work satisfactorily in Sind?—I do not think it would, because the tendency would be for village communities to introduce friends of their own, just as we find in municipalities at the present moment, and that is one of the great drawbacks to municipal education.

37000. But in so far as they get the men they want, instead of the men they do not want, would you object to it?—No, not in that particular respect.

37001. At any rate, it would give the Director or the inspector the necessary control because none would get on to the list unless he was a qualified man?—Yes, so far.

37002. And it would also have the effect of allowing District Boards to appoint the men they wanted within certain defined limits?—Yes, the difference really lies in the point of view of the Local Board; that is to say, if the Local Board took an interest in its schools, and really was working for the furtherance of the schools, that would be all right, but, as a matter of fact, if such a power were given them, the only way in which they would use it would be to help their own friends.

37303. Who is the Chairman of the Local Board?—The Collector.

37004. Would he not exercise a wholesome influence?—He would, but he would not be able to devote the amount of time and care necessary to supervising every case.

37005. Would it add substantially to the interest which the Local Boards take in education, if they had the power of appointing masters, for instance?—I do not think it would make any difference in Sind.

37006. It was suggested in Bombay that the teachers themselves would object to the power of appointment being vested in Local Boards on the ground that it might to some extent affect their prospect?—Yes, a good man does not care whether he has influence in any particular district or not; he knows if he does his work, he is sure of promotion; but on the other hand you might have so much favouritism that good masters would not be promoted.

37007. Are masters transferred very much from one district to another?—No. I would not say that they remain in one District all their time, but transfers are not frequent.

37008. Are there any Local Board inspectors?—No.

37009. Should Local Boards be allowed to have their own inspecting staff?—No, I do not think that would work at all. You would not get the same good staff of inspectors that Government maintains at present. The present inspecting staff, practically speaking, is the agent of the Board, that is to say, they send a copy of the report to the Board of each inspection they make.

37010. The post of an inspector to the District Board might be opened to the more promising schoolmasters?—Certain very selected schoolmasters are appointed inspectors; that is one of the prizes to which they can look forward.

37011. To that extent you would get the same class of men for Local Board inspectors as you would for Government inspectors?—No, because these men are men who use the vernacular, and you could only give them a few posts, and it would lead to tremendous inconvenience in administration.

37012. Suppose Government made a suggestion to a village that they would pay the salary of a schoolmaster if the village would find the schoolroom and books, and so forth, would the villages take up the idea?—Not in Sind.

37013. Because they are not sufficiently educated themselves and are not sufficiently interested in the subject?—I do not think they would touch the suggestion at all.

37014. (*Mr. Meyer.*) Are there not a number of quite small municipalities in Sind?—Yes.

37015. Do they also have the management of the schools with their own establishments?—Yes.

37016. In a big municipality like Karachi, have they to keep some sort of inspecting staff?—They keep a supervisor of schools who goes round and helps the masters to administer the schools and gives them instructions in better and later methods of teaching.

37017. Does he report to the municipal President as to the work of the masters and as to which of them deserve promotion?—Yes, I fancy so.

37018. Is he a man borrowed from the Education Department?—No.

37019. Is the establishment you maintain in the Board schools an establishment of provincial men, and do they get the regular provincial terms as regards pension and so forth, or are they Local Fund servants?—They are Local Fund servants and get the ordinary Local Fund pension.

37020. They are Local Fund servants controlled by you?—Yes.

37021. As regards the municipalities, if you had the power, would you take away their functions with regard to the control of schools and vest them in your own department in the same way as that of the District Boards?—No, I think not.

37022. Would you keep up the existing situation?—Yes, I think so, because in time they will undoubtedly learn to administer matters very much better than they do.

37023. Throughout the whole province of Sind are there not several hundred District Board schools?—Yes.

37024. You cannot possibly know all about the masters in all these hundred of schools?—I cannot personally know every master, of course.

37025. And you have to rely upon your subordinates?—Yes.

37026. What class of men are they?—They are an extremely good class of men—mainly graduates of the University especially selected for the inspecting staff.

37027. Are they sub-assistant inspectors?—They are called deputy inspectors and assistant deputy inspectors with pay ranging from Rs. 75 to Rs. 300.

37028. Do they make recommendation to you as to the appointments and promotions of rural schoolmasters?—No, nor as to appointments except of untrained men.

37029. Supposing you have a new school started in a rural area and you have to put in a schoolmaster at Rs. 8 or Rs. 10 a month, what would be done?—In that case the deputy would suggest a man from his list, or he would probably suggest a man who was an assistant in an existing school as having had previous experience.

37030. They deal then with appointments and promotions?—Yes, they make their recommendations.

37031. You say if the District Boards had the management of schools in their own hands there might be jobbery, but is it not possible that with the present local men there might be jobbery occasionally?—That would not be possible, because they must obtain the sanction of my office in every case, and the only way in which an appointment is sanctioned is by looking up the reports running through several years with regard to a particular man, and no appointment would be sanctioned until that had been done. We have a complete and full record of every man's services, and we act very largely upon that.

37032. Which again is a record of the reports made by your local officers?—Yes, but by officers, not by a single officer.

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37033. In regard to the appointment of a new man, if the deputy assistant inspector says a certain man is a good man, you do not generally know anything about him. Do you take his word for it?—Yes.

37034. In that case is it not possible you may have people helping their friends?—No, not to the same extent as in the case of a District Board, because the deputy inspector is a trusted officer who knows and keeps a list of men he would recommend for appointment. He is in the position of being able to judge of their qualifications much better than a body of ignorant men on a District Board.

37035. Supposing you had such an officer under the Local Board, would not that be as good as the present system?—I do not think so, because the Collector cannot spare any time to look after the work, and it is much better done by a separate department.

37036. Are the *Mullah* schools absolutely outside the control of the District Boards?—Yes.

37037. Is there no danger of clashing in cases where a District Board might propose to run a school of its own and you subsidized *Mullah* schools?—No, we should never subsidize *Mullah* schools which interfered with the Local Board schools.

37038. Would you ascertain that first?—Yes.

37039. Supposing you have one or two *Mullah* schools working under grants-in-aid, and a District Board decided that they would have a school of their own, would you withdraw your grants?—No, we would not withdraw the grant, but we would change its form; we would pay the *Mullah* a capitation grant for the number of boys he supplied to the Board's schools, and if he was a *Mullah* who really promised well and we could depend on him, we should appoint him as junior assistant in the Board's schools.

37040. Would that not interfere rather with his religious functions?—No, he would continue those entirely outside the Local Board schools.

37041. With regard to the management of affairs financed by local bodies there are two schools of thought, one saying they must look to the efficiency and therefore must have departmental management, and the other that they must get people to take a greater interest in the matter, which could only be done by an immediate sacrifice of efficiency and giving them some larger powers of control. Do you take the efficiency standpoint, in the matter of education at any rate?—I look at it from the point of view that the people in Sind have not arrived at the stage at which they can be trusted with the control, but probably in time to come it may be expedient to give them more.

37042. Have you served in Bombay proper?—Only a very short time as an Inspecting Officer.

37043. Are all provincial appointments of Rs. 25 and upwards at present made by the Director of Public Instruction?—Yes.

37044. Apart from this scheme of yours for giving special powers to the inspectors of schools here, might not inspectors have larger powers in that matter universally?—Yes, I think they might to a great extent.

37045. How far would you go?—I am not prepared to say what might be the case in any district except Sind, because the conditions are different in this respect, that masters in the Presidency are transferred from one educational inspector's division to another, that is to say there is a constant flow of masters between the various divisions according as posts are vacant, but up here, the thing becomes really formal; the Director does not know the men, he never has an opportunity of knowing them, and therefore recommendations made to him must receive merely a formal sanction. I am only prepared to speak for Sind.

37046. You desire that pay bills should be drawn in lump for the whole establishment; how is the Audit Officer to see whether a particular officer is getting more or less than the sanctioned pay?—The pay is distributed by officers whose position puts them above any suspicion; that is to say, the head master of a high school is one of our best and most trusted officers drawing Rs. 400 or Rs. 500.

37047. It is not a question of bad faith but of mistakes; people might misapprehend the terms of a sanction, and so on?—I do not think mistakes could be made in respect to pay bills, and if my suggestion were adopted it would do away with an immense amount of detail which is not necessary, in checking these things.

37048. Have you never had any item of pay challenged by the Accountant-General?—No, I think I have been fortunate in that respect.

37049. But you have had challenges in regard to your subordinates?—Not as regards the amount that ought to be paid to them, but as regards the actual way in which the pay bills were made out. There is such an immense amount of detail under present regulations which has to be put into them, that it is difficult to avoid mistakes which cause an immense amount of delay and annoyance.

37050. Must there not be some sort of scrutiny?—The method I suggest would give quite as much scrutiny as is necessary to check them.

37051. (*Sir Steyning Edgerley.*) Is there not some difference in the degree of interest Local Boards in Sind take in education?—Yes.

37052. Which do you consider your best Board in that respect?—Sukkur and Larkana are the two best.

37053. Do they interest themselves much in the local primary schools?—They do to a greater extent than the others, but I would not say much.

37054. Do they use the powers they have as regards starting and closing schools?—I do not know that they would of their own initiative.

37055. Whose initiative stimulates them?—We make a proposal to them as regards a school at a certain place, and very often they say they would rather have it at a village four miles away.

37056. Is the Hyderabad Board any help to you?—Yes, especially in the northern part of the district, in the Naushahro Division. There, there is a zamindar of considerable intelligence who takes an interest in education and who can control the whole of his *taluka* Board; he is of considerable help to us.

37057. So that even with the powers they have it is possible for the Boards to take a very great interest in education and be useful, and to influence the progress and promotion of education?—Yes.

37058. Really the difficulty is in getting the people to use the powers they have?—Yes, it is not the mechanism which is at fault; it is the apathy of the people.

37059. What experience have you on the subject of travelling allowance?—At present the manner in which the travelling allowance is drawn by the officers of the inspecting staff causes them a tremendous amount of annoyance and throws a great deal of work on them, and it is also very unfair to them in many respects; the allowance made is very small and it is hedged in by so many conditions that, as an actual matter of fact no inspecting officer can get through his work without having to pay out of his own pocket certain charges which are absolutely fair, but which are hedged round by such conditions that he cannot draw them.

37060. Do they all keep permanent carriages during the touring season?—Yes.

37061. So that the simplest system for Sind would be to pay for the carriage?—You might put it in that way. Of course they would require a certain amount more because of the expenses incidental to travelling.

37062. But on the whole, would a permanent allowance save a great deal of trouble and annoyance?—Yes.

37063. Would it leave you sufficient power of control over their movements?—Yes, I think so.

37064. Does the system of daily travelling allowance give you any greater power of control?—I think not; in fact I should say that a permanent travelling allowance system would give an Inspecting Officer a great deal more freedom. That is to say, at present he is compelled to make certain journeys, to comply with the regulations governing the travelling allowance, because naturally a man can hardly be expected, day after day to spend sums out of his own pocket. If he had an ordinary travelling allowance he would have much more freedom in arranging his tour.

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(*The witness withdrew.*)

Mr. H. C. MULES, M.V.O., was called and examined.

37065. You are the Collector of Karachi?—Yes, off and on for about three years. I am one of the two remaining members of the old Sind Commission.

The right of appeal is too liberally allowed now, and thereby it becomes possible for undesirable persons to regain their appointments.

There has been a tendency to require more statistical and other information of late years, but I attribute it chiefly to the questions asked in Legislative Councils which have to be replied to. I do not remember, however, in recent years any such call for special information by the Secretary of State. Generally Government endeavour to reduce the calls on District Officers as far as possible.

The powers of the Commissioner in Sind generally should be as extensive as possible. His powers, as it is, are extensive and Act V. of 1868 (India) permits the almost indefinite extension thereof. As to the following matters, he might well be authorised to pass final orders:—

Subject.	Existing rule governing exercise.	Delegation proposed.
Forest settlement reports.	Section 19 of Act VII of 1878, India.	The powers of the Governor in Council to be given to the Commissioner in Sind.
Revenue settlement reports.	Section 102 of Bombay Act V of 1879.	
Special survey questions.	Chapter VIII of Bombay Act V of 1879.	
Territorial changes within districts.	Chapter VII of Act V of 1879.	

While as to land grants his powers should be unlimited and he should exercise all the powers of a Local Government under the Municipal Act. Collectors and Deputy Commissioners might be granted extended powers in various directions. Sub-Divisional and *taluka* Officers require no further powers, *i.e.*, none beyond the power of the Commissioner of Sind to sanction. These powers are already ordinarily those of a Collector, and it depends largely on the individual idiosyncracy of the Collector to what extent these are exercised.

I am in favour of allowing the Commissioner in Sind to deal with such matters as authorising payment of grain compensation when admissible; in fact, Collectors might be given the power; at this moment grain compensation has been due for months past in this district, but no orders have yet been passed by Government. Then as to travelling allowances, the Commissioner in Sind should be empowered to relax the 21 days rule.

I do not consider an appeal from an appellate order passed by the Commissioner in Sind should lie to higher authority. But one appeal should always lie, except, for instance, in the case of the Sind Frontier Regulation. The orders of the Commissioner in Sind thereunder should be absolutely final. I would allow one appeal only in the case of Non-Gazetted Officers, and no appeal beyond the Collector, in the case of officers drawing less than, say, Rs. 30 per mensem, from an order of dismissal by an Assistant Collector and Magistrate duly authorised to pass it. An appeal should lie to the Commissioner only from an original order of dismissal by a Collector. There should be no appeal against orders reducing or otherwise punishing such officers by Collectors.

There is a tendency to sacrifice more important interests for the sake of uniformity, *e.g.*, Sind is entirely different from the Presidency proper in nearly every way, but the tendency now is to endeavour to wheel her into line with the Presidency by means of the administrative machinery provided by the appointments of Director, Land Records, and Director of Agriculture. Provincial Directors of Land Records and Agriculture should, so far as Sind is concerned, if allowed to interfere at all, only do so in direct subordination to the Commissioner in Sind and not merely in correspondence with him. This would to some extent prevent officers entirely unacquainted with the conditions of Sind being in a position to force their views on the notice of Government independent of the informed criticism of the Commissioner in Sind.

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At times the view of the Secretariat comprises a rather narrow field. I do not think the Bombay Government is too much dominated by revenue considerations, and I utterly disbelieve any officer under that Government has ever had a black mark against him because he has *bona fide* and liberally recommended remissions. I mention this in view of what I read of evidence given in Madras. On the contrary, within my experience, officers have always been encouraged (especially of late years) in Sind to be liberal in such matters.

The influence of the Commissioner in Sind is strong with all departments in the province, and his views always receive full consideration.

Executive Officers have plenty of opportunities for personal contact with the people if they choose to avail themselves of them.

I do not think as a general rule that officers have a sufficient knowledge of Sindi.

Every recommendation I have made for increases of establishment has been wholly, or almost wholly, sanctioned. I want an Assistant City Magistrate at Karachi (sanction has been applied for), and the augmentation of the police force at Karachi itself is a burning question. The city is under-policed to a marked extent.

A new district is required, composed from the Hyderabad and Thar and Parkar districts, and proposals are before Government. Minor territorial changes may be necessary elsewhere, and I am contemplating one such change in my own district.

The frequent transfers of officers in subordinate grades in my district is necessary owing to climatic conditions. I do not consider Gazetted Officers are transferred unnecessarily or capriciously. Since the abolition of the Sind Commission, District Officers seldom stay long enough in a charge to acquire that personal influence and local knowledge which used to be a marked feature of Sind Administration. Promotion among officers of the Indian Civil Service serving in Sind is, and has been for years past, rapid, so that very junior officers comparatively speaking find themselves in acting charge of districts.

Subject to budget provisions, such a municipality as Karachi should be in a position to engage temporary establishments, grant trivial increases of salary, authorise payment of grain compensation, and so on. At present, all such matters require the sanction of the Commissioner in Sind.

I am not of opinion that the functions of the Port Trust, municipalities or Districts or *taluka* Local Boards need be extended.

I altogether object to the idea of constituting Advisory or Administrative District Councils in Sind. The province is not, and will not be for many years to come, ripe for anything of the kind. Nobody who has—as I have—for many years had to deal with District Boards and municipalities in Sind could be in favour of the idea. Of course, men would be eager for the position conferred by appointment to a District Advisory Council, but only on account of the status thereby

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acquired. If Provincial Advisory Councils are to be created under the Government of India scheme now under consideration, I consider Sind should have a branch Advisory Council, instead of merely sending one or more members to the Bombay Council.

It is certainly not desirable to give to District Boards control over minor municipalities. In fact to attempt to do so would merely result in giving Collectors and Assistant Collectors control which they already exercise. The ordinary District Board members would take no interest whatever in the matter, and those who did would use their powers to stir up feeling. There are, it must be remembered, no village communities in Sind and the urban and rural classes are quite distinct.

There are no village communities in Sind.

I am of opinion generally that in view of the geographical isolation of Sind and her marked difference in all ways from the Presidency proper, the greatest administrative power, compatible with general subordination to His Excellency the Governor of Bombay in Council, should be given to the Commissioner in Sind.

37066. Are there any powers which the Commissioner in Sind could on his own authority delegate to Sub-Divisional Officers of all classes which he has not already delegated?—Yes. The delegation would be through the Collector; the Commissioner would not delegate direct to Sub-Divisional Officers. By executive orders the powers of Sub-Divisional Officers are in some matters restricted under the Commissioner's special circulars.

37067. That is to say that there are certain powers which the Commissioner in Sind can delegate but which for some reason or other he has either withdrawn or has not delegated?—Yes.

37068. Is that a general exception?—No, there are very few matters of that kind; it is chiefly land grants which I have in my mind.

37069. Are there certain powers which you as Collector can withdraw?—I can direct a Sub-Divisional Officer not to exercise them.

37070. In your Collectorate are there certain officers from whom you have withdrawn powers?—I direct the exercises of these powers according to the individual, and according to the experience and length of service and his fitness to exercise them, I delegate them.

37071. I thought they could all exercise them unless you withdrew them?—Yes.

37072. Then are there certain officers you have told not to exercise certain powers?—Yes.

37073. What is your reason of giving that order?—Partly owing to the fact that of late years in connection with the grants of lands, the powers not only of the Collectors and the Sub-Divisional officers, but of the Commissioner in Sind have been restricted by Government, and we have received executive instructions that we are only to entrust full powers to Assistant Collectors when we are entirely satisfied that they have sufficient experience and knowledge to exercise them fully; therefore we have to exercise discrimination. When I was an Assistant Collector there were no restrictions of the kind, and, as Assistant Collector, I exercised just the same powers as my Collector did, which were practically unlimited in those days.

37074. Do you say that in consequence of the powers of the Commissioner having been restricted you have received executive orders from him to restrict someone else's powers?—The whole of the powers have been restricted all round.

37075. Is it because the Commissioner has had his powers restricted (I suppose by the Government of Bombay) that executive orders have been issued to you to restrict the powers of your subordinates?—I can only answer the question by telling you that the whole subject was threshed out by Government and these restrictions were imposed.

37076. Then because the Commissioner's powers have been restricted, you have received executive orders to restrict the powers of your subordinates?—Yes, it comes to that.

37077. *Were these restrictions issued by the Government of Bombay?—Yes.

37078. *And more particularly in respect of transactions in connection with land grants?—Yes.

37079. *Have the restrictions which you have been directed to lay upon the action of your subordinates been injurious or the reverse?—They have not been injurious, but of course they increase the work of the Collector and the mass of papers he has to deal with. If a Sub-Divisional Officer is empowered to grant say, only up to an area of 25 acres of land, it follows that all grants above that have to come to the Collector for sanction.

37080. *Has that increased your work and crippled your subordinates' responsibilities?—It has increased my work and decreased the responsibilities and prestige of the Assistant Collectors.

37081. *Have your powers as a Collector been restricted by these same executive orders?—They have.

37082. *Has that necessitated from you a greater number of references to the Commissioner?—It has.

37083. *Always, as I understand, in connection with these land grants?—Yes.

37084. Have you, as Collector, found that your work, as such, has been interfered with in any way by the Director of Land Records and the Director of Agriculture?—I have; there is a particular instance which I can give you in which the Director of Land Records and the Director of Agriculture (who was one and the same person) during a short tour in Sind which covered a period of about ten days, issued an order to one of my subordinates which I did not consider he had a right to do. It was in connection with the way of filling in forms. He instructed him to fill in certain forms in a certain way in opposition to my orders, without communicating with me first of all.

37085. What class of subordinate was this?—An officer in charge of a Sub-Division, and through him his *taluka* Officer.

37086. Did you report the circumstance to the Commissioner?—Yes, officially.

37087. Was that an isolated instance?—Yes, as to direct interference.

37088. Are there any cases of indirect interference of which you complain?—There is the pressing by these officers for the introduction of the system of administration which is in force in the Presidency of Bombay, and urging its application to Sind.

37089. Can you give some clearer explanations as to that?—Not from official correspondence, but in demi-official correspondence, it has been urged that what are called circle inspectors of Land Records in the Bombay Presidency, should be appointed in Sind.

37090. Are you alluding to the same department?—Yes; that was merely an instance urging something which, I think, is unsuited to Sind.

37091. And doing it all without the knowledge of the Commissioner?—No, this was in correspondence with the Commissioner in respect of Sind generally.

37092. Have you noticed the same tendency in other departments?—The Commissioner in Sind

* The witness subsequently represented "I was not aware at the time of giving evidence that the rules to which I referred were cancelled two years later when I was on furlough. My evidence therefore should be read as referring to the cancelled rules which I believed to be in force, but to be held in abeyance by the Commissioner in Sind. The powers of the Commissioner in Sind are even now to some extent restricted as also are those of Collectors and Assistant Collectors. The restriction of the powers of the latter by Collectors, I regard as the result of orders which have from time to time been passed by Government and the Commissioner in Sind impressing the necessity for care, but I had overlooked the fact that in 1905 the Commissioner in Sind expressly enjoined on Collectors that they should empower Assistant Collectors freely."

does not appear to me to have so much to do with the whole of the work of the Director of Land Records and agriculture, the Director of Public Instruction and the Engineers in the Public Works Department as he ought to have, as the Head of the Province.

37093. You say that officers have not sufficient knowledge of Sindi; is that lack of knowledge greater now or less than it had been?—In the days of the old Sind Commission the officers spent their lives in Sind and knew Sindi well, but I do not wish to draw any invidious comparison; the circumstances are such that they cannot have. Probably an officer in the Bombay Civil Service now-a-days has to pass examinations in three or four languages, and although I think they have not such an efficient knowledge of Sindi as they ought to have, they can make themselves understood.

37094. Can they read or write it as a rule?—A very few of them.

37095. They can probably talk with the illiterate classes, but would find it difficult to carry on a conversation with an educated man?—No, the probability would be that they could carry on a conversation with an educated man, but not with the labouring classes; a labouring man always begins by imagining that he cannot understand a Sahib, which adds to the difficulty.

37096. Ought their knowledge to be increased?—Theoretically, an officer ought to have a better knowledge of the language than he has.

37097. (*Sir Steyning Edgerley.*) What are the land grant matters which you mention?—It is the old question of the land grants in Sind which was brought before Government about seven years ago when the whole of the powers of the officers of the Land Revenue were restricted from top to bottom.

37098. What is the rate of pay for ordinary unskilled labour in Karachi?—It varies from time to time, but in the busy season of the year an unskilled labourer can sometimes make as much as Rs. 1-8 to Rs. 1-12 per diem by simple dock labour, but of course that is only during the season.

37099. What is it in the slack season?—That class of labourer would probably get from seven to ten annas a day, or Rs. 15 a month roughly.

37100. Is that rate of wage larger than it used to be?—Yes, it has risen considerably the last 15 years or so.

37101. Has it risen a great deal during the last five years?—No, it is very much what it was five years ago.

37102. Outside Karachi what is the ordinary rate?—Wages have not risen in an extraordinary way, speaking from recollection. I should think outside Karachi about 6 annas a day in the rates of wage for an able-bodied cooly.

37103. (*Mr. Meyer.*) As regards the grant of land, is not the grant free of assessment, or in favourable terms as much a mortgage of the Government revenue for the future as the creation of an appointment? If you appoint a clerk at Rs. 25 you have mortgaged the Government revenue to that extent; and if you give land the proper assessment of which is Rs. 50 for Rs. 25, you have done just the same thing?—I think not, exactly, because in case of the free grant of land on payment of what we called *malkano*, which is a payment for the right of occupying, does not effect the assessment at all; it is merely the sum which a man pays out of his pocket for the right of occupying the land, and our object is to get the land into cultivation, so that Government secures a recurring revenue henceforward.

37104. This is partly a raiyatwari and partly a zamindari province?—It is under the raiyatwari system.

37105. Elsewhere in India the general rule is that you do not pay an initial sum for the grant of land; you take up land assessed at so much, and you pay that amount as long as you hold it; but in Sind you do both apparently, you pay a lump sum down and pay assessment also?—Yes, it is called the *malkano*.

37106. Is that a regular incident of taxation?—No, it is fixed at the discretion of the officer who grants the land.

37107. Absolutely?—Yes practically; you may say that it is fixed within certain limits, but it varies. We have also here a system of granting land on restricted and unrestricted tenure, and that always makes a difference in the amount of *malkano* charged.

37108. Then your *malkano* is *pro tanto* an addition to the ordinary settlement rates?—Only at the time of taking up land.

37109. It is a sum paid for good-will, so to speak?—Yes.

37110. Is it that sum you want the local officers to have the right of remitting or reducing at discretion?—They have that power.

37111. Then what do you complain of?—The areas which may be granted by individual officers have been so restricted.

37112. You say the Commissioner should exercise all the powers of a Local Government under the Municipal Act, but does he not do so already in Sind?—Not in all.

37113. In all important matters?—Yes, nearly in everything.

37114. Could he conceivably abolish the Karachi municipality, or would that have to go to the Local Government?—I do not think he has any such power. I think a municipality can be suspended, but only by the Government of Bombay.

37115. Assuming him not to have it, do you desire he should have that power in Sind?—When I say I desire he should have all the powers of Local Government, it follows, they having that power, he would have it, but I have never known the power exercised yet as regards a municipality either by the Government or anybody else.

37116. In the case of a city like Karachi might not the Local Government reasonably claim to be consulted before the situation is altered?—In such a matter as a city municipality like Karachi, certainly; I cannot conceive the situation arising myself.

37117. But does not the law naturally look to all the contingencies that can be foreseen?—In the matter of a small petty *mufassal* municipality I should think the Commissioner in Sind as the Head of the Province if a situation arose would be competent to deal with it, but city municipalities would be on a separate footing.

37118. You say no municipality in Sind has power to appoint any establishments on its own authority; does that apply also to the District Boards?—No, they have certain powers.

37119. What are they, roughly?—District Boards appoint their own temporary establishments, but they cannot make permanent appointments without the sanction of the Commissioner in Sind.

37120. What pay does an overseer get?—Rs. 40 to Rs. 50, it varies; it is not fixed.

37121. You say that a Sub-Divisional Officer can get the powers of a Collector, generally speaking, and it depends on the idiosyncracy of the Collector how far he gets them; supposing you had an autocratic or centralizing Collector, might he not reduce his Sub-Divisional Officer to a nonentity?—Yes, if he chose he might say "I will not allow you to grant any loans," he might say "I will not allow you to transfer or grant leave to *tappadars* or any village officer."

37122. In your long experience in the province has that tendency come into play often?—I believe that different Collectors throughout the province give their Assistant Collectors different powers—even men of the same standing. Personally, I consider it is advisable to give Assistant Collectors the largest possible powers.

37123. Would it not be also advisable to give Assistant Collectors such powers, as a class, as they are fit to exercise, without the possibility of

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their being taken away by an injudicious autocratic Collector?—You get very young officers in charge of sub-divisions now; the moment they have passed the higher departmental examination, owing to the few men we have, they are almost immediately placed in charge of sub-divisions without really any experience.

37124. Could you not deal with that by making the powers depend on the service or grade?—You nominally have grades of Assistant Collectors, but in practice in Sind we very often have hardly an Assistant Collector on duty whose substantive grade is above that of supernumerary Assistant, while we have District Officers in charge of Districts who are not second class Assistant Collectors.

37125. Under your present system you might possibly have a young Assistant with two or three years' service in one district exercising more power than one, say, of eight years' service in another?—It is quite possible; it depends on the Collector.

37126. Is that a good plan?—That is the law and rules as they stand. I think it is a good thing that a Collector should have the power of restricting the powers to be exercised by his Assistants.

37127. We were told in Bombay, for instance, that no Sub-Divisional Officer can move a *karkun* from one *taluka* to another; can he do so here?—No.

37128. Might he not have that power?—No, I think not, because they are on the general establishment and the moving of *taluka* Officers from one *taluka* to another tends to upset the general arrangements.

37129. You would have a certain number of men from the general establishment posted to a particular sub-division, but within that sub-division, might not a Sub-Divisional Officer do as he chose?—It might work in parts of the province, but in my district which is so malarious that we have to be constantly changing the men, it would not do.

37130. A Collector in Bombay proper cannot move a *mamlatdar* about in his district; is that so in your case?—Yes.

37131. Do you not think he ought to have that power in Sind?—I do not think it is necessary.

37132. You say in the matter of appeals the Commissioner's decision should be final when passed under the Sind Frontier Regulation; what is that?—That is a semi-criminal Regulation which is applied in parts of Sind for the trial of offences committed by the Baloochies. When an offence is committed by a Balooch—frequently it is murder—it is generally connected with women and it is very often absolutely impossible to get evidence in these cases of any sort or kind except the fact that the man and the woman have been killed, and where this regulation is in force the Deputy Commissioner or the District Magistrate has power, if he finds there is no possible chance of the matter being threshed out in the Criminal Court, of withdrawing it from the Criminal Court proper and transferring it for revision to a Court of elders which is summoned according to the Balooch usage; they sit in judgment and pass conclusions on a few simple leading points which the District Magistrate puts to them and when they make their finding he passes his order in accordance therewith, and that order is subject only to revision by the Commissioner in Sind according to law.

37133. Is the decision final, or is there a reference to Government?—There is no legal reference to Government, but of course the Government have always very wide powers of revision. In fact the regulation recognizes no judicial authority superior to the Commissioner in Sind, and the only way in which Government could interfere would be by suspension or remission of a sentence just as they could in the case of a sentence by the Bombay High Court.

37134. Do they in practice exercise their powers of revision in such cases?—Not within my personal experience; I never had a case when I was Deputy Commissioner on the Frontier where these cases arose which went beyond the Commissioner, and I have no personal experience of their having done so since.

37135. (*Mr. Hichens.*) You say you think the Secretariat at times takes a rather narrow view; what kind of case had you in your mind?—Recently an application was made to the Bombay Government in connection with the present scarcity, to sanction the grant of grain compensation in Karachi and elsewhere in Sind, pointing out that the staple food of the population of Karachi was a certain kind of grain. The reply we received was that the staple food of the people was not what we said it was but something else, and the chief food in certain *talukas* in my own districts was stated by the Government to be *juari*, but as a matter of fact it is rice and no *juari* is grown in those *talukas* at all. That necessitated of course a representation, which I have already made to the Commissioner, and which I presume, he will pass on to Government, with the result that there will be a further reference to us and we shall repeat our facts which are facts, involving a certain amount of extra and somewhat unnecessary correspondence. I mention this particular instance because it is one which appears to me to be rather important, as I happen to know that all the lower subordinates of Government departments here are on the *qui vive* on the subject, and we have very large railway workshops here employing something like 2,500 men and they are all expectation to see what the result is, because their grain compensation follows ours. I am very much afraid if the thing is not sanctioned we shall be in for a general strike. Then there are other points as to the pay of subordinate establishments, for instance. It is not sufficiently recognised that the Sind Government subordinate is a different type of man to the subordinate down country. I am speaking absolutely from local knowledge; I have no knowledge of the Bombay Presidency, but I am given to understand that the class of man who is a peon or a police constable down country is a man who can live on very much less than Sindis can live on, and it is essential, and you must accept the fact, that in a certain province the cost of living (whether it is absolutely necessary that it should be so or not is another matter) is more than it is in another, and it must be recognised in connection with their pay.

37136. And you think that is not done?—We cannot get our people paid as much as we think they ought to be.

37137. Do you think in the old days of the Sind Commission the members of the Civil Service knew the languages better than they do to-day?—I certainly think the old members of the Sind Commission knew Sindi better than the officers do at present, because they passed their whole lives in the province. There are only myself, and one other officer of the Sind Commission left.

37138. Are transfers from Sind to the other parts of the Presidency frequent?—Yes, the greater portion of a man's service is outside Sind; I should say there are very few officers who serve in Sind more than seven or eight years.

37139. And then are they transferred to somewhere else where the language is totally different?—Yes.

37140. And do they possibly come back again?—There is a case of one officer who spent a certain portion of his life in Sind as Assistant Collector and who has returned after a long period of years as Collector. I am not referring to officers of that standing but to other officers.

37141. At any rate the fact remains, that it is rather rare for anyone to spend a reasonably long continuous period in Sind now-a-days?—I am not prepared to say that even, if an officer is anxious to spend his time in Sind, he is able to do so. That is a matter which is not within my cognizance, I only say, that officers who go home on furlough, on their return are posted to other parts of the Presidency.

37142. Would you say that the advantage of Sind would be better promoted if members of the service

stayed here for the whole of their time?—Not under the existing conditions of the administration of the province, because the experiment of a close Commission was tried, in a comparatively small province and was found to be a failure; promotion is very slow where you have a small close Commission; men get discontented, and in addition, in the greater part of Sind the climate is extremely trying.

37143. How long should a Collector remain in his district here?—For practical purposes the longer a Collector is in charge of a district the better.

37144. A good many witnesses have said they think the period should be a minimum of 3 and a maximum of 5 years, and they objected very much to going beyond 5 years; is it desirable that a man should, if possible, stop longer than 5 years?—Five years, for the sake of the individual, is quite as much as you can expect anybody to put in in such a charge as Sukkur, or Larkhana; I see no reason why there should be such a hard and fast line in a district like Hyderabad and certainly not in Karachi which is an excellent climate, but it would be extremely hard to find an individual down for five years in such a place as Sukkur; in fact he would not stay, because he would have to go home ill.

37145. The argument put before us was that a man got into a groove after he had been, say five years in a place, and therefore it would be a good thing that he should be moved?—That is the difference between looking at it from the point of view of the advantage and comfort, and personal happiness, and the benefit of the inhabitants of the district and the general demand for progress in all branches. From the point of view of the inhabitants of a district, the people one has to look after and get to know personally, there can be no question that three years is not long enough time to have charge of a big district.

37146. Another argument was that a Collector has to be an all round man, and that he has to take an interest in a great variety of subjects, that the normal human being cannot interest himself in everything, that therefore some particular aspect of administration, one must assume, might be neglected by any good Collector, and for that reason a general shuffle from time to time was wanted; is that an argument worthy of attention?—I consider that the diversity of interests and occupations which he has are rather safeguards to most men living in lonely districts.

37147. Then you see no objection to a Collector staying in one place longer than 5 years, except on the ground of health?—Yes, the whole of the Upper Sind and Middle Sind are places in which life for seven months in the year is carried on with an extreme of discomfort and considerable suffering very often, which is a fact which must be considered when you are dealing with human beings.

37148. Has the town of Karachi any municipal lands?—Yes; it has very little, if any, municipal land in fee simple, but Karachi is under a city survey under the provisions of an agreement come to between Government and the municipality by which the municipality undertook the cost of the survey. There are certain somewhat complicated arrangements regarding land, but you may take it generally that there are certain lands within the limits of the city survey which are under the control of Government and are administered by me through my Deputy Collector, who answers more or less to the Sub-Divisional Officer for Karachi, and there are certain lands which are under the control of the municipality and they have the right of sale on lease of those lands.

37149. Do they amount to a substantial area?—Yes; and there is plenty of it still left; for instance the Port Trust is now negotiating with the municipality for the purchase of an area of 160 odd acres for six lakhs of rupees.

37150. (*Mr. Dutt.*) You say with regard to land settlement reports, the powers of the Governor in Council should be given to the Commissioner in Sind. Do those settlements include the irrigation rates as well as the land rates?—Yes.

37151. Then according to your suggestion these settlements should be made in Sind and not submitted to the Governor of Bombay either for confirmation or for sanction?—As long as the Commissioner in Sind is in subordination to the Governor of Bombay of course they should be submitted to the Governor of Bombay for confirmation.

37152. But not necessarily for sanction?—I do not think necessarily for sanction for the reason that the land revenue system in Sind, to begin with, is entirely different from that of the Presidency. Sind is an irrigated country; we do not levy our assessments, so to speak, at all on the crop on the field, but upon the class of water supply.

37153. Supposing a certain settlement caused general dissatisfaction and some degree of unrest in a province, would not the Bombay Government be held responsible for not having exercised sufficient supervision over the operations in Sind?—I think we have yet to arrive at the ideal settlement which does not cause dissatisfaction.

37154. But generally speaking, supposing there was a great deal of dissatisfaction and grumbling about one particular settlement, would not the Bombay Government be expected to have looked into it, and would it not be held responsible for not looking into it?—I presume they would still retain the powers of revision in case of necessity.

37155. You would allow them the powers of revision?—As long as Sind remains subordinate to the Bombay Government, the Bombay Government will claim the power of revising action by the Commissioner in Sind.

37156. With regard to territorial changes in districts you recommend that the powers of the Governor in Council should be given to the Commissioner in Sind; are these territorial changes very frequent?—No, and they are very trifling.

37157. So that references to the Bombay Government do not give much trouble or work to the Commissioner in Sind?—No, they do not give much trouble; his recommendations probably would almost necessarily be accepted.

37158. One of your recommendations is that with regard to the expenditure of Local Board Funds outside the Local Board area, the Collector as the President of the District Board, should have the power to sanction. On principle, should not funds allotted to a District Board always be spent within the limits of that district?—That is a general principle, but it is a principle to which there should be exceptions.

37159. The general idea in other provinces is that money which is allotted to a Local Board belongs to it and should be spent entirely within its limit; but if you take away part of that money it is like taking away from a body that which has been allotted to it?—My argument is if someone else is spending money outside the limits of a particular Local Board, for the benefit of that Local Board, it is fair to ask that Local Board to bear some part of the expenditure. If we here in Karachi are spending a large sum of money, as we are, for the benefit of Hyderabad and other places in Sind, it is only fair that they should contribute towards it.

37160. Are such cases frequent?—They arise in the case of provincial institutions, for instance, such as the Sind College.

37161. But they are not very frequent?—There are certain cases.

37162. Supposing the Commissioner's sanction was required in those cases, would the Collector be put to much inconvenience?—No, not in the least; but these are general suggestions for decreasing amount of correspondence.

37163. It would not very much decrease the Collector's work?—No, it merely means another reference.

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37164. Have you forest officers in all your districts?—Yes.

37165. Are they considered to some extent to be assistants to the District Officer in regard to matters which relate to the convenience and comfort of the people?—I believe that theoretically they are, but in practice they strongly object to being considered so.

37166. Has it not been so laid down?—It has been laid down by Government and the code that theoretically they are.

37167. So that, as far as pasture lands and other matters relating to the people are concerned, the District Officer could issue instructions to the forest officer?—He could, but he does not do it in practice; he writes to the Conservator and asks as a favour that which he could, under the strict rules, demand as a right, but I am bound to say my own relations, and I believe those of other District Officers with the forest officer in Sind are extremely cordial.

37168. Is irrigation entirely in the hands of the Irrigation Engineers?—Yes.

37169. Supposing a large number of cultivators came to you as Collector, and said they were not getting sufficient water, would you have anything to say to the Irrigation Engineer?—Certainly.

37170. Would you have power to issue instructions as to letting out or not letting out water?—No.

37171. Should not the Collector in that matter have some control over the Engineer?—The present system is faulty in many ways and the Sind Irrigation Act is distinctly in need of amendment, but I do not think it is possible that a non-professional man can say to a professional officer in charge of an irrigation work, whether there is water for other people or not, "You are to open that sluice and give so and so water," because that might upset the whole scheme of a canal.

37172. Would you not allow him that power subject to a reference to the Superintending Engineer or to the Government?—I consider the Commissioner in Sind should have far greater control than he has over the Heads of Departments in the province, and that a matter of that kind might be referred, and if the Superintending Engineer took the view of the subordinate engineer it would be referred to the Commissioner in Sind, but, while all that was being done, the cause for action would have passed away.

37173. Who would make the reference?—I am not prepared to say that the Collector should be in a position to give the Executive Engineer orders.

37174. (*Sir Frederic Lely.*) Generally, is the Bombay land revenue survey system suited in Sind?—I think so, as tempered by our irrigation system.

37175. Is not Sind a zamindari country?—Partly, and partly raiyatwari.

37176. But the spirit of the land constitution of the province is that of large land holders?—Not all over, it is so in Upper Sind chiefly.

37177. Taking that portion of the province, has not the imposition of the Bombay land revenue system with its code and rules created a certain want of harmony between the administration and the people?—No, I think not; probably at the time of introduction it was too cumbrous for Sind.

37178. Is not the Land Revenue Code based on altogether a different constitution from that existing in Sind?—You mean they hold field by field now, whereas you think they ought to hold zamindari?—I think they are quite satisfied now.

37179. They have become habituated to it?—Yes, at first there was a good deal of trouble and bother.

37180. And it caused considerable dislocation?—Yes, there was a good deal of trouble.

37181. You say "I do not think the Bombay Government is too much dominated by revenue considerations, and I wish very emphatically to say that I utterly disbelieve any officer under that Government has ever had a black mark against him because he has *bonâ fide* and liberally recommended remissions." I do not wish to challenge that statement, but as a matter of fact, have you had any experience of failure of crops in Sind such as to require large demands for remissions?—Yes, we have constantly; this very year we shall have large remissions.

37182. But nothing to be compared with the famines in other parts?—No, we never get famines, but we get constant failures, and complete failures, over large areas.

37183. I always understood that Sind considered itself fairly secure from famine?—Yes, because the people go away to other parts with their cattle, but we have had very heavy remissions and we shall have very heavy remissions in the province this year; judging from my own district I imagine that there will be 8 or 10 lakhs or more.

37184. As regards the discretion which should be given to the Collector in apportioning the powers of his Assistants, I take it there are two alternatives to choose from, one giving a certain amount of discretion to the Collector, at the risk of some aberration, and the other introducing a mechanical system of Government which is never illogical but always rather lifeless?—I prefer the present system under which the Collector distributes his powers according to his personal opinions of his Assistants.

37185. That gives him more personal interest in the administration?—Yes, and I think it secures the benefit of the people more too, that the Collector should be able to show his trust in a good man.

37186. It has been laid down by authority that nothing should pass in a Collector's district of which it is not his duty to keep himself informed. Is that the position at present of the Collector in Sind?—Yes.

37187. Is that position recognized both by himself and by others?—Yes.

37188. Has the Collector, for instance, an effective voice with regard to excise questions in his district?—Certainly.

37189. Are the excise subordinates under his orders?—Yes, a new order has just been made under which an Assistant Commissioner for Sind has been appointed.

37190. Does he impinge on the authority of the Collector?—No, he is merely there as an Assistant to the Commissioner.

37191. What is his connection with your excise subordinates, has he powers to give them orders over your head?—No, I do not think so.

37192. He must do everything through the Collector?—Yes.

37193. And you do not think his authority will centralize undesirably at all?—No.

37194. Do you recognize any responsibility for education in your district?—Yes, a great deal.

37195. Both with regard to primary and secondary education?—Primary chiefly.

37196. Do you recognize any responsibility in connection with the general tone of the secondary education in your district?—Yes, I have a good deal to do with education in all its branches in my district, from the highest form of education we have, which is the college, down to the lowest primary school. I am Chairman of the Standing Committee of the college and have a great deal to do with it. By the constitution of the Board I am necessarily a member of it, I am Vice-President of the Muhammadan *Madrassa* in Karachi, and as regards the schools in my district, I look upon it as my duty to inspect every school that I possibly can in the course of my tour, and whenever I find anything that strikes me as wrong I invariably bring it to the notice of the education inspector, and he always deals with cases promptly. I expect my assistants to do the same, and they do.

37197. Supposing in a training-college the state of discipline was extremely bad, would that generally come to your knowledge?—No, I should know nothing about the training-college.

37198. Do you not visit it?—No.

37199. Do you not think a Collector should be on the Visiting Committee of every institution which is in immediate relation with the youth of the country?—There is no training-college here; the training-college is at Hyderabad. When I was Collector there I used not to visit the training-college, but I have no doubt I could have done it had I expressed a wish to do so. The Educational Authority would have raised no objection, but as a matter of fact I look upon the visiting of certain places, the high schools, for instance, more as ornamental than practical; it is the district schools one pays more attention to.

37200. I know of a case where the grossest state of indiscipline was discovered in a college and the Collector and the Commissioner said they did not consider it any of their business. Would that be the case in Sind?—As regards the high schools I do not think we should have anything to do with them.

37201. Does the Executive Engineer occupy an absolutely independent position from the Collector?—Absolutely.

37202. Other witnesses have gone so far as to suggest that the Executive Engineer, ought to be in a subordinate position with reference to the Collector much the same as that held by the forest officer; what would you say as to that?—The subordination of the forest officer is nominal and do not desire that the Executive Engineer should be subordinate to me.

37203. Have you anything to say as to the Public Works budget?—No.

37204. Supposing a re-appropriation was made, or one work stopped and another taken on, would you know about it?—I get copies of the resolutions.

37205. Ought you not to be consulted about such a thing before hand?—We are consulted as regards the expenditure, and we are immediately connected with the clearance grants for canals and that sort of thing. As a matter of fact, the Collector holds a conference with the Executive Engineer and his own assistants in connection with the clearance of canals which is one of the most important points he has to deal with.

37206. With reference to other items, buildings, for instance, in the budget, have you anything to do with them at all?—Not in the preparation of the budget. As to buildings that are erected for us by the Public Works department, we requisition for plans and estimates, they send them up, the work goes in for sanction and inclusion in the budget, and we have nothing more to do with it.

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37207. Supposing you became aware of any gross malfeasance in regard to Public Works, would you consider it your duty to interfere in any way?—If I became aware of it in such a manner that I could take it up of course I should; I should write to the Superintending Engineer.

37208. Would you be considered as interfering if you did so?—Yes, probably.

37209. What is the size of your District?—12,000 square miles.

37210. (*Chairman.*) How many municipalities have you in it?—Karachi City, Tatta municipality which is a fair-sized one (a town of about 10,000 inhabitants); Kotri, a town of about 7,000 inhabitants; Manjhand, a town of about 2,500 inhabitants; and Keti Bandar a town of about 2,000 inhabitants.

37211. Are you Chairman of any of them?—Of none of them. We have a non-official President in Karachi. The presidents of the other municipalities are my Assistant Collectors in charge of the sub-divisions in which those municipalities are situated.

37212. Are you Chairman of the District Board?—Yes.

37213. Do you attend its meetings?—Yes, once a year.

37214. Does it only meet once a year?—Yes.

37215. In Karachi you are chairman of the Port Trust?—I am, and I desire to hand in a memorandum on behalf of the Trust.

37216. The principal point contained in it is that you wish to have freedom to raise loans when and where you like?—Yes.

37217. And you wish the period during which the loans should be current to be extended to 30 years?—Yes, those are the two main points; the last one is not so important.

37218. But you do wish for freedom to raise loans where you like?—Yes, we should like to be able to go to England.

(*The witness withdrew.*)

Mr. A. D. YOUNGHUSBAND, C.S.I., I.C.S., was called and examined.

37219. (*Chairman.*) You are Commissioner in Sind?—Yes.

37220. Although you are one of the Commissioners under the Bombay Government, your position, as Head of the province of Sind is clearly distinct?—Yes.

37221. How long have you been Commissioner in Sind?—I joined the appointment in November, 1905.

37222. Had you served in Sind previously?—No. The first 14 years of my service was in Gujarat; then I was for 10 years in the Central Provinces, and for the last three years, before coming up here, I was Commissioner of the Central Division of Bombay.

The position of Sind in the matter of decentralization is altogether exceptional. The province was for many years after the conquest ruled by an independent Governor, directly under the Government of India. On the annexation of the province to the Bombay Presidency, the Governor was replaced by a Commissioner, who inherited, in a lesser degree, many of his prerogatives, although of course wholly subordinated to the Government of Bombay. In various scarcely definable ways, the modern Commissioners in Sind carry on the unbroken traditions of Sir Charles Napier, and are treated throughout the province as his successors.

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The status and functions of the Commissioner in Sind differ materially from those of the Commissioner of a division. It would be nearer the mark, though of course not strictly accurate, to describe him as the Head of a Local Administration subordinate to a Local Government. This at least is the position to which it seems desirable that he should as far as practicable approximate, if the administration of the province is to be carried on to the best advantage.

The Bombay Land Revenue Code has been extended to Sind, and is technically speaking, the law under which the revenue administration of the province is conducted. Under it the status of the Commissioner in Sind is neither more nor less than that of the Commissioner of a division, and no extraordinary powers have been conferred on him. But in fact the main authority to which Sind Revenue Officers have daily occasion to refer for guidance in their procedure is not so much the Land Revenue Code as the compilation of Commissioner's special circulars, dealing with all the details of a system of revenue administration which, though under the same law, is fundamentally and essentially different from that prevailing

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in the Bombay Presidency. These circulars have been issued by successive Commissioners from time to time under an authority which appears to be based on tradition rather than on any express delegation. There would presumably be nothing positively illegal in similar action on the part of a Commissioner of a division; but in practice any such assumption of authority would certainly be restrained.

It seems a fallacy to suppose that such decentralization as is now to be found in the Sind administration had its origin in the passing of Act V. of 1868, and that from that date there has been a gradual elevation of the status and independence of the Commissioner in Sind to a pitch previously unknown. It seems probable that the tendency has, if anything, been rather the other way, and that, despite the powers formally delegated from time to time, Government now exercises a closer control over the affairs of Sind than they did 40 years ago. The Act has undoubtedly proved most valuable, and its working has been entirely successful. A careful search of the Commissioner's records since the date of its passing has failed to reveal a single instance of complaint against it. It has enabled the Commissioner in Sind to exercise the powers of a Local Government under a number of Acts which have since been either passed or extended to Sind in the natural development of more highly organized conditions of administration. But over and above this, it would seem to have been necessary for the purpose of giving a more formal legal sanction to the exercise of powers which, in so far as they had been previously exercised by the Commissioner in Sind, had depended on custom rather than on express legislation for their sanction. It is to be remembered that almost up to the date of this Act the Commissioner in Sind had been his own High Court, that there had been no independent judicial authority by which the legality of his actions could be called in question, and that the province had been "Non-Regulation" in the wildest sense of the expression. It is interesting to note, as showing how the Commissioner in Sind was in those days regarded by the Government of Bombay, that this Act was conceded by the Government of India as an alternative to the original proposal of the Local Government that the case should be provided for in Act XXXII. of 1867, under which the Governor-General in Council was empowered to delegate to the Chief Commissioners of Oudh, the Central Provinces, and British Burmah the powers of a Local Government. The provisions of Bombay Act XII. of 1866 (the Sind Civil Courts Act) deserve notice. The Commissioner in Sind was therein emphatically recognized as Head of the province, and extensive powers were conferred on him in connection with the judicial administration, including power to appoint the Subordinate Judges, who now constitute the judicial branch of the Provincial Service. The corresponding power of appointment to the executive branch, which for practical purposes is far more needed, and the absence of which entails a considerable amount of unnecessary routine correspondence, is at the present day refused him.

The extraordinary exercise by the Commissioner in Sind of many of the powers which elsewhere are strictly reserved in the hands of the Local Government—his position in fact as for many purposes the Local Government of the province—not only dates from the earliest times, rather than having its origin in any modern theories of delegation, but is moreover a necessary condition of the exceptional circumstances in which a detached and distant province has been annexed to territories with which it has no sort of natural connection and not a single feature in common. The physical configuration of the country, the climate, the modes of cultivation, the racial characteristics and manners and customs, domestic and agrarian, of the population, all present a striking contrast to anything that is to be found in the Bombay Presidency. The people of Sind have practically no common interest and no inter-communication with those of the Presidency proper, less so at all events than with the people of the Panjab, Baluchistan, and even Rajputana. The Government of Bombay is practically as remote from Sind as the Government of India. Some of the individual Members of Council and Secretaries may have put in a more or less extended period of service in Sind in the more or less distant past; but the Government, as a Government, can have no such first hand knowledge of existing conditions in the province as it has of those in the Deccan, the Carnatic and Gujarat. The visits to Sind of His Excellency the Governor are almost if not quite as rare as those of His Excellency the Viceroy, while visits from the Bombay Members of Council and Secretaries are unknown. Nor has the Commissioner in Sind ordinarily any opportunities of presenting himself at the headquarters of the Government of Bombay and coming into contact with its Members.

At the present rapid rate of development of Sind in all directions a day will eventually come when it will be found necessary again to detach it from the Presidency of Bombay, and give it a separate administration of its own directly under the Government of India. In the meanwhile the arrangement under which this outlying province remains subordinate to an alien and absentee Local Government cannot but be regarded as anomalous. And its success must largely depend on the degree to which the powers and responsibilities of the Local Government are left in the hands of the local Head of the province, who ought always to be an officer specially selected for his fitness to exercise such powers and responsibilities.

The case is thus a wholly exceptional one; and it is fallacious to generalize from the success of a policy of decentralization as applied to Sind that such a policy is everywhere desirable—still more fallacious to argue that, because particular powers are capable of being, and have been, entrusted with advantage to the Commissioner in Sind, they should equally be entrusted to officers in an altogether different position. Such generalizations may or may not give rise to dangerously exaggerated ideas of the extent to which decentralization can safely be carried in the ordinary conditions of Indian administration. But they are in any case calculated to injure the case of Sind by obscuring the exceptional conditions which here necessitate the policy. And the Sind administration is more likely to be hampered than benefited by the issue of general orders, of which there has recently been a series, delegating powers to all Commissioners and Heads of Departments, *including the Commissioner in Sind.* Occasionally, the Commissioner in Sind has been so invested, in common with a number of other officers, with powers which had long before been specially delegated to him in virtue of his exceptional position as Head of the province. If he is thus to be bracketed with Commissioners of Divisions and other officers for purposes of decentralization, he may expect to find himself similarly bracketed hereafter for purposes of centralization, when the view commends itself that the policy now in favour has been carried too far, and that a general tightening of control is called for. In that event his last state will be worse than his first. The danger which threatens the administration of Sind lies rather in the tendency towards uniformity and in the insidious encroachments of departmentalisation than in any conscious policy of centralization.

It scarcely admits of question that the general influence of the departments of the Government of India is in the direction of rigidity and uniformity, and the standard of rigidity and unformity enforced is often excessive. It can scarcely be denied that the insistence on a rigid uniformity in police arrangements throughout India, and the difficulty of convincing the Government of India of the existence of special local conditions, have the effect of seriously retarding much needed reforms. To take one small point, the pay of the rank and file of the police ought to bear some relation to the local scale of wages of ordinary unskilled labour, which varies throughout India, and which happens to be extraordinarily high in Sind. But it is difficult to carry conviction on such points. Again, it is a speciality of our Bombay system of administration that the

main bulk of the work of a district is carried on not, as elsewhere, at headquarters, but in the interior. Failure to appreciate this is constantly apparent in the Government of India orders. In the matter of police re-organization, for instance, the fact that all the worst under-trial criminals are to be found in the *taluka* sub-jails necessitates more efficient arrangements for the guarding of these sub-jails than has yet been conceded. A trivial instance of similar character in the Financial Department may be found in the rigid rules by which all Assistant and Deputy Collectors are treated as part of the Collector's office establishment, a rule which was intelligible enough in the Central Provinces, but is wholly inapplicable to Bombay conditions. Such instances might easily be multiplied.

It is difficult to suggest definite limits to the power of the Government of India to entertain appeals. But as a general rule no case should ordinarily go beyond second appeal, particularly where first and second appellate authorities are in accord. I am on the whole not in favour of the proposal to require a certificate of reasonable grounds of appeal. I have no reason to complain of excessive interference by the Government of India in appeals against administrative action.

In cases of disciplinary action against individual officers, I have known interference by the Government of India which seemed to me most undesirable. I would allow no appeal to them by officers of lower rank than the Provincial Service.

I consider that all departments in Sind, other than purely Imperial Departments, should work in subordination to the Commissioner, who is the Head of the province, and whose influence, as observed by the Government of Bombay in 1892, "if it is to be effective, must be effective in all directions."

Commissioners of divisions in the Bombay Presidency differ materially from officers bearing the same designation in provinces where they are subordinated to Boards of Revenue or Financial Commissioners, or in the smaller provinces administered by Chief Commissioners, although, since the loss of their old distinctive designation of Revenue and Police Commissioners, there has been an increasing tendency to treat the Bombay Commissioners as on the same footing with Commissioners of divisions elsewhere. This tendency is in many ways regrettable. Not only does it involve some lowering of the original conception of our Commissioners as a purely controlling authority, corresponding with Boards of Revenue and Financial Commissioners elsewhere,—a conception of which practical recognition is now scarcely to be found except in the Warrant of Precedence,—and a reduction of their status to that of *quasi*-Executive Officers, but the prominence given to the division rather than to the district as the unit of revenue administration has the effect of lowering the ancient prestige and influence of the Collectors.

A *joint* control by the Commissioners of the revenue administration is the object which was formerly and should again be aimed at. The removal in 1890 of the headquarters of the Commissioners from Poona to stations in their several divisions was, in my opinion, a grave mistake. Since that time they have been largely out of touch with one another, and collectively with Government. When I was in the Central Division great difficulties were experienced in arranging meetings even for the purpose of discussing the very few matters which Government had expressly instructed Commissioners to take up in conference. With the natural reluctance of my colleagues to leave their headquarters and their offices in order to come in to Poona during the season I very fully sympathised. Equally inconvenient was it to me to accept alternative suggestions of meetings in Bombay during the cold weather, which I found all too short for touring through my extensive division. The consequence was a tendency to hurry through even the few obligatory conferences, while there were no opportunities for leisurely discussion of innumerable important questions, which had not been specifically referred to a conference, but on which an exchange of views and joint action might have been most beneficial.

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I would strongly advocate a reversion to the old conception of the Commissioners as a joint body, akin in many respects to a Board of Revenue, though not necessarily so designated. And as a first step I would urge the restoration of Poona as the joint headquarters of the Commissioners, where they should all reside not only in the rains but also during such part of the hot weather as they may not be actually on tour. Quarters should be specially constructed for the joint accommodation of their offices, which could probably be amalgamated with considerable advantage, an Assistant Commissioner or Secretary of the Indian Civil Service being placed at the head of the single amalgamated office. Detailed distribution of work between the members of what would thus be, to all intents and purposes, a regular Board could continue to be, as hitherto, by territorial divisions rather than by departments. But there would be scope for a very considerable measure of joint action by the Board as a whole. And to such a Board Government might delegate very extensive powers, without any fear of setting up divergent standards in different parts of the Presidency.

Any powers so delegated to the Board of Commissioners in the Presidency should simultaneously be delegated to the Commissioner in Sind as regards that province. Indeed, the case for delegation in Sind must always be stronger than in the Presidency on the general consideration of its remoteness and of necessary want on the part of Government of detailed familiarity with its conditions. One result of the constitution of such a Board as has been suggested would presumably be the subordination to it in the Presidency of such officers as Directors and Inspectors-General of Land Records, Agriculture, Registration, and the like. This, so far as Sind is concerned, would facilitate the bringing about of a much needed reform, namely, that such officers, who are mainly concerned with conditions in the Presidency, in so far as they may be allowed to exercise any jurisdiction in Sind,—and it is a very arguable question whether this is desirable,—should only do so in the strictest and most absolute subordination to the Commissioner in Sind. It is in respect of the interference within his jurisdiction of such *quasi*-revenue departments independent of him, that the Commissioner in Sind at the present time finds himself most embarrassed.

Sub-Divisional and *taluka* Officers exercise within their sub-divisions, under the Land Revenue Code, all the powers of a Collector, except such as the Collector may specially withdraw from them. And there is no complaint of any excessive tendency on the part of Collectors to withdraw powers. *Taluka* Officers, under the Code may exercise any powers delegated to them by the Collector under the general or special orders of Government; and all that is necessary in this connection is that Government should give Collectors a free hand in the matter. In matters of general administration, not covered by their revenue powers, the powers at present exercised by these officers appear to be sufficient.

Proposals have been submitted, and are under consideration, for giving to the Commissioner in Sind the powers of the Local Government, and to the Manager of Incumbered Estates those of a Court of Wards, in the administration in Sind of the Bombay Court of Wards Act, 1905.

The provisions on the subject of appeals of the Bombay Land Revenue Code are fair and reasonable, though certainly not erring in the direction of excessive curtailment, and might be made generally applicable. They are to the effect, (1) in regard to general administrative action, that no appeal should lie from an order passed by a Commissioner, etc., *in second appeal*: (2) in regard to punishments of individual officers, that no appeal whatever should lie beyond the Collector in the case of subordinates on Rs. 35* or less, and no appeal from the Commissioner's *appellate* order in the case of subordinates on pay of Rs. 99* or less. On the other hand, there is a perhaps necessary reservation to Government of unlimited powers

* These limits might with advantage be raised at the present day.

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of revision. And there is a natural tendency on the part of the Secretariat, as of certain High Courts, to allow this reservation to be traded on by individuals as conferring on them an irregular right of appeal in cases where the law expressly disallows it. Petitions in such cases are apt to be referred for report as a matter of routine. In a recent case a lengthy memorial from a subordinate on Rs. 50, described both by him and by the Secretariat as an "appeal" against the Commissioner's appellate order, was sent for report, intimation being at the same time sent to the petitioner that his "appeal" had been so dealt with. This tendency requires to be steadily resisted. Subject to this remark, I do not consider that further special measures are necessary in the matter.

There can be no question that the natural tendency of provincial Secretariats is always towards departmentalism. I found such tendency particularly marked in the Central Provinces. Heads of Departments are always in direct touch with the Secretariat and with the headquarters of Government; they generally have the last word on questions affecting their departments; and their influence with Government is apt to unduly outweigh that of the territorial officers, who are the best judges of local conditions, on which the whole question frequently turns.

In Sind, the peculiarity and the importance of local conditions are abnormally great. They are matters of which the average Head of a Bombay Department, residing in the Presidency, is more than ordinarily ignorant and impatient. The impracticability of allowing the administration of the province to be controlled by such officers, behind the back of the Commissioner, has been repeatedly recognized by Government, and orders have from time to time been issued with a view to emphasizing the Commissioner's concern in all departments of administration of the province. But such orders are apt to be disregarded or overlooked. The natural tendency of all specialized departments is to encroach, and the normal tendency of the Secretariat appears to be to acquiesce in such encroachments.

The Head of one Department was 15 years ago instructed that his communications to Government on Sind affairs should be addressed through the Commissioner in Sind. One year ago, on enquiry being made, it was reported that no reason could be discovered why this practice had not been observed; and the orders were then re-affirmed, but have still had no result. Another Head of a Department in the Presidency has received permission to tour in Sind, subject to an express stipulation that his functions are to be confined to criticism and report to the Commissioner in Sind, and that he is not to interfere with the local officers. It cost me a prolonged and tedious correspondence before I could induce this officer to admit that he had been in error in addressing direct instructions to one of my officers, instructions which, however excellent in themselves, were marred by his very natural ignorance of detailed local conditions. Recent interference by yet another officer in the Presidency in matters which have hitherto been administered entirely by the Commissioner in Sind is at present the subject of correspondence. It is unsatisfactory that so much of the time of the Commissioner in Sind should be wasted in checking encroachments of this description. And yet, when they are not watched for and promptly challenged, the evil goes on increasing.

Under our revenue system Assistant Collectors spend their lives in personal contact with the people. And whatever may be said against the system in other respects, there can be no question of its excellence in this respect. With the Sub-Divisional Assistant Collector always accessible the need for personal contact with the Collector is less pressing. Collectors, though of course much hampered with desk work, are in fact as a rule always accessible, more so, I am inclined to think, than Heads of districts elsewhere, their early training and traditions doubtless standing them in good stead. Anything tending to reduce the burden of office work on District Officers is of course greatly to be welcomed in this connection. And in so far as a sub-divisional system on the Bombay model may be capable of extension to other parts of India, I venture to think that it is to be recommended.

As a result of this system most of our Assistant Collectors, whose work is mainly in the vernacular of the people among whom they habitually live, do acquire a sound knowledge of the language. While in the Central Division in 1902-05, I was particularly struck with the facility in colloquial Marathi displayed by one Assistant Collector after another; and now in Sind the general knowledge of Sindi is even better. I should say that our present junior Civilians are better in this respect than their predecessors of 25 to 30 years ago. Collectors have no difficulty in keeping up the languages they acquired as Assistants, though naturally at a disadvantage when transferred to parts of the country (*e.g.*, Sind) in which they have not previously served. At present all Heads of districts in this province are proficient in Sindi, two of them, who as members of the old Sind Commission have spent a whole long service in it, being exceptionally so.

I am unable to say as much for the officers of certain other departments, least of all for the Assistant Engineers of the Irrigation Department, in whose work knowledge of the vernacular is specially important, and, speaking generally, is markedly absent. The remedy, which has been impressed on Government, is the substitution of a more real test for what has hitherto been the farce of the "colloquial" Public Works Department examination.

Proposals for the creation of a new district in Sind are now under the consideration of the Government of India, and with the further development of the province, one or more additional districts will doubtless in time be found necessary. But these are not an immediate need. Certain schemes for increasing the number of sub-divisions are under my consideration, but are not yet matured.

Any wholesale extension of the principle of selection, without regard to seniority, would be most dangerous. Selecting authorities are human; their knowledge of the officers concerned is often second-hand; and the risk of partiality, favouritism, or prejudice, if not on the part of Government at least on the part of their advisers, is a real one. Special posts, outside the regular line, should of course be filled wholly by selection, no officer having a claim to such posts. But promotion to the rank of Collector and Commissioner, as to the higher ranks of other regularly organized Services and departments, should in my opinion be made primarily by seniority, subject to considerations of fitness. Where the next senior officer is deliberately found to be unfit for promotion, he should be superseded without hesitation; and as to this I agree that there is room for greater care and strictness than has at all times appeared to prevail. But the grounds of his supersession should be definitely formulated, and should be communicated to him. He should at the same time be clearly informed whether the defects in his work or character are deemed so incurable as to debar him from all future hope of promotion, or otherwise in what particular respects improvement is needed to qualify him for it. At present we occasionally see a number of officers, who have been superseded *en masse* in favour of a junior, without any reasons assigned, afterwards accorded one after another the very promotion for which they had been superseded. In such cases it is impossible to avoid the suspicion that reconsideration has induced an unavowed recognition of the injustice of the original supersession. The utter uncertainty as to prospects which such procedure engenders in the Service concerned has a most demoralizing tendency, and is seriously detrimental to the public interests.

Transfers are a necessary evil. That they are *undesirably* frequent is beyond question. In so far as they may be *unnecessarily* frequent, the fault can only be ascribed to want of care and judgment on the part of the authorities responsible. The improvement of internal communications, no less than of communication with England, has greatly facilitated the taking of leave, which is

the most prolific source of transfers; and I am not of opinion that leave is at all too lavishly granted. Often, when to the public mind they may appear capricious, they are necessitated by reasons which cannot be made public. The Commissioner in Sind has large powers in the matter of posting officers subordinate to him, and I personally devote to this question an amount of valuable time which many officers might consider disproportionate. It is a most important part of the work of administration, and the importance of personal attention to these details should be emphasized.

I would generally support Mr. A. G. Wright's recommendations, subject to the provisoes (*a*) that the residuary controlling authority over the inspector is vested in the Commissioner in Sind rather than in the Director of Public Instruction, (*b*) that some guarantee is afforded of a specially selected officer being always made available for the post of inspector in Sind. This might be effected by assigning to the post special privileges, among others the grant of a local allowance such as is given to many other officers in Sind. Education in Sind is pre-eminently a matter in which it is desirable that the Commissioner should have a predominating voice; and this is a view which it is understood the Government have always been prepared to accept in theory, although little has been done in modern times to give practical effect to it. The main difficulty which has always hitherto suggested itself in the way of any proposals to assign to the Commissioner in Sind the functions which in the Presidency are exercised by the Director of Public Instruction is the extremely technical nature of many of the questions which have to be dealt with. But this difficulty would largely disappear if the Commissioner could always count on the services of a picked inspector, who would supply the necessary expert knowledge, and who would, with the delegation proposed, relieve him of the great bulk of routine work. The inspector would then be Head of the Department in Sind, in direct subordination to the Commissioner as Head of the general Administration of the province.

The Commissioner in Sind should be empowered to dispose of some of the matters now dealt with by Government in the Public Works Department (Irrigation). There are no less than three Superintending Engineers in the province, and in the Indus River Commission there exists a consultative body in which all this engineering talent is brought together. Projects sent up by individual Superintending Engineers might be disposed of by the Commissioner with the advice either of the Indus River Commission as a whole, or of the Secretary to that body, in the capacity of Public Works Department Secretary to the Commissioner. Many of the questions turn largely on local knowledge, and in respect of them the joint advice of the local officers, based on personal inspection, is perhaps at least as valuable as that of the Chief Engineer and Secretary to Government in Bombay.

The present Bombay District Municipal Act is on the whole sufficiently elastic. The Local Government (in Sind the Commissioner) is left a considerable amount of discretion in the matter of control, and is in a position to discriminate between different municipalities. The present provision of law that the strength and pay of establishments must be *determined by rule* (involving the setting in motion of all the cumbrous machinery for amendment of rules whenever a trifling change is proposed), is distinctly inconvenient. It would suffice to provide that the municipal rules should *determine the procedure* by which establishments are to be entertained or varied. It would then be open to the Commissioner to sanction for each municipality greater or less freedom in this respect.

I am not in favour for the present of giving larger powers or more extended functions to District Boards in Sind.

Every Collector should, and most if not all Collectors do, consult freely with the natural leaders of the people on questions of general or local administrative importance. The Collector's individual advisers naturally vary with the nature of the question to be discussed, and it would be impracticable to include them all in a permanent Council to deal with all questions. Such informal advice as is obtained in this way in his general intercourse with the leading men of his district is calculated to have more real value than the formal advice of a standing Council. There would be danger of the wrong men finding a place on such a Council, while exclusion from it would be resented; and for many reasons I am opposed to the idea.

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Still less am I in favour of Commissioners of divisions, particularly in the Bombay Presidency, being aided by such Councils. I deprecate anything calculated to foster the idea of division, rather than the district, as the administrative unit. Commissioners when on tour should of course lose no opportunity of listening *on the spot* to the views of the various district notables who come to see them, which is a very different thing from summoning them to a Divisional Council at the Commissioner's headquarters. It is purely to their Collectors that Commissioners should look for keeping them informed of the trend of public opinion in their respective districts.

If District Boards could make over a share of the district fund for expenditure in the smaller municipalities, there might be a case for investing them with powers of supervision over such municipalities. But I am not in favour of the suggestion, and I certainly cannot advocate its application to Sind.

My fear—as regards India generally, or at least those parts of it with which I have been acquainted—is whether it is not almost too late to give greater powers to village communities. Our rule has undoubtedly done much to destroy the old communal spirit—if not directly, at least indirectly in the spread of education and growth of individualism—and it seems a question how far this spirit is capable of being revived. In Sind the old indigenous idea, which we have to defend against the encroachments of modernism, is rather the feudal than the communal idea. The traditional antagonism of interests between the Muhamadan zamindar and Hindu money-lender has been unfavourable to the growth of any communal spirit. In some of what may be called the smaller country towns, or larger market-villages, not quite equal to municipal institutions, we have Sanitary Committees, which collect and administer in their own fashion small funds for sanitary purposes. The work done by these committees in a humble way appears to be not wholly unsatisfactory. But the conditions are exceptional, and the experiment does not appear capable of any considerable extension. On the whole, I feel myself reluctantly compelled to answer in the negative, so far as Sind is concerned, any proposal to confer greater power upon village communities.

I desire to endorse the remarks made by Mr. A. G. Wright in favour of permanent travelling allowances rather than daily mileage rates, for officers whose duties keep them constantly on tour through the season. The Government of India have taken repeated and strong exception to the Bombay system of permanent allowances, and have expressed their intention of taking every suitable opportunity for its gradual discontinuance. As the result of many years' experience of both systems, both as an Executive and as a Controlling Officer, I venture to think the Government of India entirely ill-advised on the point. The most obvious and indisputable advantage of the permanent system is the immense saving of labour in all the offices concerned. But besides this, I have found it far more conducive than the other to steady, useful and efficient travelling. An officer subject to it is under no temptation to make unnecessary journeys, or to regulate the direction of his tour, the length of his stages, and so forth, by considerations of how he can make most profit, or by any other considerations than the convenience of his work and the public interests. He is also more easily controlled. It is as easy to see that an officer does not neglect the duty of travelling as that he does not neglect any other duty—easier, since the submission of monthly diaries of

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movements affords a constant check. On the other hand, it is by no means easy to assert that a journey, which *primâ facie* suggests zealous activity, and for which plausible reasons can be shown, was in fact unnecessary, and that its real "purpose" was to establish a claim to daily and mileage rates and double railway fare, however morally convinced a controlling officer may feel on the point. The abuse by certain officers of this system of allowance is notorious, and the expression "making T. A." is a proverb throughout India. Abuse of the permanent travelling allowance system has never come within my cognizance; and the only flagrant instances of such abuse of which I have ever heard have been (many years ago, and not in this Presidency) cases of Commissioners of divisions, who were their own controlling officers. The permanent allowance system is of course not universally applicable; but wherever practicable I consider it well worth adopting.

37223. Was the fact that you had experience in various districts of the same Presidency, as well as experience in another province, of some advantage to you in taking up the Government here, or would it have been just the same if you had had no such experience?—It was certainly of great advantage.

37224. Balancing one against the other, was the want of previous experience here a greater disadvantage to you than the wider experience you had was advantageous?—I should say that must vary with the length of my tenure of the appointment. Every day I stay here the drawback of the want of previous experience of the province is getting less and less. When I first came I certainly felt there was a serious deficiency, but that deficiency on my part I found very largely remedied by the assistance I got from the few remaining officers of the old Sind Commission.

37225. Would you therefore like to see the practice of keeping officers in Sind for as long and as continuous a period as is possible?—I do not think I would go so far as that; for many reasons the loss of the old Sind Commission is to be regretted, but, on the other hand, there were reasons in favour of its abolition; incidentally I have found it of great advantage that there are two of the old officers remaining in Sind who have been able to give me the benefit of their experience.

37226. Do you agree with the last witness that the Bombay Land Revenue Code now works satisfactorily?—I think so. We have comparatively little to do with the Code in Sind.

37227. Do the Commissioner's special circulars largely supplant it?—Yes. I am not sure that "supplant" is the word; I would say "supplement."

37228. So that it is hardly necessary to take it into consideration?—I will not go so far as that; it is not negligible, but at the same time it is not so important as it is in the Presidency proper.

37229. With regard to what was said by the last witness as to orders having been issued by the Government of Bombay which have very largely restricted your own discretion, and as a consequence the discretion of your officers in the matter of land grants, what do you say?—I am afraid I do not understand what the last witness was referring to.

37230. Have any such orders been issued to you?—Not that I am aware of.

37231. You say that formerly the Commissioner in Sind had power to appoint Subordinate Judges; can he do so now?—Yes; he has the power by law.

37232. Does he exercise it?—Yes.

37233. But you have no power to appoint Executive Officers?—No, none.

37234. None whatever?—No Executive Officers of the Provincial Service, that is to say, Deputy Collectors.

37235. What is a *mukhtiarkar*?—He is a member of the Subordinate Service.

37236. Are Deputy Collectors the only officers of the Provincial Service?—Of the Revenue Branch. I cannot appoint them.

37237. Which gets the highest pay, the Subordinate Judge or the Deputy Collector?—On an average, the Deputy Collector.

37238. Is he a more important officer?—Yes, I think so, but it is a large question as to whether the administration of justice is more important than the collection of revenue. Naturally I attach more value to the executive work.

37239. Should not an officer who is entitled by law to appoint a Subordinate Judge be entitled also to appoint an Executive Officer of very much the same corresponding position and rank?—I think so; they are parallel branches of the same Service. My real point with regard to the appointment of Deputy Collectors is that, as a matter of fact, I do practically, appoint them; that is to say, they are promoted from men serving in Sind who I know all about and the Government knows nothing about, and my recommendations are accepted as a matter of course, but I have to make the recommendations and it means a great deal of useless correspondence.

37240. You say that while you think the Commissioner in Sind ought to have larger powers, you would very much doubt whether the Commissioner in other places ought to have larger powers?—I do not think the one necessarily follows on the other; but I do not wish to suggest any restriction on the delegation of larger powers to Commissioners elsewhere.

37241. In the recent orders of the Bombay Government, has the Commissioner in Sind been coupled with the other Commissioners in the Bombay Presidency?—There have been several orders recently about delegation of powers.

37242. And they have always coupled the Commissioner in Sind with the other Commissioners?—Yes, incidentally.

37243. Is that a new departure?—I think it is. The whole subject of delegation has been rather prominent recently, and several Resolutions have been issued on the subject. I think it is a new departure, that is to say, that hitherto I do not think there has been much delegation to officers generally, whereas the delegation of powers to the Commissioner in Sind is very old.

37244. Do you fear that this indicates a centralizing tendency on the part of the Bombay Government?—Rather a tendency to a dangerous uniformity in bringing Sind into line with an ordinary division; that is the point.

37245. Into the central net, as it were?—Yes.

37246. You say that the Heads of Departments are apt to encroach upon the independence, or *quasi*-independence, of the Government and the Commissioner in Sind—can you give examples?—There was a case the other day to which Mr. Mules referred with regard to orders issued by the Director of Land Records to officers in Sind; the Department of Agriculture is one which is disposed to encroach considerably, and there is a case with regard to the Education Department, though I do not know that I would call that encroachment.

37247. What have the Agricultural Department done?—The Head of the Department has been lately assuming a considerable amount of jurisdiction in the matter of the Civil Veterinary Department, which has always hitherto been under the direct control of the Commissioner in Sind. We have our own special superintendent in Sind.

37248. What orders have been issued to the Civil Veterinary Department?—Several circulars have been issued to Collectors in Sind by the Director of Agriculture on matters relating to veterinary work. Copies have been sent to me.

37249. Were they sent first to the Collectors, or were they sent simultaneously to you and the Collectors?—They were sent simultaneously.

37250. Were they instructions to do something?—I am not prepared to give the detailed contents. I am bringing the question forward as a purely technical question of procedure. I do not know that there has been any harm done, but as justifying the word "encroachment" my point is that a new procedure is being introduced, and that there is a constant tendency to that sort of thing. If one does not notice these little things at the time, precedents get established, and in that way an outside officer gets authority which he never had before.

37251. It is not so much therefore the contents of the actual circular as the encroachment upon the authority of the Commissioner in Sind over his subordinates?—That is rather my point.

37252. With regard to the Education Department, have they neglected the orders of the Government of Bombay in certain respects?—Yes, that again is a matter of procedure.

37253. They have been told to correspond with the Commissioner in Sind and they have corresponded instead of the Educational Inspector in Sind?—Yes.

37254. So there again the Head of a Department in Bombay, tries to communicate direct with the officer who ought to be subordinate to you?—No, that is not the particular point in this case. In this case, under the orders of 1893, the Director's reports to Government on Sind educational questions were to be submitted through the Commissioner in Sind. Last year the Government enquired why these orders had not been carried out, and the Director of Public Instruction reported, after reference to the records of his office, "It appears that the Government resolution has neither been cancelled nor modified; it cannot be traced how the practice has fallen into abeyance," and thereupon the Governor in Council directed that the procedure prescribed by the Government Resolution of 1893 should in future be strictly observed. My point is that though this second Resolution is dated March, 1907, the Director had not, up to the time my statement was prepared, submitted one single report through my office.

37255. Are there any other Heads of Departments who make similar efforts?—I have not come prepared with any other instances.

37256. Is a great deal of the correspondence in Sind conducted by the office establishments of the Collectors and Sub-Collectors in the vernacular?—Yes; the bulk of it is conducted in the vernacular.

37257. Is that necessary; is it easier and more satisfactory than conducting it in English?—It is to a great extent necessary.

37258. Do the people with whom you have to correspond in the interior like it and appreciate it?—I think so.

37259. And would they find it difficult probably to conduct their correspondence in English?—Yes, but of course that difficulty is getting less and less every day.

37260. (*Mr. Hichens.*) You have been a Commissioner in the Central Provinces and also in the Central Division of the Bombay Presidency as well as in Sind, so that you are in an exceptionally good position to compare the status and powers of Commissioners elsewhere with those of the Commissioner in Sind. Can you outline very generally what in your opinion the main distinction between the status of the Commissioner here and a Commissioner in the rest of the Bombay Presidency, or elsewhere, is?—Speaking generally, the Commissioner in Sind is very much more the Head of the whole administration than he is elsewhere.

37261. Are there any very salient points in which he has wider powers, or does it resolve itself into a large number of details?—I suppose it does resolve itself into details, but the total sum of the details is big.

37262. Taking a matter like education, for example, are your powers as Commissioner in Sind any greater than they were when you were Commissioner of the Central Division of Bombay?—I do not know that they are, except in one respect, which is comparatively small, namely, that I exercise the powers of the Local Government for the purpose of Local Boards.

37263. In regard to Public Works, are they different?—No, beyond the fact that I am President of the Indus River Commission.

37264. Where then particularly have you larger powers?—The general idea and policy of Government is that as far as possible, the Commissioner in Sind should have a strong voice in all departments. I do not say that it is always carried out, but in practice he has a larger voice, speaking generally, than the Commissioner has elsewhere.

37265. The educational inspector told us that in regard to certain educational matters he made a recommendation to the Director of Education in Bombay, then the matter was referred to you, then it went back to him again and on to the Director of Education in Bombay; is that not a cumbrous procedure?—What happens in practice is that a recommendation for a grant is made by the Director to Government (of course on the advice of the inspector) and the Government, on receiving it, forward it to me for my remarks.

37266. Would that class of matter be dealt with more expeditiously if it went direct through you—that is to say, if the inspector of education in Sind submitted it first to you and you transmitted it to the Director?—In some ways it might, but in other ways I am not sure that I do not prefer the present prescribed procedure (if only it was adhered to) because there is always an advantage in having the last word.

37267. Is the Collector responsible for the assessment of the land revenue, which includes a charge for water, and for the collection and the remission of revenue?—Yes. Technically all remissions are sanctioned by me, but the Collector recommends them.

37268. Are they practically always sanctioned?—Yes.

37269. So that in that way the Collector has some considerable power?—Yes, the point being that our land revenue and irrigation revenue is consolidated and collected together, and it is purely a question for the Revenue Department; the Public Works Department have nothing to do with it.

37270. Would it be desirable to give the Collector any further power in regard to the distribution of water?—That is a very difficult question; I am not prepared to say so off-hand. It is mainly a professional matter.

37271. Would the common sense point of view be, assuming a reasonable Executive Engineer and a reasonable Collector, for the Collector to put his case before the Executive Engineer who should do his best to carry it out if it could be carried out?—I think so, certainly.

37272. But if the worst came to the worst it would be always open to the Collector to refer the matter to the Government?—Yes.

37273. But you think technical matters had better be entrusted to the technical officer?—I think so; in a case of urgency one or the other of them would take the responsibility; the Collector would either take upon himself to issue an order, or would insist on the Executive Engineer putting down in black and white that he considered it would be dangerous to do what he had been asked to do.

37274. What power of sanction has a Superintending Engineer?—I cannot say off-hand; I do not think it is very large.

37275. Do you hold any view as to whether his powers should be increased?—No, I am not prepared to give any definite opinion on the subject, except that I am generally in favour of delegation.

37276. Speaking generally would you say that a Superintending Engineer was a man of experience and a man who could be trusted with fairly wide powers of sanction?—Yes. Are you referring specially to irrigation now?

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37277. I would apply my question also to Public Works generally. Would you say that Superintending Engineers could be relied upon to prepare the plans of large works, and that therefore they might be entrusted with considerably wider powers than at present?—Yes.

37278. We were told in Bombay that the functions of District Boards to a large extent in finding the money for carrying out certain things, for example, the larger roads; as a principle it is desirable to run District Boards on those lines, or is it desirable to lay great stress on their executive functions?—As regards roads, that is not the case in Sind; speaking generally, the District Boards do carry out their own works.

37279. But not if the cost is above a certain figure?—It never is, as a matter of fact; we have, practically speaking, no metalled roads in Sind and the Local Boards do carry out all their road works. Of course the theory is generally applicable, but the idea of the limit of cost is that work requiring professional skill is entrusted to the professional department.

37280. Very often work can be done more cheaply and efficiently through the instrumentality of a Government department, but admitting that, is it desirable to avail oneself of that agency, or is it desirable to lay more stress on the necessity for developing the faculties of Local Boards?—It is difficult to generalize, but I quite admit the principle that very often it is quite worth while to let the people do a thing in their own way, and, in order to give them the necessary education, to sacrifice a certain amount of efficiency.

37281. Would you allow Local Boards for example to appoint their own teachers from a list to be supplied by Government?—That might be considered.

37282. Would you allow them to have their own inspectors?—I do not quite see how a dual arrangement would work; it is rather a new idea to me. You do not suggest that the Education Department should withdraw entirely?

37283. No, not entirely; might not a District Local Board, for example, be allowed to appoint its own teachers, inspect its schools, and have substantially less supervision exercised over it by the authorities of the Education Department, from the point of view of educating it up to taking a keen interest in its work?—I am not prepared to give an opinion on the point, but there is a great deal to be said for it. Whether it could be worked in practice I should not like to say offhand.

37284. Might they be given more discretion than they have at present with regard to the curriculum?—I think they have more to say to the curriculum than perhaps has been brought out by the witnesses hitherto; for instance we have a special curriculum in Sind, called the rural standards. There has been a great difference of opinion about it, and it has been laid down that it is to be left entirely to the Local Boards to decide whether they will have these rural standards in their schools, or whether they will have the regular ordinary curricula as in the urban schools.

37285. Can they do more than choose between those two?—No, I do not know that they can, and I do not know that it would be feasible to allow them to wander outside the recognised standards altogether.

37286. (*Mr. Dutt.*) You have pointed out that so far as Act V. of 1868 is concerned it gives a legal sanction to certain extraordinary powers which the Commissioners in Sind as a matter of fact exercised before—is that so?—I understand that to be the case, and I can give you an illustration. In 1859 the Government of Bombay gave to the Commissioner in Sind the powers of a Lieutenant-Governor under an old Municipal Act of 1850. It is very questionable whether the legality of that order from the Government would stand at this day in a Court of Law. That is an instance of the sort of thing I had in my mind.

37287. Is it your point that in certain matters the Commissioner in Sind has practically had those powers from the beginning, and that Act V. of 1868 has only legalized some of them?—Yes.

37288. Was that owing to the special circumstances of this province?—Yes.

37289. Those circumstances do not exist and never did exist in the other divisions of the Bombay Presidency?—No.

37290. Therefore does it not follow that in those other provinces the extension of Act V. of 1868 was not absolutely necessary, and you would draw a distinction between two cases?—Certainly.

37291. In Sind do you consider that all departments, other than Imperial Departments, should work in subordination to the Commissioner?—Yes, that is the general idea so far as practicable.

37292. Would you include in that the Education, Excise, and Public Works Departments?—The Excise Department is entirely under the Commissioner.

37293. Would you include the Public Works and Education Departments?—Yes.

37294. Would you lay down that the Commissioner in Sind should be consulted before any policy was introduced in Sind with regard to education?—Yes; it is done now before any large policy is introduced—at least I should protest if orders were issued introducing a large policy into Sind of which I had heard nothing.

37295. There is a difference between Sind and other divisions in that respect; in other divisions the Commissioners generally concern themselves more with the revenue administration?—Yes, but not exclusively.

37296. Have they the same control, or should they have the same control, over the educational and Public Works policy of their divisions as the Commissioner in Sind has, or ought to have?—No; I would not put them on the same footing.

37297. You suggest that Commissioners might meet at Poona and form a Board to dispose of large questions in consultation with each other. Would that be mainly with regard to revenue matters?—Yes, mainly with regard to revenue matters: a few years ago I should have said in regard to police as well, but the police is past praying for now.

37298. You would not give the Commissioners any large voice in police administration even if they were joined together as a Board?—I would give them an absolute voice if I had my way. I have always considered that the police should be directly under the Commissioners, and strongly urged this view before the Police Commission. But now that has been finally over-ruled, and a system on diametrically opposite lines introduced, I suppose that the question is no longer open to discussion.

37299. Do Assistant Collectors and Deputy Collectors who are in charge of sub-divisions have to tour about seven months in the year and live at headquarters the other five months?—Seven months is the minimum for touring required by rule. According to my own experience in the Bombay Presidency, eight months is about the ordinary period of touring for an Assistant Collector; in Sind, on the other hand, I understand that the Assistant Collectors are pretty well always on tour, that is to say, they are never for very long continuously at headquarters without having to go out for some purpose or other.

37300. So that would you say a Sub-Divisional officer in Sind is more in touch with the people of his sub-division than he is in other sub-divisions of the Presidency?—I am inclined to think so, but I would not say so in a very marked degree.

37301. From your experience in other divisions, generally speaking, would you say that a Sub-Divisional Officer in Sind is more in touch with the people?—That is rather the impression I have derived since I came to Sind, but I should not like to assert it very strongly.

37302. Are people who want to bring their cases before the Sub-Divisional Officer put to hardship because they have to follow him from place to place when he is on tour?—I have not found that amount to anything very serious in my experience; I know it is often said.

37303. Do you generally agree with the opinion of the educational inspector that the Commissioner ought to have a controlling voice over all financial questions in regard to education in his own province?—Yes.

37304. Would you limit that control mainly to that point, leaving technical questions as to curriculum and so on to the Education Department?—What I should like to see as the ideal arrangement would be that the inspector in Sind should always be a specially selected officer, and that, with his assistance, the Commissioner in Sind should control the entire Educational Department of the province.

37305. What then should be your relations with the Director of Public Instruction in Bombay?—I think we should have no relations at all, except that we should avail ourselves of his advice on any very big or very technical question.

37306. Should he lay down general lines of policy for the Presidency, leaving you to adopt them as far as possible?—Yes, that would be the line I would suggest—so far as they might appear suited to Sind.

37307. You said that you had the power of appointing Sub-Judges in this province; would they be men on Rs. 150?—Yes, beginning at Rs. 150.

37308. Are they considered to belong to the Provincial Service?—Yes.

37309. Their pay goes up to a high figure?—Rs. 800 is the pay of the highest grade.

37310. In the other Provincial Services are men at that rate of pay appointed by the Government or are they appointed by the Commissioner in Sind?—I cannot tell you how they are all appointed; none of them are appointed by me, but my point about Deputy Collectors is that they are, like the Sub-Judges, on a separate Sind list—an entirely distinct list from the Deputy Collectors in the Presidency—whereas probably the other Services you refer to are part of a general Provincial Service for the Presidency.

37311. Are not Deputy Collectors in Sind liable to transfer to other parts of the Presidency?—Not ordinarily. There has been one case of an exchange between Sind and the Presidency, and that exchange the Government of India said ought never to have been made.

37312. Have rules been laid down that Sind officers of the rank of Deputy Collectors should always remain in Sind?—It is undoubtedly the practice, and almost the invariable practice, and I understand it is the rule.

37313. Do you not get Deputy Collectors from the other divisions into Sind?—There has been one case, and one only, so far as I am aware.

37314. You have told us that *mukhtiarkars* are generally chosen from the ranks of the Ministerial Service and after some experience in the Ministerial Service they are appointed by you—is that the general rule?—Yes; we never make a direct appointment of a *mukhtiarkar*.

37315. In your opinion would it be desirable to make some direct appointments so that they should not have to go through a training as Ministerial Officers which is not altogether desirable?—I do not agree that the training is not desirable. A certain amount of training is necessary. The appointment of a *mukhtiarkar* is too important and too responsible to put a raw man into it without some sort of preliminary training, but I am quite in favour of getting good candidates, well educated and well born if possible, and we attach considerable importance to that in Sind; if we can get, say, a Muhammadan of good family and good education I am quite prepared to give him his ministerial service simply and solely for the purpose of training him as a *mukhtiarkar*, and putting him in as *mukhtiarkar* on the first opportunity. He would have to pass his departmental examinations and go through a certain period of training, and then I am always ready to put him in at once.

37316. We were told that some of these men when they entered the Ministerial Service were likely to contract habits of corruption, but that when they got to the higher Service they gradually got rid of those habits; if that be so, is it altogether desirable that men in their earlier career should have to go through such demoralising experiences?—I am not quite sure that I can admit your premises.

37317. Is it not possible that some of the men who may afterwards rise to be as *mukhtiarkars* may have gone through that demoralizing process and have contracted corrupt habits?—It is quite possible.

37318. If it was possible, would you appoint at least a certain number of men of good education and good families either on probation or for a definite period with the distinct idea that they should be appointed as *mukhtiarkars* as soon as they were qualified?—Yes. There are not enough appointments, of course, for all our educated men, but our rules for graduates are very liberal; as it is, a graduate is given many advantages in the way of getting through his examinations early, and once he has passed his higher standard examination if he is found fit for anything at all he is pushed up at once.

37319. (*Sir Frederic Lely.*) I understand that you claim that Sind is on a special footing and is different from the Presidency proper, partly because of its remoteness, and also because of its peculiarities and customs as to land tenure and race, and so on. With reference to other divisions in the Bombay Presidency, would you not say that those reasons also apply in kind, though not in degree, and involve some separate treatment for them?—Yes, in kind.

37320. For instance, Gujarat, has special customs and institutions of its own which entitles it to distinct, if not separate, treatment?—Yes.

37321. And that is an argument in favour of giving a Commissioner certain definite and enlarged powers?—Yes.

37322. Is it within your memory that Gujarat was improperly treated on more than one occasion because there was no one in the Secretariat who understood anything about it?—Yes, I think it is so. I have no very definite recollection, but as the question is suggested to me, I have a vague impression of something of the sort.

37323. In general words, would you say that each division of the Presidency should be treated on its own footing, and that the Commissioner should be the voice of it?—Yes, it being understood that I am not putting them on a footing with Sind.

37324. With reference to the imposition of the Bombay Revenue Law upon Sind, you say that is largely supplemented by the Commissioner's own rules, and that has mitigated the incongruous effect of the Land Revenue Code. In the early days would you not say that it was a great drawback to the Government of the country from Bombay that it involved imposing a law which was made for a peasant proprietary upon a province of great landholders?—Yes, but I do not describe Sind without qualification as a province of great landholders, though it differs materially from the Presidency proper.

37325. But in so far as the land law was unsuited to it to some extent the Government of the province was dislocated?—I am not prepared to say that.

37326. At any rate the law applied was unsuitable?—Yes, it was not strictly applicable in all its details at all events.

37327. And in fact the great landholder was treated as peasant proprietors?—Yes.

37328. (*Sir Steyning Edgerley.*) Was not the unsuitable point in the Bombay Land Revenue Code that under it you levy revenue on all land in occupation?—Yes.

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37329. And also a section was put into the Land Revenue Code to legalize and facilitate the matter of temporary settlements in Sind?—I will take it from you.

37330. So far as the powers and duties of the Commissioners and Collectors and Assistant Collectors and *mukhtiarkars* were concerned, there was not very much in the Land Revenue Code which created difficulty?—No.

37331. The Land Revenue Code was not of course passed with any reference to Sind, but was applied under the Scheduled District Act?—Yes; the first application of the Bombay Revenue law to Sind was Bombay Act I. of 1865, which was specially extended to Sind under Bombay Act I. of 1866.

37332. I may take it that the essence of your evidence is a fear lest the position of the Commissioner in Sind should be deteriorated by anything that may be done in the direction of decentralization?—Yes.

37333. As regards the encroachments of other departments in Sind which you have mentioned, have you ever had any reason to feel that when you took the matter up you were not supported by the Bombay Government?—Yes, I think I have.

37334. Can you give any illustration of that?—There was a case in connection with the Agricultural Department as regards the development of Egyptian cotton cultivation in Sind, which was largely dealt with for a long time by a Government in direct communication with the Director of Agriculture behind the back of the Commissioner entirely.

37335. The introduction of a special crop like Egyptian cotton might form an exception to a general rule?—Yes, but I thought I had grounds for protesting in that case and pointing out that it was a matter in which the Commissioner in Sind might have had something to say.

37336. Have you any other illustration you can give?—No, that is the only one I can think of at present. Generally speaking, I would admit if one points out the whole thing to Government one is supported, but at the same time my complaint is that there is all the trouble of having to go through the process.

37337. You suggest that some of the individual Members of Council and Secretaries may have put in a more or less extended period of service in the province in the more or less distant past, but does that give quite a fair impression? Since 1890, have not the Revenue Members of Council in the majority of cases come direct from Sind?—Yes, some of them.

37338. But at the same time your point is, that allowances should be made for special circumstances?—Yes.

37339. With regard to Act V. of 1868, have you had a search of records made for the purposes of your evidence?—Yes.

37340. Is there anything on record showing any complaints as to its operation?—No, nothing at all.

37341. Which do you consider the leading newspaper in Sind?—The Sind Gazette.*

37342. Will you put in an extract from an article which appeared in that paper on Friday, the 13th March, so far as it relates to the operation of Act V. of 1868 for our use?—Yes, certainly.*

37343. Would it be of any advantage to you if the Act gave authority to delegate powers to Collectors and Heads of districts?—Possibly, it might be of use.

37344. Do you consider that an Act of that character could work in the Presidency and other parts of India?—I am not prepared to say it would not work.

37345. Do you think it desirable, or not desirable, that it should be attempted?—I am inclined to doubt whether an Act of that sort is desirable for general purposes. My view of the Act is that its object is to meet exceptional circumstances. The whole nature of the Act is to create exceptions to a general rule, and that being so, I feel rather doubtful whether it is desirable to turn the exception into the rule.

37346. It is not an infrequent process on the part of the Government of India to legislate by notification?—No.

37347. And it has the merit of simplicity and saving of time, if powers have to be passed on?—Yes.

37348. But against that you have to set the argument of the possibility of making exceptions?—Yes.

37349. Is it not the policy of the Bombay Government to make the Commissioner practically the Head of the whole administration in Sind?—Yes, so I understand.

37350. We have heard that he has no power in connection with the Educational Department; do you agree with that?—As regards formal powers I think it is the case, but if you mean as regards influence, the Commissioner has a certain amount of influence.

37351. In the Education Department the powers are not reduced to rules anywhere?—There are powers of financial sanction and various other powers of sanction.

37352. But those are powers under Codes which apply to all departments?—Yes.

37353. Have not the Bombay Government practically said that they will not receive anything referring to the Education Department except through the Commissioner in Sind?—Yes, that is so.

37354. Would you not say with regard to any department that if the Commissioner chose to interfere he would be fully supported?—Yes, that

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Extract from Sind Gazette, 13th March, 1908:—

* "It is, however, not improbable that the Commission will discover that Sind has escaped the centralizing tendency of the age more successfully than any part of India, except the non-regulation districts. Many years ago the Bombay Government realized that owing to its geographical position and its dissimilarity from the Presidency proper, Sind must receive special treatment and that the Commissioner in Sind must be given a much freer hand than they were prepared to allow to the ordinary Commissioners of Divisions. A short Act was passed enabling the Governor of Bombay in Council to delegate to the Commissioner in Sind certain of the powers of a Local Government, and full advantage has been taken of this Act. It would be tedious to enumerate the laws under which the Commissioner has been given these extended powers since 1868. Suffice it to say, that the delegation of authority has resulted in an immense saving of time and labour, in the avoidance of much possible friction and of many inevitable mistakes, and so far as can be seen has been attended with no disadvantages or inconveniences whatever. On the contrary, the system approaches more nearly to the ideal than is the case anywhere else in India. The area of administration is comparatively so small that an energetic Commissioner can see it all in a couple of years. The number of districts is so few that he can keep in the closest touch with the District Officers, who are of course the real rulers. And having seen his Division and made himself acquainted with its needs, the Commissioner-in-Sind has not to report to a far away Board of Revenue or a distant Secretariat. He has not even to convey his impressions to a Chief Commissioner. In many matters, and those by no means the least important, he can frame his policy and pass the orders himself. Administration on these lines gains infinitely more in sympathy, insight and promptitude of action than it loses in 'uniformity' and 'breadth of view,' which are supposed to be the cardinal and peculiar virtues of a centralized system; and we cannot help believing that it would be a sound policy and a real step towards decentralization if all Commissioners of Divisions were given the same powers as have been delegated to the Commissioner-in-Sind."

is to say he would not be told that it was no business of his, though he might not always get his way.

37355. But is not the policy exactly the opposite—the Bombay Government wish him to stand out as the Head of every Department?—Yes, it has been so stated.

37356. You think that the system of daily travelling allowance is liable to considerable abuse?—Yes.

37357. Would you say it is liable to more abuse than the system of permanent travelling allowance?—Yes, decidedly in my experience.

37358. Is control over an officer's movements easier under the permanent travelling allowance?—Yes.

37359. When an officer has signed and sent in a daily travelling allowance bill claiming money, does not criticism become a little bit difficult, without making some imputation upon his character?—Quite so, that has been my experience.

37360. Whereas it is very much simpler to be able to say: "Your diary shows that you are not moving fast enough and you had better hurry up"?—Yes.

37361. (*Mr. Meyer.*) In the matter of travelling allowance you state that fixed travelling allowance was abused in a certain province by Commissioners. Without mentioning names, can you tell me how it was abused?—I know as a fact of a case, many years ago, of a Commissioner of a division who drew a fixed permanent travelling allowance of Rs. 250 a month and habitually travelled second class on public duty. Then I have known of other cases of Commissioners who neglected travelling.

37362. Who simply sat down and drew their travelling allowance without travelling at all?—Yes.

37363. Under the fixed travelling allowance system, the Commissioner would require to check the movements of his Collectors, to see that they were going about the districts properly, and it might also be necessary for the Government to be informed of the movements of the Commissioner?—Yes.

37364. The Commissioner does not now make any report as to his travelling to Government?—No.

37365. Supposing a fixed travelling allowance was in general application throughout, would you have a Commissioner send his particulars as to travelling to Government?—No, I would not.

37366. You would leave it to his honour?—Quite so; I think Commissioners should be trusted.

37367. And if you found a case of abuse such as you have mentioned, would you take serious notice of it?—Yes, undoubtedly, but the Commissioner should be addressed privately in the first instance.

37368. You said that the Bombay Government had directed that any communication to them from the Education Department should pass through the Commissioner, but I gather that the Bombay Government having said that, promptly forgot all about it and received communications direct?—That is so.

37369. And there might possibly be a similar lapse of memory again?—Quite so.

37370. In regard to Act V. of 1868, and its general application, that Act merely legalized, what was practically the condition of things in Sind?—I think that was largely the case.

37371. Whereas if you applied it to some other division, whether in Bombay or out of Bombay, you would be making an entirely new departure?—Yes.

37372. How would non-official opinion, rightly or wrongly, regard that?—It would certainly be criticized, and no doubt, adversely criticized.

37373. Is practically all the cultivation here carried on under irrigation?—Yes.

37374. And you fix the rates according to the character of the crop, so much per acre on sugar cane, so much on rice, and so on?—Yes. That is done at the settlement.

37375. Then you have a peculiar system of making allowances for fallows?—Yes.

37376. So that practically a man is charged on the amount he actually cultivates from year to year?—Yes.

37377. The Irrigation Officers have nothing to do with the assessment?—I will not say they have nothing to do with it; they do not settle it, but they have an opportunity of criticizing the settlement report before it is sanctioned; they have no deciding voice.

37378. When once the settlement is made, is all they are responsible for the conveying of water to the fields? They do not collect the assessment or anything of that sort?—No.

37379. Over and above that you have this *malkano*, that is a lump sum paid down at the beginning for the good will?—Yes, it is what in the Bombay Land Revenue Code is called the price of the occupancy right.

37380. Is that fixed usually by auction?—No, not in Sind.

37381. How is it fixed in Bombay proper?—By auction.

37382. Assuming there is more than one applicant?—Yes.

37383. Supposing there is only one applicant what then?—In that case the usual practice is, when an application is put in for a particular survey number, to put the land up to auction, and if there is no competition, the applicant gets it for nothing; there is no upset price.

37384. And if there is an auction, it may be bid for to any extent?—Yes.

37385. How do you apply that method in Sind?—We do not apply it at all; we have no auction at all and no competitive prices; the Collector has to fix the amount of the *malkano*.

37386. Are there certain general principles?—The circular says this: "*Malkano* should for practical purposes be taken to be that amount which any cultivator of reasonable intelligence, means and prudence, is willing and able to give for waste land which he desires to occupy and cultivate at a profit after payment of assessment (1) without incurring debt (2) after leaving in his hands sufficient capital to cover all the expenditure necessary for the irrigation and cultivation of the land and risk of failure of crops."

37387. Is there any rough and ready rule that the amount shall not exceed so many years assessment or anything of that sort?—In practice it does not exceed three times the assessment, and generally it is from 2 to 1½ times the assessment.

37388. When you speak of the Collector, do you mean the District Collector, or is the power delegated to the Sub-Divisional Officer?—The power to fix *malkano* is hardly ever delegated.

37389. Supposing there are two or more applicants for the same piece of land, would it be decided by auction as in the Presidency proper?—There is a provision that auction may be resorted to, but in practice it is never done. In practice where there is more than one applicant, it is decided by choice as to which is considered for various reasons to be the better candidate, either as having a better claim, or being a better class man, or on considerations of the right of frontage.

37390. Mr. Mules told us that in the matter of *malkano* the power of the local officers here, from the Commissioner downwards, has been reduced by orders of the Bombay Government; what did the Bombay Government do exactly?—In practice, I do not think there has been any lowering of powers. What actually occurred was this. In 1899 it came to the notice of the Government of Bombay that a grant of 300 acres of land, free of

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malkano, had been made,—not by the Commissioner in Sind but by one of his Collectors,—to the family of a *mukhtiarkar* who had been murdered in the execution of his duty. The abstract propriety of the particular grant was not criticized but the question raised was as to the desirability of Collectors being empowered to make such grants without the Commissioner's sanction. On this Government issued very stringent orders, seriously curtailing the powers of both Commissioner and Collectors, which, if literally carried out, would undoubtedly have had the effect, as was reported at the time by Mr. Mules, then Collector of Shikarpur, of "revolutionizing the whole system of land grants in Sind." These orders were based on a minute of the Hon'ble Sir Evan James, the then permanent Commissioner in Sind, while temporarily acting as Revenue Member of Council. On his return to Sind his attention was called to them; and, while accepting personal responsibility for what he characterized as "the looseness of the wording," he recorded certain amendments which he would have suggested to his colleagues had he seen the Resolution in print before issue. In regard to the order requiring the Commissioner in Sind to report to Government *for confirmation* every concession sanctioned by him in the nature of a reward for good service, he explained that the word "confirmation" was a misprint for "information." And, in respect of the order requiring the Commissioner's sanction to any sale of land exceeding 100 acres "for a sum materially below the price which would be obtainable *if the land were put up to auction*," he admitted that "the reference to auction was very unhappy." There is of course nothing in common between the Sind idea of *malkano* and a competition auction price. Government being at the time much occupied with plague and famine, Sir Evan James decided not to trouble them with an immediate reference, but took the responsibility (subsequently approved) of practically suspending the operation of these orders. In 1901 Mr. Giles, his successor, submitted the whole case to Government, with the result that they cancelled the orders of 1899 and substituted a simple order that any grant of land as a reward for good service must be sanctioned by the Commissioner, who should report, for the *information* of Government, in any such cases exceeding 100 acres. For the rest Government accepted the proposal of the Commissioner that he should himself issue a rule requiring his sanction to all grants in excess of 100 acres "for an amount materially below what the Collector considers to be an equitable price for it, after deducting a reasonable sum for the expenses of bringing it under cultivation." Thus the orders of 1899 were in fact never brought into force, and two years later were formally cancelled. The only restrictions which have actually been imposed are those introduced by the Resolution of 1901. They are now reproduced as Rules 21 and 22 in Special Circular No. 45. I understand that Mr. Mules objects, as he always has objected, to even these modified restrictions. In this I do not support him. I also gather that, when giving his evidence he was unaware, or oblivious, of the fact of the orders of 1899 having been modified by those of 1901. There is, moreover nothing in these orders which in any way affects the Collector's power of delegation to his subordinates. I am not aware of any orders either of Government or of the Commissioner in Sind which have the effect of hampering Collectors in this connection. Special Circular No. 870 of 1905 impresses on Collectors the desirability of giving larger powers in connection with the disposal of land to both Assistant Collectors and *mukhtiarkars*. References may doubtless be found scattered through many standing orders to the importance of exercising discrimination between experienced and raw assistants. But it is left entirely to the Collector to decide how far each of his Assistants is to be trusted; and I think it is universally recognized that the policy is to encourage delegation to them rather than the reverse.

37391. You post your own Assistant Collectors and Deputy Collectors?—Yes.

37392. Are they simply posted to Sind, and then do you dispose of them as you please?—Yes.

37393. Have you also considerable powers with regard to investing officers with magisterial functions under the Criminal Procedure Code?—Yes, I have practically absolute powers in that respect.

37394. Do those powers include making a man an ordinary Magistrate of the third class, the second class, and the first class?—Yes.

37395. You have all that power as well as the power of allowing them to take evidence in English and so on?—Yes; the only restriction to which it is subject is that I am expected to consult the Judicial Commissioner in each case. That of course does not apply to first appointments. I am not empowered to direct evidence to be taken in English; but in practice there is no occasion for such powers, as the record is invariably in Sindi, the language of the Courts.

37396. In regard to the posting of officers and the investment of magisterial powers, might not authority be given to ordinary Commissioners?—I think so.

37397. Would you be in favour of the Commissioner in Sind having a Public Works budget of his own?—It has been suggested that the provincial Public Works budget might be split up among divisions, with a certain amount kept at headquarters as a reserve, that a certain amount should be allotted to each Divisional Commissioner and against that he should have powers of financial sanction?—I should approve of that.

37398. Both in Sind and in divisions generally?—I think so.

37399. You say that Commissioners might be transferred into a Board of Revenue, and that you would have them meet as a Collective Board in important matters, but at the same time dealing with matters territorially. Mr. Curtis in Bombay went further than that and proposed the Madras system, under which each member dealt with particular subjects, and he said on the whole the system of subject members made more for efficiency—would you agree with him?—No, I should not.

37400. Would you prefer the territorial system?—Yes, as far as the Bombay Presidency is concerned.

37401. Would the Commissioner of Opium, Customs and Salt come into your scheme?—No, I think not; he would have to be outside it altogether.

37402. You say that the Commissioner in Sind hardly ever goes to Bombay; would it not be a good thing if it was recognized that he should go there once a year and meet the members of Government?—It is rather difficult to spare the time; it is a very long journey to Bombay.

37403. Might you not be able to explain things personally which might not be so well dealt with by letter?—There would be advantages in it, but, at the same time there are certain practical difficulties in the way.

37404. Might not the Governor and Members of Council come to Sind oftener?—Possibly.

37405. How often does the Governor come to Sind during his term of office as a rule?—I imagine, on an average, about twice during his five years of office.

37406. (*Chairman.*) Appeals stop at a certain point and then revision begins; what is the difference between the two?—The main difference is that an appeal is a thing which a man has a right to make, and a revision is a thing which he has no right to ask for.

37407. Is a revision generally asked for after an appeal has been dismissed?—After it has been dismissed by the lower appellate authority. The law lays down certain limits beyond which no man shall have a right to appeal, but at the same time there is a wide section, which possibly is necessary, reserving to Government an absolute right of interference where they may deem it necessary.

37408. The Local Government or the Supreme Government?—I am thinking particularly of the Bombay Land Revenue Code, which is purely a local Act, but I presume that the Government of India would similarly claim a right of interference

in the last resort in any case, for sufficient reason. It occasionally happens that a man who has no right to appeal, nevertheless sends up a petition to Government complaining of action against which no appeal lies, and Government interferes. The case to which I have referred came down from the Secretariat with the ordinary Secretariat endorsement. It was described as an appeal and was sent down for report; at the same time the petitioner was informed, in effect, that his appeal had been admitted, and eventually, after a long correspondence it was dismissed. It seems a fair presumption in a case of that sort, especially where the word appeal was used by the Secretariat, that an appeal had been irregularly admitted.

37409. Supposing you had pointed out to the Secretariat that no appeal could lie?—As a matter of fact, I did. I was informed that it was unnecessary to remind the Government of the fact.

37410. Who said that; the Secretary of the Department?—Yes, under orders of the Government, of course.

37411. But perhaps not under orders of the Government?—I am bound to assume that all these things are done under orders of the Government.

37412. So that the practice of revision has been allowed to override the law of appeal?—There is a tendency that way; I do not wish to say more than that.

37413. You say that there is great danger of selection being improperly resorted to; would you say that the same danger would exist if it were a case of selecting for the post of Collector?—Yes.

37414. Speaking generally, are you against any process of selection of officers?—Yes, for regular promotion.

37415. Should they all go on by seniority except in the case of certain special posts?—Yes, but subject to a very strict standard of fitness.

37416. Does not that practically amount to selection?—I do not think it does, because my point is that the next man on the list should be considered in his turn, and if he is rejected then the one below him should be considered.

37417. Then it would not be the selection of the fittest, but the rejection of the unfit?—Yes.

37418. You say that the Financial Department regards Assistant and Deputy Collectors as part of the Collector's office establishment, what does that mean? Do you refer to the Financial Department of the Government of Bombay?—No, I was referring to the Financial Code of the Government of India. By way of illustration of that—An Assistant Conservator of Forests who is placed in charge of a brother officer's division in addition to his own is allowed a charge allowance for holding it, but an Assistant Collector who is placed in charge of a neighbouring sub-division in addition to his own, is not allowed a charge allowance, because the theory is that he and the other Assistant Collector are merely members of the Collector's office establishment in the same way as if they were clerks.

37419. With regard to the conferences of Commissioners a witness told us that they were practically useless, and you yourself rather suggested that it was more or less time wasted?—I did not wish to suggest that. A great deal of their value is very often lost by their being hurried; but I do not think the time is wasted, and I would like to see more of them.

37420. You think there is not enough time devoted to them?—Quite so.

37421. And even if it was inconvenient for Commissioners to go to Poona, for the purpose of holding a conference, yet you think good work is done at them?—Certainly.

37422. Can you without much trouble put in a list of the delegations to the Commissioner in Sind under the Act?—Yes.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I.—Memorandum showing the organization of the Government of Bombay, filed by the Honourable Mr. Lamb, Chief Secretary.

II.—Statement of the views of the Government of Bombay on the subject of Decentralization.

III.—Memorandum showing the organization of the Local Government in Sind, filed by Mr. Younghusband, Commissioner in Sind.

IV.—Memorandum on the Karachi Port Trust, filed by Mr. Mules, Chairman of the Trust.

APPENDIX I.

Memorandum showing the Organization of the Government of Bombay.

The Government of Bombay consists of the Governor as President, and two ordinary Members selected from the Covenanted Civil Service. The Governor in Council is assisted in the discharge of his duties by seven Secretaries, who are in charge of the following Departments :—

(1) Chief Secretary ...	Revenue, Financial and Separate Departments.
(2) Secretary	Political, Judicial and Special Departments.
(3) Secretary	Legal Department.
(4) Secretary	General, Educational, Marine and Ecclesiastical Departments.
(5) Secretary	Public Works Department (Roads and Buildings).
(6) Joint Secretary ...	Public Works Department (Irrigation).
(7) Temporary Secretary	Public Works Department for the conduct of Railway business.

The Secretary, Legal Department, is also Remembrancer of Legal Affairs and the two Public Works Secretaries have also administrative duties as Chief Engineers. There is an Under-Secretary in each of the Departments Nos. 1, 2 and 5.

2. The business of the different departments is distributed between the members of the Government in the manner found most convenient from time to time. The Governor disposes of the business of the Political, Public Works, Marine and Ecclesiastical Departments, and the Medical and Police work of the General and Judicial Departments respectively. The work of the Judicial Department, exclusive of Police, of the Legal Department (excepting suit papers connected with the Revenue Department) and that of the General Department, which covers many subjects, the most important being Educational and Municipal, is allotted to the Member of the Board ordinarily entitled the Judicial Member; whilst Revenue, Financial and Railway affairs are dealt with by the Revenue Member. Cases of a routine nature are disposed of by the Secretaries or Under-Secretaries in the different departments, and copies of the orders issued by them are submitted every week to the Member in charge. Other cases of minor importance are finally disposed of by the Member in charge of the department; on those of greater importance and on cases involving new recurring Provincial charges in excess of Rs. 300 per annum, the opinion of a second Member is sought; should there be a difference of opinion, the matter is settled in accordance with the vote of the majority either as recorded by the different members or after discussion at a meeting of the Executive Council. The Governor may direct, and a Member may request, that any paper should be brought before Council. All important communications to and from the Secretary of State and the Government of India and various other papers are submitted to His Excellency the Governor.

3. The Governor's Council, when sitting for the purpose of making Laws and Regulations, includes, in addition to the Members of the Executive Government, the Advocate-General and 20 other persons nominated by the Governor. Eight of these Additional Members are nominated on the recommendation of certain local bodies and associations.

4. The revenue administration of the Presidency proper is carried on by the following officers :— 3 Divisional Commissioners, the Commissioner of Customs, Salt, Opium and Abkári, 21 Collectors (including the Collector of Bombay and the Collector of Salt Revenue), the Settlement Commissioner and Director, Land Records, and the Director of Agriculture and Co-operative Credit Societies. The number of First and Second Assistant Collectors is fixed at 17 and 18, respectively, and there are 51 Supernumerary Assistants, but of these some are employed in the Judicial Branch or in Sind. All these officers are members of the Covenanted Civil Service, with the exception of 6 who belong to the old Statutory Service. On the retirement of these Statutory Civilians the appointments specified below* will be transferred to members of the Bombay Provincial Service. There are in addition 54 Deputy Collectors (including the Assistants to the Divisional Commissioners, and the Directors of Land Records and Agriculture, three City Magistrates and the Deputy Collector of Income Tax, Bombay City). They are divided into six grades and are, with the exception of the officers above mentioned, generally in charge of district treasuries or of sub-divisions of districts. Over each *taluka* there is an officer termed *mamlatdar*. The *mamlatdars*, whose total number is 196, are divided into four grades, on salaries rising from Rs. 150 to Rs. 250 per mensem. They are responsible for the treasury business and for the revenue and general administration of their *talukas*. They are also members of the Local Boards and the municipalities within their local limits, and are Magistrates of the 1st or 2nd Class. In the village the principal Government officers are the headman, usually one or more in each village, who is the head of the village for revenue and police purposes; the accountant, either hereditary, usually one for a village, or stipendiary, usually, one for a group of villages, the *mahar*, who is the menial servant of the village and the village watchman. The offices and emoluments of the headman and inferior village servants are in most cases hereditary.

5. In Sind, under the Commissioner, the administration is carried on by four Collectors and two Deputy Commissioners and 19 Covenanted Assistant Collectors borne on the general list. One of the Collectors belongs to the old Sind Commission and three to the Covenanted Civil Service; one of the Deputy Commissioners is a Covenanted Civilian and one belongs to the old Sind Commission, the appointments on which are being gradually absorbed into the general list. There are also 23 Deputy Collectors, 74 *mukhtiarkars* (*mamlatdars*) and a staff of village officers called *tappadars*, whose duties correspond to those of stipendiary village accountants, headmen and *pagis* (inferior village servants).

6. In Sind the Commissioner exercises many of the powers of the Local Government. In the Presidency proper the Divisional Commissioners are entrusted with the superintendence and control of the revenue administration and a general supervision of the other branches. They reside in their respective divisions and are constantly on tour during the fair season, for purposes of inspection. Appeals from the Collectors' decisions lie to them, and they are ordinarily the channel of communication between them and the Government. It is their duty to guide and direct the Collectors and to supply Government with information and advice.

7. There are 19 districts in the Presidency proper (exclusive of the Town and Island of Bombay) and 6 in Sind. The duties of superintending the realization of the land revenue, of recovering the excise and other special revenues, and of supervising the stamp revenue devolve in each district upon the Collector as executive Head of the district. He is also the District Registrar, Visitor of the District Jail, President of the District Local Board and in some Districts Political Agent for the adjoining Native States and President of the municipality at the headquarters of the district. He has important duties to perform in connection with the Land Acquisition Act (I of 1894); he is the Head of the forest administration in his district and he is required to take part in all matters of executive administration.

The Executive District Officers are, in addition to their revenue and general duties, invested with

* Two posts of Collectors and District Magistrates. Four Posts of Assistant Collectors.

magisterial powers. The Collector, as District Magistrate, controls the magistrates of all classes within the limits of his executive charge. The Court of the District Magistrate is also a Court of Appeal from the sentences of Magistrates of the Second or Third Class within the district. The District Magistrate is also the local Head of the police.

8. The other Heads of Departments are specified below with a brief note on the powers and duties of each.

The Commissioner of Customs, Salt, Opium and A'bkári is the Head of the Customs, Salt, Opium and A'bkári Departments in the Presidency proper. In Sind the four departments are under the Commissioner in Sind.

The Collector of Customs, now a member of the Imperial Customs Service, is in immediate charge of the customs administration of the Port of Bombay. He has under him six Assistant Collectors, two of whom, including the Covenanted Civilian Assistant, belong to the Imperial Customs Service.

The Chief Collector of Customs in Sind, with two Assistant Collectors, is in charge of the customs administration of the ports in the province of Sind.

The Collector of Salt Revenue is in charge of the Salt Department in the Presidency proper and of the customs administration of all ports except Bombay and those in Sind. He has under him ten Assistant Collectors together with a large staff of inspectors, *sarkarkuns* and minor officials.

The Assistant Commissioner of Excise, Salt and Opium in Sind is in charge of these departments in Sind. He has under him a staff of inspectors and minor officials.

The administration of the A'bkári and Opium Departments is vested in the Collectors of the district through their ordinary revenue and police establishments, assisted by a staff of Assistant Collectors of Excise and inspectors and sub-inspectors.

The Settlement Commissioner and Director of Land Records is in charge of the conduct of surveys, compilation and maintenance of Land Records, imposition of assessment, and in particular the preparation of the register of title or record-of-rights in land. He is also *Inspector-General of Registration* and as such has the control of registration operations under Act III. of 1877 and the Deccan Agriculturists' Relief Act, 1879, throughout the Presidency including Sind. For the purposes of registration the Presidency is divided into districts and sub-districts, which correspond in the main to the revenue collectorates and *talukas*. The Collector is Registrar of the district, and in matters affecting registration takes his orders from the Inspector-General of Registration.

The Director of Agriculture.—This officer directs the operations of the Agricultural Department in conducting experiments at agricultural stations, giving advice, disseminating information, and supplying seed for new crops. He has under him two Deputies, and he also controls the Agricultural College, which has a staff of one principal and professor of chemistry, one professor of agriculture, one economic botanist and three assistant professors. The Director of Agriculture is also the *Director of Co-operative Credit Societies*, of which a registrar is in direct charge, and the Controlling Officer of the Civil Veterinary Department, which is under the immediate supervision of the Superintendent, Civil Veterinary Department.

Conservator of Forests.—For the purposes of forest administration, the Presidency has been divided into four forest circles, three of which in the Presidency proper are in charge of Conservators and one in Sind of a Deputy Conservator. The imperial forest staff, in addition to the three Conservators, consists of 24 Deputy and Assistant Conservators and the provincial Forest Service comprises two Extra Deputy Conservators and 21 Extra Assistant Conservators. Except in technical and account matters the Conservators are subordinate to the Commissioners and the Divisional Forest Officers to the Collectors.

The Surgeon-General with the Government of Bombay is the Head of the Medical and Sanitary Departments. Under him are the Sanitary Commissioner, the Civil Surgeons of the different districts and the Presidency Surgeons and Medical Officers of the hospitals in the Presidency Town and the Health Officers of the Ports of Bombay, Karachi and Aden. The Surgeon-General is also President of the Sanitary Board, whose duties are to give advice and assistance to Local Boards, to municipalities and to all departments of Government in all matters relating to the public health, and, when required, to prepare or examine sanitary schemes.

The Sanitary Commissioner with five Deputies is in charge of the Sanitary Department. The duties of the Sanitary Commissioner and his Deputies are to superintend and encourage the sanitary measures in the districts and towns included in their charges, inspect dispensaries, and generally advise the District Officers. The Sanitary Commissioner is also entrusted with the supervision of vital statistics; and is in sole charge of vaccination.

The Director of Public Instruction is the chief controlling officer of the Educational Department. For educational purposes each district is provided with a deputy inspector, and there are four inspectors, one for each revenue division, and one for the province of Sind. There is one inspector for European schools in this Presidency and the Central Provinces.

The Inspector-General of Police is the Head of the Police Department outside the City of Bombay. In Sind the old arrangement, under which the Commissioner is the Head of the police, still continues. The Presidency districts are divided into two ranges, and a Deputy Inspector-General is appointed to each. Similarly, a Deputy Inspector-General exercises jurisdiction over Sind and another over the police on the four railway systems. The latter officer is also in immediate control of the Finger Print Bureau, Criminal Investigation, and (under the orders of the Secretary to Government, Special Department) of the Special Branch. The direction and regulation of the police throughout a district is vested in the District Superintendent as executive Head of the force under the command and control of the District Magistrate.

The Commissioner of Police is the Head of the police force in Bombay City. He is assisted by one Deputy and nine Superintendents.

The Inspector-General of Prisons exercises general control and supervision over all prisons situated in the Presidency.

The Talukdari Settlement Officer manages the estates of *talukdars* who apply for the benefit of the Gujarat Talukdars Act, VI. of 1888, as well as the estates attached by Government under certain provisions of that Act. He is subordinate to the Commissioner, N. D.

The Manager, Encumbered Estates in Sind, is the officer who does similar work in Sind under the control of the Commissioner.

9. For the administration of the Public Works Department, the Presidency, including Sind, has been divided into five divisions, each of which has been sub-divided into districts, the total number being 37. Each division has a Superintending Engineer in charge, on pay ranging between Rs. 1,500-2,000, and each district an Executive Engineer on pay ranging between Rs. 700 to 1,100. The number of permanent Executive Engineers is at present far below requirements and Assistant Engineers have been put in charge of some districts. A Superintending Engineer is an officer next in rank to the Chief Engineer under whose orders he directs the executive operations within his division and controls all the details of business arising in his Division, subject to the supervision of the Chief Engineer. He is not concerned with the actual execution of works, with the disbursement of money, &c., but is responsible for the efficiency of the executive system throughout the districts in his charge and for the engineering character of every project. For this purpose he

is required to make tours of inspection. It is his special duty to see that the orders received from superior authority are promptly and efficiently carried out and that no unsanctioned outlay is incurred. He exercises the powers noted below.*

Besides the five Superintending Engineers, there are two officers holding the rank of Superintending Engineers. One of them is the Superintending Engineer, Indus River Commission, and the other is the Sanitary Engineer. In 1901 Government placed the management of the Indus under a body called the "Indus River Commission," consisting of the Commissioner in Sind as President, and two Divisional Superintending Engineers in Sind as members and a Secretary of the rank of Superintending Engineer. The Sanitary Engineer advises Government on all matters relating to sanitary works.

In addition to the above, Government have obtained from England an Architect who is styled "Consulting Architect to Government," and who is required to prepare or review designs and estimates for important buildings and to undertake the execution of such as may require special architectural supervision.

There is also an Executive Engineer 1st grade, holding the temporary rank of Superintending Engineer, who is engaged on the preparation of projects of public works suitable for famine relief. This appointment is temporary.

R. A. LAMB,
Chief Secretary to Government.

* He exercises full control over the permanent Lower Subordinate Establishment, grants leave of all kinds to subordinates, transfers and posts within his division Assistant Engineers and members of the subordinate establishments, and sanctions advances under certain conditions and up to certain limits.

He sanctions plans and estimates for irrigation works under 42 and 43, grants allotments and sanctions re-appropriations under 43, under certain conditions and within certain limits; accepts tenders for these works up to Rs. 20,000 and orders canals closures for purposes of repairs whenever necessary.

He sanctions plans and estimates for civil works up to Rs. 2,500 and allots funds to the same extent for works and tools and plant.

He also accepts tenders up to Rs. 20,000 and sanctions re-appropriations between works in progress up to Rs. 2,500.

He sanctions necessary alterations in the constructive details of works during their execution provided the estimate is not exceeded by more than 5 per cent., fixes the rents of public buildings, sanctions the local purchase of European stores within certain limits, issues orders for the disposal of all unserviceable or surplus stores, sanctions the execution of contribution works within certain limits, sanctions the write off of measurement books, note-books, field-books, sanctions changes in the nomenclature of buildings and sanctions under certain conditions the utilization of provincial buildings which are not required for the purpose for which they were originally constructed.

APPENDIX II.

Views of the Government of Bombay on the subject of Decentralization.

PART I.—*Descriptive.*

Control now exercised by Government of India over this Government. Gazetteer description of this. Legal basis for control claimed and exercised. Financial basis in provincial settlement. Working of the control illustrated in each department. Special aspect of control in Civil Service Regulations and Inspectors-General.

PART II.—*Critical.*

Recent development of control exercised by Central Government. Typical instances of excessive control in each department. Working of the Inspectors-General and cases of undue interference on their part. Recent tendency of Government of India to issue important orders affecting departments under control of this Government without previous consultation. Summary of ill-effects.

PART III.—*Constructive.*

Theory of proper spheres of activity and control for—

(1) Government of India.
(2) Local Government.

Proposed division of functions. Financial arrangements for scheme of devolution contemplated.

PART IV.

Principle governing further decentralization. Specific proposals for legal, financial and administrative devolution. Selection of officers. Secretariat appointments. Reduction of work. Restriction of appeals. Revision.

PART V.

Local Boards. Municipalities. Village Panchayats.

PART I.—*Descriptive.*

The functions of the Central Government and of Local Governments are thus described in the revised Imperial Gazetteer (Vol. IV., p. 16):—

> "The Governor-General in Council is responsible for the entire administration of British India, and for the control exercised in varying degrees over the Native States. The actual work of the administration is, however, divided between the Government of India and the Local Governments. The Government of India, that is to say, the Governor-General in Council retains in his own hands all matters relating to foreign relations, the defences of the countries, general taxation, currency, debt, tariffs, posts, telegraphs and railways. Ordinary internal administration; the assessment and collection of the revenues; education, medical and sanitary arrangements; and irrigation, buildings and roads fall to the share of the provincial Governments. But in all these matters the Government of India exercises a general and constant control. It lays down lines of general policy and tests their application from the administration reports, which are as a rule annually submitted to it, of the main departments under the Local Government (who submit monthly copies of all their printed proceedings to the Government of India). Besides the controlling officers for departments which it directly administers, such as Railways, Post Office, Telegraphs, the Survey of India and Geology, it employs a number of inspecting or advisory officers for those departments which are primarily left to the Local Governments, including Agriculture, Irrigation, Forests, Medical, Education and Archæology. Not only does it receive and when necessary modify the annual budgets of the Local Governments, but every new appointment of importance, every large addition even to minor establishments has to receive its specific sanction, with the practical result that no new departure in administration can be undertaken without its preliminary approval. There is, moreover, a wide field of appeal to the Government of India from officials or private persons who may deem themselves aggrieved by the action of a Local Government; . . ."

The above extract gives on the whole a fair idea of the interpretation by the Government of India of the extent and nature of their legitimate functions. This has the following support in law.

The control exercised by the Government of India over the Local Government of this Presidency rests primarily on various provisions of statute law passed when India was under the East India Company, but continued in force with necessary modifications under section 64 of the Government of India Act, 1858 (21 and 22 Vict. c. 106). The first of these is the Regulating Act of 1773 (13 Geo. 3, c. 63). Prior to this the three Presidencies of Bengal, Bombay and Madras were virtually independent of each other, the Government of each being absolute within their own limits, and responsible only to the Company in England.* But by section 9 of the Act of 1773, the supremacy of the Bengal Presidency over the other Presidencies was definitely declared. The section, however, does not give the Governor-General and Council a complete power of superintendence and control, but only a limited one in regard to the specific matters of commencing hostilities or levying war, or negotiating or concluding any treaty of peace or other treaty with any Indian Prince or State, and even as to these an exception was made for cases of sudden emergency or imminent danger. It was therefore only in regard to such matters that the President and Council of the other two Presidencies were enjoined "to pay due obedience to such orders as they shall receive from the said Governor-General and Council." But by the East India Company Act, 1793 (33 Geo. 3, c. 52), this control was considerably extended so as to cover (section 40) "all such points as shall relate to any negotiations or transactions with the country, powers or states or levying war or making peace or the collection or application of the revenues—or to the forces employed—or to the Civil or Military Government" of the two Presidencies: while section 41 further provided that notwithstanding any doubt as to whether any orders or instructions might be outside the scope of section 40, yet they were to be obeyed in all cases, if not repugnant to instructions from England. By section 44 the Presidential Governments were also required to send to the Governor-General in Council "true and exact copies of all orders, Resolutions and Acts in Council, and also advice and intelligence of all transactions and matters which shall come to their knowledge material to be communicated . . . or which the said Governor-General in Council shall from time to time require." Finally in section 39 of the Charter Act of 1833 (3 & 4 Will. 4, c. 85), it was definitely declared that "the superintendence, direction and control of the whole Civil and Military Government of all the said territories and revenues in India shall be and is hereby vested in a Governor-General and Counsellors, to be styled 'The Governor-General of India in Council.'" Sections 65 and 67 of the same Act also repeat in even wider language the provisions as to control over the Presidencies contained in the Act of 1793. In addition to these general statutory provisions there is of course the large body of special statutory provisions in Indian enactments requiring the sanction of the Government of India to a particular specific measure, in order to give it legal validity, or otherwise subjecting it to their control.

The Governor and Council of this Presidency were first invested with legislative power by the Government of India Act, 1800 (39 and 40 Geo. 3, c. 79) and subsequently by an Act of 1807 (47 Geo. 3, Sess. 2, c. 68). This power was extended and subjected to further control† by the East India Company Act, 1813 (53 Geo. 3, c. 155). It was under the authority of these Acts that the Bombay Regulations were enacted down to 1834, when the Government of India Act, 1833 (3 and 4 Will. 4, c. 85), swept away the existing legislative authorities in India, and placed legislative power in the hands of a single authority, namely, the Governor-General in Council. It was not till 1861 when the Indian Councils Act, 1861 (24 & 25 Vict., c. 67), was passed that provision was made for the re-establishment of the local legislatures, including that of this Presidency. Under this Act and the supplementary Act of 1892 (55 & 56 Vict., c. 14), the Government of India control provincial legislation in the following ways:—

(1) Formal assent of the Governor-General is required to an Act passed (Indian Councils Act, 1861, section 40).

(2) Certain subjects are excluded from legislation (*e.g.*, public debt, general taxation, &c.) except with the sanction of the Governor-General (Indian Councils Act, 1861, section 43).

(3) Repeal or amendment of Acts of other legislatures is forbidden except with the previous sanction of the Governor-General (Indian Councils Act, 1892, section 5).

(4) The regulations for the nomination of additional members are made by the Governor-General in Council (Indian Councils Act, 1892, section 1 (4)).

(5) The rules for legislative business are partly (Indian Councils Act, 1861, section 37) and the rules for discussion of the budget are wholly (Indian Councils Act, 1892, section 2) subject to the Governor-General's sanction.

(6) The initiation and subsequent conduct of legislation is fettered by continual reference to the Government of India under a series of despatches, letters, and Government Resolutions.

(*Vide* especially—

(*i*) *re penal clauses*—Despatch No. 35, dated 1st December, 1862, from the Secretary of State to the Government of India at page 76 of the Confidential Blue Book.

(*ii*) *re creating offices*—Despatch No. 51, dated 24th November, 1863, *ib.* page 82.

(*iii*) *re previous report to Secretary of State* and *report during progress*—Despatch No. 9, dated 31st March, 1874 (paragraphs 3 and 5), *ib.* page 88, and *cf.* page 91.

(*iv*) *re executive rules*,

ib. pp. 97-98 and 98—101 and pp. 161—166.)

Further justification for the claims advanced by the Government of India to control all branches of the administration is found in the financial system at present in force, which, under a settlement, described as *quasi*-permanent, of 1905, allows the Bombay Government an income of nearly 500 lakhs (including alienations and fixed assignments); from sources which are partly entirely provincial, partly half-provincial half-imperial, in regard to both receipts and expenditure. A short sketch of this settlement will be found in Appendix I. A reference to it will show that certain heads are entirely imperial, others entirely provincial, but that both revenue and expenditure under forests, assessed taxes, excise, stamps, and irrigation are divided. All land revenue expenditure is provincial. The receipts under land revenue, except for alienated revenue, are divided equally between the two Governments.

To enable this Government to meet its standard expenditure, the Government of India made to the Provincial Government a fixed assignment of 43 lakhs (since increased).

Two important results necessarily follow from the system on which this settlement has been drawn up:—

(1) Increased expenditure in excess of the resources derived from increases in the revenue can be met by this Government only out of funds allotted by the Government of India for the purpose.

(2) Government of India, in allotting such funds, consider themselves entitled to control over the expenditure of the sums so allotted.

In all cases, where the revenue and expenditure is divided between imperial and provincial, the Central Government consider they have a right to assert controlling powers.

* Ilbert's 'Government of India,' 1898, p. 44.

† This control does not however appear to have included any requirements of previous sanction, or even subsequent assent, by the Government of India.

Thus the Government of India, in addition to the legal justification for controlling all branches of the administration, can claim on financial grounds to make that control effective over many departments primarily the concern of the Local Government. The machinery by which the Central Government assert this financial control will now be explained.

Practically all expenditure which the Local Government desire to incur must be included in the annual budget of the Local Government. Power to transfer from one provincial or divided head to another similar head within the budget is not limited, but no excess over the total budget grant is permissible without the sanction of the Government of India. Outside of the rules and orders only items not exceeding Rs. 1,000 of non-recurring expenditure in any case can be sanctioned, and on these, unless they appear to the Accountant-General unobjectionable, the Government of India must be consulted if the Accountant-General so decides.

This budget is prepared with great care on estimates furnished by District Officers and Heads of Departments, no new item being entered until the approval of the Local Government has been obtained. The estimates are submitted to the Accountant-General, who compiles them and forwards each consolidated statement to Government with his criticism and advice. After examination by Government, the complete budget is discussed and approved in January, and submitted to the Government of India. Modifications may be made by the Local Government up to March 10th.

Once in the hands of the Government of India, the budget may be modified to any extent by that Government. The Local Government are bound to re-cast the financial provision in each department for the year by the figures received from the Government of India.

But the control of the Central Government by no means ends with the return of the budget thus revised. The maintenance of a minimum balance is prescribed. Accumulated balances may not be drawn on in excess of budget provision without the sanction of the Government of India. After budget sanction has been conveyed, expenditure is still liable to the further previous orders of the Government of India in such cases as the following:—

(1) The pay of a non-gazetted establishment of an imperial department may not be increased beyond Rs. 3,000 per annum.

(2) No appointment in such a department of over Rs. 50 per mensem may be created.

(3) No establishment in a provincial department may be re-organized at a cost exceeding Rs. 25,000 per annum.

(4) No appointment in such a department may be created at a salary of over Rs. 250 per mensem.

(5) No allowance may be given to the holder of such an appointment if the effect be to raise his emoluments to over Rs. 250 per mensem.

(6) No new or additional travelling allowance, however small, may be granted if of a permanent nature.

(7) No Civil Works can be undertaken costing over 10 lakhs, exclusive of establishment, tools and plant, if classed as provincial or famine, 4 lakhs if classed under the irrigation heads "42" and "43" or 2 lakhs if classed under "45—Imperial Civil," and this Government has no power to accept tenders exceeding these sums. No original irrigation works under the imperial heads 49—Productive Public Works or 35—Protective Irrigation Works can be undertaken, however small the cost.

In all such cases the Government of India must be addressed, with a view to obtaining their sanction to the expenditure proposed or their approval of the tenders.

In a multitude of subjects relating to the interpretation of standing orders and account rules the Accountant-General is empowered to insist on such references, however small the sum involved. In this manner, cases have occurred of the sanction of the Government of India being required to an expenditure of Rs. 8 (11 shillings) and to a daily allowance of 2 annas (2*d.*) a day.

Should the Government of India curtail the budget expenditure of a Local Government on the ground that it may not be worked up to, and should the Local Government find that the full expenditure estimated can actually be incurred in the year, the sanction of the Government of India must be obtained for restoring, from local balances, the amount cut out of the budget. Thus, the budget estimates of expenditure of this Government for 1907-08 were considerably curtailed by the Government of India. This Government may have to obtain permission to incur expenditure originally budgetted for, but struck out by the Central Government.

A common reason for the Accountant-General requiring a reference to the Government of India on matters of local importance lies in the desire of the Central Government that all questions of pay and allowances, pension, leave and the like connected with appointments under Government or local bodies controlled by Government, should, as far as possible, be decided on uniform principles for all India. Thus, all medical expenditure is provincial; but a proposal to give an allowance to a Hospital Assistant, unless in conformity with an existing rule or order, must be referred to the central authority. A resolution of a municipality conferring a gratuity on the widow of an employé who has died of plague equally requires this sanction, however small the amount. A grant of Rs. 200 to a school mistress to enable her to undergo a special course of study at a training-college in Mysore must similarly be referred to the Government of India.

From this brief statement it will be evident that in matters of ordinary administration the Government of India must be constantly referred to, even though they are of purely local concern, and even when funds are available and have been provided in the budget for the proposed expenditure. The necessity of making such references throws a heavy burden of correspondence concerning petty expenditure on the local Secretariat, which is compelled to explain in detail matters lying wholly outside the cognizance of the Government of India. It also causes, at times, great delay.

There are two further causes which lead to interference by the Central Government in provincial affairs. The administrative control of the Central Government is increased by the very numerous orders that have issued from time to time requiring a reference to the latter before action is taken in minor matters formerly left entirely to the discretion of the Local Government. This strengthening of administrative control is neither the direct result of Acts of Parliament nor of the existing financial system. In examining the cases of administrative orders transferring powers to the Central Government, it is almost impossible to discover any governing principle, and in practice there appear to be no limits, to the control which the Government of India consider themselves called upon to exercise over the proceedings and policy of the Local Government. Nothing appears to be so trifling or so obviously a subject for the discretion of the local administration as to be excluded from the scope of orders issued by the Central Government.

A reasonable system of Government would necessarily relegate to local authorities questions such as—

(1) the status of a local fund vaccinator,

(2) the location of a rural liquor shop,

(3) the method of disposing of licenses to sell liquor,

(4) the number and distribution of police posts,

(5) the number of men to be posted to each,

(6) the fees to be drawn by Medical Officers attending Native gentlemen,

(7) a complaint of unsympathetic treatment in a Government hospital,

(8) the control of the movements of Chiefs of States included within the Presidency,
(9) the succession of Chiefs to Native States under provincial control,
(10) the leave concessions of a manager of a Government press,
(11) the retention or dismissal of an incompetent subordinate on Rs. 125 per mensem,
(12) the rent of a Government bungalow occupied by a Government servant,
(13) the execution of petty works required for a Government bungalow so occupied.

All these, and many similar questions, can be satisfactorily dealt with only by a responsible Local Government acting with a full knowledge of all the local conditions. All have come under the consideration of the Government of India, who cannot have the means of bringing an independent judgment to bear on them. In certain of these instances, orders have issued from the Government of India without even first consulting the Local Government actually affected by them. Thus, in 1906, by an order of the Government of India, it was directed that all vaccinators employed by local bodies, and hitherto borne on a provincial list, should, in future, be entertained only as servants of the local bodies concerned. It is irrelevant to the present issue how far such a change was desirable or practicable. Both the Surgeon-General and Sanitary Commissioner with this Government considered the innovation undesirable, and objected to its enforcement. The point of the illustration lies in the issue of the orders by the Central Government and without previous consultation with those who would have to apply them. It may be reasonably asserted that there is no act of this Government nor any branch of the administration for which it can feel finally responsible in view of the control now asserted by the Government of India. In this respect the Local Government compare unfavourably with the Bombay Corporation or the Improvement or Harbour Trusts, which are subject to far less interference at the hands of the Bombay Government than is imposed upon that Government by the Government of India. Thus, the Corporation of Bombay frames its own budget, regulates its taxation, creates appointments and reorganizes its departments to any extent without control within the limits prescribed by law. In none of such matters can this Government move without the approval of the Government of India, whose administrative control may, therefore, be said to be co-extensive with the whole sphere of operations of the provincial Government.

Administrative control by the Central Government has also been recently strengthened by the creation of numerous special centralized Directors or Inspectors-General of departments.

Since the year 1864 the Government of India have appointed Inspectors-General or Directors-General or officers with similar titles in the following departments:—

(1) Agriculture,
(2) Archæology,
(3) Cantonment Magistrates,
(4) Criminal Intelligence,
(5) Commercial Intelligence,
(6) Education,
(7) Excise and Salt,
(8) Explosives,
(9) Forests,
(10) Geology,
(11) Irrigation,
(12) Medical,
(13) Printing and Stationery,
(14) Sanitation.

Of these appointments all but five have been created in the last seven years.*

The nature of the functions of the majority of these officers can be gathered from the orders of the Government of India creating the most recent of these appointments, the Inspector-General of Excise and Salt.

The Government of India remark:—

"2. The functions of the Inspector-General be briefly stated as follows:—

(*a*) to keep the Government of India informed on matters of general administration relating to Excise and Salt;

(*b*) to furnish Local Governments in the provincial departments concerned with advice and information; and

(*c*) to bring the experience of one province to bear upon the problems of another so as to secure such co-ordination, as may be possible, of the system of the different provinces.

"In the discharge of the above duties, the Inspector-General will tour freely all over India and familiarise himself with the local conditions, the administrative methods, and the special problems of the various provinces. He will exercise no authority of any sort over provincial Excise and Salt Departments, and will not call for any returns or reports from them. He will, however, correspond and confer informally with the Heads of these Departments and with Local Governments on matters regarding Excise and Salt, in order that he may be in the most favourable favourable position to offer informed advice to the Governor-General in Council, who is ultimately responsible for the effective observance of the policy of Government in such matters.

"3. In their report (paragraph 297) the Excise Committee represented the advantages of appointing an imperial officer with a general knowledge of the different excise systems in India who would be made available for investigation, consultation and advice. The Government of India have fully accepted this view. They do not consider that Excise is a branch of administration in which uniformity is either possible or desirable; on the contrary, they are convinced that it must always belong essentially to the domain of the provincial Governments. At the same time it is a difficult and highly technical subject; it is now one of the most important branches of revenue; and its administration is subject to constant attacks and criticism. There is every reason to hope that the Inspector-General will, by his experience and friendly counsels, facilitate the reforms on which the different provinces are at present engaged; and the Governor-General in Council has full confidence that his appointment will be of the greatest assistance both to the Government of India and to the various Local Governments and Administrations." (*Vide* letter No. 6599-Exc., Home Department, dated October 28th, 1907.

It will be observed that in addition to informing and advising the Central and Local Governments, the Inspector-General is as far as possible to co-ordinate the systems of different provinces. It is more particularly in this direction that the Inspector-General tends greatly to increase the administrative control of the Government of India.

It will be considered elsewhere how far the tours of these officers place them in a better position to advise the Government of India than the Local Government, already fully informed by special officers, and how far advice in technical matters can be kept distinct from a certain measure of control and from a considerable measure of interference in matters of a non-technical nature.

It is sufficient to remark at this point that the apointment of these 14 officers has necessarily increased to a great extent the control which the Government of India exercise in matters purely of provincial importance, and has tended to destroy the responsibility of provincial officers. The most important result of these and similar appointments has been to substitute for the Local Government as a responsible authority in the departments concerned, the Government of India in one of its departments, acting on such information and advice as the Inspector-General can tender after a hasty cold weather tour. This is particularly

* *Vide* Appendix II.

the case in sanitation, education, commercial intelligence, and criminal intelligence (covering police administration). The control of the Government of India, therefore, which already has a substantial justification in legal enactments and in financial restrictions, is further greatly strengthened by a policy of co-ordination, depending on information acquired during the tours of these Inspectors-General or on any advice they may be inclined to tender.*

PART II.—*Critical.*

The nature and extent of the legal, financial and administrative control of the Government of India over the acts of the Local Government have now been explained. In order to illustrate how this control leads to unnecessary references on matters of small importance within the proper sphere and competence of a responsible Government, a list of cases taken from the various departments of this Government is submitted, *vide* Appendix III. The cases, which have been collected from the records of the last five years, serve to explain the trivial nature of much of the work that, under the existing system, has to be brought to the notice of the Government of India before orders disposing of it can be issued. They also show the steady absorption by the Government of India of powers originally exercised by this Government without control. The following are specially significant:—

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
		POLITICAL DEPARTMENT.	
1	Acceptance by Medical Officers of Government of fees for professional services rendered to Ruling Chiefs and their families or dependents, Indian gentlemen of high position in a Native State or Indian gentlemen of high position in British India.	Home Department, (Medical) Notification No. 437, dated 25th July, 1893, paragraph 2 (Bombay Government Resolution, Political Department, No. 6592, dated 4th November, 1893). Home Department, (Medical) Notification No. 607, dated 1st July, 1907 (Bombay Government Resolution, Political Department, No. 6171, dated 2nd September, 1907). Home Department (Medical) letter No. 987, dated 6th September, 1907.	The procedure has, under the orders of 1907, been revised and is as follows:— Fees calculated on the scale of Rs. 16 a visit or in certain cases Rs. 32 according to recognised custom, unless the total exceeds Rs. 160 during any one month, may be accepted without permission. Higher fees require the permission of the Director-General, Indian Medical Service. The application is to be made by the officers concerned through the Local Administrative Medical Officer, who is to consult the Local Government (without disclosing professional details) and to communicate their views to the Director-General. The decision of the Director-General, who has to consult the Government of India when he differs from the Local Government, is final. This Government was not consulted previous to the issue of the Government of India's orders of July, 1907.
		JUDICIAL DEPARTMENT.	
2	Application for sanction to the addition to the Presidency police force of policemen or *rámoshis* for employment in guarding public buildings.	City of Bombay Police Act, 1902 (Bombay Act IV. of 1902), Section 4.	The services of the *rámoshis* are treated as temporary and non-pensionable and cannot be entertained without sanction from the Government of India. An amendment of the section in question (which practically follows Section 7 of the old Act XIII. of 1856) authorising the Bombay Government to entertain the requisite number of *rámoshis* or policemen, or the grant of a general authority under that section to employ *rámoshis* or extra policemen within a fixed number, would greatly reduce the number of references which have to be made to the Government of India.
		GENERAL DEPARTMENT.	
3	Investments by Government servants other than those in immoveable property.	No. 11 of the Government Servants' Conduct Rules, 1904.	No. 11 of the Government Servants' Conduct Rules, 1904, prescribes (1) that a Government servant may not make any investment other than one in immoveable property permitted by Rule 9, which gives him a private interest in matters with which his public duties are connected, and (2) that subject to this condition he may hold shares in any company, including a mining or agricultural company, which has for its object the development of the resources of the country, provided that he will not be employed in any district in which the operations of any such company are conducted. No discretion is allowed to the Local Government in applying this rule.
		REVENUE DEPARTMENT.	
4	Notifications regarding disforestment of land in reserved forests.	Section 26 of the Indian Forest Act, 1878.	During five years 131 references were made to the Government of India and sanctioned by them. Section 26 of the Indian Forest Act requires that no land shall be disforested without the previous sanction of the Government of India.

* The question of Commissions appointed by the Government of India to consider reforms in branches of the provincial administration will form the subject of a separate note.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
		FINANCIAL DEPARTMENT.	
5	Proposal to fix Whit-Monday as a holiday under the Negotiable Instruments Act, 1881.	Letter from the Government of India, Home Department, No. 2354, dated 28th July, 1902.	Whit-Monday used to be locally notified in this Presidency as a Bank Holiday until 1902, when the Government of India in their letter quoted in column 3 considered that it was not necessary to give the holiday in Bombay as it had not been applied for or been considered necessary in the large majority of the other provinces, and as the number of Christian holidays in the different provinces required to be assimilated. Against this decision the Bombay Chamber of Commerce made a representation to the Government of India, who, however, rejected it.
		PUBLIC WORKS DEPARTMENT.	
6	Construction or purchase of a building for the occupation of a Government official, at a cost exceeding Rs. 5,000 when the proposed expenditure will be met from provincial funds, or Rs. 2,500 when it will be met from imperial funds, and when the rental calculated under the rules in paragraph 1068 of Public Works Department Code, Vol. I., exceeds 8 per cent. of the salary and local allowance, if any, of the official who will usually occupy it.	Public Works Department Code, clause II., and note under clause IV. of paragraph 1066.	In five out of twenty references the Government of India negatived the proposals of the Local Government.
7	Grant of rent-free quarters to a public servant whose salary exceeds Rs. 50 a month and who is not entitled to this concession under any general or special order of the Government of India.	Public Works Department Code, paragraph 1068, VI.	In one out of ten cases the Government of India negatived the proposal of the Local Government.

It is now necessary to refer briefly to certain classes of administrative acts on the part of the Government of India which render the position of the Local Government difficult, impair its responsibility for the administration of the province, and weaken its authority. These are:—

(1) The refusal to sanction schemes of reform advocated by this Government.

(2) The delaying of much-needed improvements owing to the time occupied in obtaining sanction from the Government of India.

(3) The issue of orders on important questions affecting the administration of the province without first consulting this Government.

(4) The pressing forward of schemes of reform undesirable or premature in the present conditions of this Presidency.

The following cases, of which full details will be found in Appendix IV., are submitted as illustrations under these four heads:—

A.—Cases in which measures considered desirable by the Local Government were blockd by the refusal of the Government of India to accept reforms:—

(1) A proposal to decentralize the provincial Administration by conferring extended powers upon Commissioners in 1895.

(2) A proposal for instituting a Civil Medical Service in 1903.

(3) A proposal to improve the position of Jail Warders in 1906.

(4) A proposal by the Bombay Corporation to borrow money for housing their employés.

B.—Cases in which reforms have been delayed through the necessity of procuring the approval of the Central Government:—

(1) The re-organization of the lower ranks of the police of the Presidency, already more than two years under correspondence.

(2) The re-organization of the Subordinate Forest Service under correspondence since 1888.

(3) The substitution of police for military guards over treasuries.

(4) The provision of house accommodation or allowance for officers in the Presidency Town.

(5) The revision of the pay of low-paid subordinates.

C.—Cases in which orders have been issued on important questions without previously consulting this Government:—

(1) The transfer of vaccinators from Provincial to Local Fund Service.

(2) The revision of fees earned by Medical Officers attending Native gentlemen.

(3) The position of the Sanitary Commissioner with the Government of India in corresponding with the Sanitary Commissioner of this Government.

(4) The appointment of Inspectors-General of Salt and Excise, of Printing and Stationery, &c.

(5) The prescription of an uniform system for the disposal of retail licenses for the sale of liquor in opposition to the recommendations of the Excise Committee.

D.—Cases in which this Government has been asked or pressed, if not actually required, to accept reforms premature or undesirable in the present conditions of the Presidency:—

(1) Introduction of a conscience clause into code of European Schools.

(2) Regulation of officers' investments in Agricultural Banks.

(3) The appointment of an Inspector-General of Museums.

(4) The revision of the Salt Administration in Sind.

(5) The alteration of the municipal octroi rates.

An impartial consideration of the cases above enumerated will lead to the conclusion that, in the present system of the administration, either the control of the Central Government is excessive, or the maintenance of a fully constituted Government such as that of Bombay is no longer justifiable. It may doubtless be argued that the Government of India are impressed with the belief that, by the constant exercise in detail of the authority vested in them, the most efficient discharge of the functions of Government can be secured, while at the same time the financial interests of the central exchequer can be most effectually safeguarded. In practice, however, even if it were true that their orders on these numerous questions tend to secure a higher efficiency, it is obvious that they must paralyse the Local Government, and deprive them of all sense of responsibility. In matters which cannot be fairly considered to be of imperial concern, the Local Government must either be trusted with the power to come to a final conclusion, or they must steadily diminish in prestige until they become little more than an office for registering the edicts of the Government of India. It is not possible, without unduly enlarging the scope of this note, to discuss in detail the cases that have been selected for consideration. It can, however, be shown that the time of this Government and its Secretariat establishment is unduly occupied by references on minor matters to the central authority,* that it is being reduced to a forwarding agency with consequent loss of responsibility, and that it is deprived of all initiative by the attempts to enforce an undesirable and impracticable standard of uniformity throughout the continent of India. A Government not entrusted with the power to decide whether one of its servants may make a certain investment without infringing the spirit of the Public Servants' Rules, or to settle whether a mining concession may be allowed in a Native State under its control, not permitted to appoint a watchman on Rs. 10, debarred from sanctioning a sum of Rs. 8 to meet expenses incurred by a lady doctor, deprived of final discretion in settling the number of police orderlies to be attached to its police school, and liable to be overruled on the situation of a staircase erected in a Government bungalow, and on the rent charge to be levied from the occupant, is evidently an expensive and useless excrescence upon the system of administration in India. It should either be given fuller powers, or abolished in favour of a single officer with limited authority. The steady absorption of the powers of this Government by the Government of India has now reached a point at which measures are required either to restore its authority in local matters, or to replace it by a less costly form of administration. If the unification of the Government of an area of 1,766,597 square miles and of a population of nearly 300 millions, in the most varied conditions geographical, racial, and economic, is deliberately contemplated as an object of imperial policy, the latter alternative must logically be adopted.

The main objection to the financial system described in Part I. is that it tends to reduce, and in many important matters has reduced, the Local Government to a nonentity. Originally, *i.e.*, at the time of the first provincial settlement in 1871-72 and until 1881-82, all heads of revenue and expenditure were either wholly provincial or wholly imperial. The provincial budget, framed by the Accountant-General, was sanctioned by the Local Government without reference to the Government of India. Since 1877, this measure of liberty has been withdrawn ; and the Local Government, unlike the Bombay Corporation, are not permitted to budget their annual resources and expenditure without control and revision. It is difficult to find adequate justification for thus controlling the budget, for forbidding the expenditure of sums out of balances, subject only to a minimum, and for requiring fresh sanction when items eliminated from the budget by the Government of India, and not available from re-appropriation, are restored. The excuse for these restrictions is the desire to exhibit expenditure under provincial heads in the imperial budget, to attain greater accuracy in budget figures compared with actuals and the question of ways and means. These seem matters of small importance compared to the delay and obstruction caused by so limiting the spending powers of this Government. It is also especially difficult to justify the recently adopted system of "financial doles" whereby the Central Government attempt to make good the loss of spending power on the part of the Local Government. In view of the existence of a fully constituted Government in Bombay, surplus funds not required by the central authority should be returned for expenditure on such provincial objects medical, educational, or the like, as the Local Government may select, after reviewing the needs of each department. Instead of this, the Government of India assign a sum of several lakhs to this Government for a specified object, and they are then called on to draw out a scheme of expenditure in full detail, for review by the Central Government. The scheme is subjected to examination by the latter, and no detail is so unimportant as to be accepted on the authority of this Government. The Government of India, in an educational scheme supported by doles, may and do object to the number or establishment of assistant educational inspectors in a district. In a police reform scheme, financed by doles, they may and do equally object to the number of police orderlies in a police school, or to the number of ponies in a police inspector's tonga.* In finding money which ought properly to be forthcoming from provincial resources the Central Government thus attempts, unaided by local knowledge or experience, to administer departments for which the Local Government should be and can alone be responsible. Such an experiment in a country the size of India, and containing the most heterogeneous population in the world, cannot conceivably be justified on any sound principles of administration, and is fraught with grave risks. It is sometimes alleged, in justification of this policy of doles, that all revenues raised in India are the property of the Government of India, and that, in allotting extra grants for special purposes to the Local Government, they are acting with great liberality. This is a fallacy similar in nature to the frequent assertion that the powers exercised by the Government of Bombay have been derived by devolution from the Government of India. It has been shown that, on the contrary, the Bombay Government once possessed very wide powers, which have been absorbed by the Government of India. Similarly, the Bombay Presidency yields a handsome revenue within its own borders, and in making these doles the Government of India are only restoring to the Local Government revenues to which the latter have a fair claim, in view of the local contributions to the income of India. Greater elasticity in framing the budget and revising it would lead to economy in the department of Public Works. At present Government in the Financial Department allot such funds for provincial Public Works as they think can be spared ; but after the issue of the budget, it may easily happen that the financial position is better than anticipated, and it may be possible to undertake various works which have been struck out from the list in the first instance from want of funds ; or the necessity may suddenly arise for new works not contemplated at the time the budget was under consideration. If the amount required cannot be met by reappropriation or from the reserve provided in the budget (not a large sum generally) a supplementary budget has to be prepared, and it rests with the Government of India to sanction it or not. The Local Government are acquainted with the local conditions and requirements, and they should have full power of sanctioning budgets and supplementary budgets of provincial expenditure without reference to any other authority as long as the provincial balance is not reduced

* The total number of such references in the year 1907 was 2,486.

* Expenditure incurred from such doles is required by the Central Government to be kept separate from that which is met from provincial sources, and this entails much extra work in the department concerned.

below a certain figure. Greater elasticity generally is required with regard to expenditure. Wages may rise, and it may be economical to curtail the expenditure on works; or, on the other hand, labour may be plentiful and it may be a sound measure, politically and economically, to employ as large a number of workers as possible. In the one case, the Government should be free not to spend the whole amount of the budget grant, and in the other they should be able to order increased expenditure drawing from their general reserve such portion of the balance as is available for expenditure.

Lastly, the methods adopted by the Government of India in distributing a surplus deserve careful consideration. The amount available having been estimated, a number of services spread over the whole continent of India are selected, and a provisional allocation is made at Simla, the views of the Local Governments being then asked as to the proposals. As the services differ widely in nature and in locality, it is obviously impossible to arrive at any approximation to their order of relative importance. The inevitable effect of this system and that of doles is a large waste of money upon services which are relatively unimportant, while necessary services are delayed. It may also occur that if one Local Government is more insistent than another, or if its needs happen to be better known in the Secretariat of the Government of India than those of other Governments, special advantages may be secured. Such methods are financially demoralizing.

The following typical case will serve to illustrate the evils arising from the working of the system of Inspectors-General:—

In Government of India Resolution 1273-1290, dated September 8th, 1904, the appointment of Sanitary Commissioner with the Government of India was created. In reference to the future relations of this officer with the Local Government and their sanitary officers, the Government of India made the following remarks:—

> It remains to define the relations of the new appointment to the provincial Governments. The Government of India have no intention of relieving Local Governments of the direct control and responsibility which they have hitherto exercised in sanitary matters, or of weakening their authority over provincial sanitary establishments. The views held by the Civil Members of the Plague Commission upon this point are entirely endorsed both by the Government of India and His Majesty's Government. The main functions of the Sanitary Commissioner will as heretofore be to advise the Government of India upon sanitary and bacteriological questions. He will not be permitted to encroach in any respect upon the authority of Local Governments over the officers under their control. But he will be empowered to consult and confer with them informally upon matters connected with sanitation and will in this respect occupy a position closely analogous to that of the Director-General of Education. He should also correspond unofficially with the Provincial Sanitary Commissioners and the Heads of the provincial laboratories upon points of departmental procedure, forms and statistics, and purely technical questions. The Government of India hope that this definition of his functions will promote harmonious and concerted action within the wide range covered by the operations of an efficient sanitary department.

It will be seen that the Sanitary Commissioner with the Government of India was originally intended to be an advisory officer to that Government, and was only empowered to correspond unofficially with the provincial Sanitary Commissioner.

Three years later the Government of India (No. 1573, Home Department, dated September 21st, 1907) issued, without previously consulting this Government, an order that correspondence between the Sanitary Commissioner with the Government of India and the provincial officer should in future be official. The reason given was that unofficial correspondence led to inconvenience. It was then discovered that the Sanitary Commissioner with the Government of India had been in the habit of corresponding *officially* with the Sanitary Commissioner, Bombay, since 1904. It was further found that the latter had been addressing the Sanitary Commissioner with the Government of India direct and officially regarding the pay and prospects of officers in the local Sanitary Department. The recent experience of this Government plainly shows that such officers as the Sanitary Commissioner with the Government of India, though appointed to advise the Government of India, very shortly come to regard themselves as the superiors of the Local Government and their officers. Thus, the Inspector-General of Printing and Stationery recently attempted to obtain the views of this Government on the leave rules of superintendents of Government presses—a matter entirely outside the scope of his advisory functions. In another department of the Government of India, a Director-General addressed this Government regarding a uniform scale and pattern of clothing for peons entertained by provincial officers throughout India. A third Director-General objected to the Local Government furnishing the public with commercial information in its possession on the ground that he had been constituted "the sole and central authority for receiving and answering commercial enquiries." This claim was subsequently withdrawn. A striking instance of the tendency to place the Director-General over the head of the Local Government is to be found in orders issued by the Government of India (618-619, July 1st, 1907) directing the opinion of the Local Government on questions of fees charged by Medical Officers to Native Chiefs and their families to be submitted to the Director-General, Indian Medical Service. One other instance is illuminating. In a letter No. 8655 of October 15th, 1906, the Inspector-General of Police under this Government addressed the Director-General of Criminal Intelligence with the Government of India and asked him to arrange for a conference of Inspectors-General of Police regarding the pension service of European Police Officers in the higher grades, *i.e.*, Superintendents, a matter entirely outside the sphere of the Director-General of Criminal Intelligence. It is clear from these cases that the appointment of an Inspector-General tends to destroy any small measure of autonomy previously enjoyed by the Local Government, and to substitute technical, and to a certain extent administrative, control by an officer located for more than half the year in a distant part of India. The extent of administrative interference depends upon the individuality of the officer concerned; but, as the office of the latter grows in numerical strength, an increase of such interference, together with fresh developments of correspondence, naturally follow. There are few matters, however unimportant, in provincial administration that have not a technical aspect, which may be used as a pretext for creating a technical adviser for all India. Even museums, which can scarcely be beyond the controlling powers of an Indian municipality, have been thought a fit subject for the care of a Director-General with the Government of India. The proposal to create such an appointment was abandoned by the Government of India in 1906 in deference to objections raised in Bombay and Madras.

One of the first acts of the newly appointed Inspector-General of Salt and Excise has been to advise the Collector of Salt Revenue, by means of informal correspondence, to take measures for the abolition of the Northern Frontier Preventive line north of Kharaghoda which the Inspector-General considers to be as "useless as the Great Wall of China." This advice is apparently based on the assumption that there are no salt deposits in the Runn of Cutch, though it is perfectly well-known to local officers that such deposits do exist and on a large scale. It is evident that, in such circumstances, the officer of a Local Government is placed in an awkward position. Either he must tell the Inspector-General that he knows nothing about the business, or he must fall in with the Inspector-General's views; and, as he knows that the

Inspector-General is in close touch with the Government of India, and that his work will be subjected to the Inspector-General's criticism, he will, unless a man of strong character, incline to the latter course. In course of time, the real control of the department concerned must tend to pass away from the Local Government to the Inspector-General. Meanwhile the Local Government will be continually engaged in struggling against proposals and meeting criticisms emanating from the Inspector-General.

To this Government it appears objectionable, as subversive of their authority over their own officers, that the Inspectors and Directors-General appointed to advise the Government of India and to "co-ordinate local experience" should in many instances develop into authorities claiming to be superior to the Local Government in the matters which form their special province.

Competent officers with special knowledge of forests, irrigation and agriculture may be capable of offering useful advice, although it must in many cases be doubtful whether the knowledge of the expert at Simla exceeds that of the provincial expert, or whether the greater of two experts cannot be more usefully employed in a locality where he is in direct touch with affairs than in a far distant office. In education, sanitation, commercial matters, salt, excise, medical questions, printing and stationery, the utility of the general expert, assuming him to exist, is not apparent. This Government is not aware of any special assistance received from the Inspectors and Directors of these branches of general administration, although the total cost thrown on public revenues by the entertainment of these officers and their establishments is heavy, and increasing. It is, however, conscious of a distinct attempt on the part of certain of these officers to undermine its authority with its own officials by entering into direct communication with them, sometimes in contravention of distinct orders, regarding their pay and prospects and other matters not of a technical nature. Such proceedings are evidently subversive of discipline in the provincial Services. It is significant that within the space of one year two Inspectors-General should have been addressed direct regarding pay, allowances of pension, that a Director-General should have claimed to supersede this Government entirely on all matters of commercial enquiry, and that the Director-General of another department has been constituted the critic of the Local Government on a petty matter of doctor's fees.

To all these acts of so-called advisory officers this Government takes the strongest objection, and it has already been driven in three cases to lodge official protests with the Government of India. There is the further objection that the tours of these Directors-General are seldom likely to lead to the acquisition of any local knowledge at all equal in value to that possessed already by officers of the Local Government. Ignorant of the language, and bound on a tour which allows a few days for visiting the whole territory of a Local Government, these officials can do little more than collect a few hasty scraps of information from subordinates in the department they are supposed to "inspect" or to "direct." It has been seen that they are commonly regarded by subordinates as instruments for obtaining concessions which the Local Government do not view favourably.

If it is considered desirable that these appointments should be continued in future, and if it is decided that the Government of Bombay should again become a great administrative unit, it seems essential that the Inspectors and Directors-General should be restricted to advising the Government of India, and the Local Governments when their opinions are asked. They should therefore reside at headquarters, and not be permitted either to visit the province of a Local Government unless invited, or to correspond with their officers unless approached by the Government concerned and authorized to correspond with such officers for any particular purpose.

It is a cardinal principle of good Government that when administrative business reaches an authority fully competent to deal with it, that authority should deal with it finally. Even when there is a higher authority equally competent, to pass the business on to it would at the best entail waste of power and the destruction of responsibility. And, further, it is a universal law that whenever business becomes greatly congested in a central body, power must fall into the hands of the lower ranks in the official hierarchy. This will occur even in homogeneous States; but, in India, where there are found more diversities of race, language, religion, customs and systems of land tenure than in the whole continent of Europe, there must come a point at which the higher authority is less competent than the lower, because it cannot by any possibility possess the requisite knowledge of all local conditions. Effective administration is ultimately subject to the limitations of the individual, varying with different capacities, but easily reached in every case.

It must be obvious that a Central Government for all India cannot possess knowledge and experience of all the various conditions prevailing in all the provinces of India; and it must therefore be an authority less competent to deal with matters of provincial administration than the provincial Governments, the members of which cannot be markedly inferior, and must generally be equal in ability, to those of the Central Government, while necessarily superior as a body in point of knowledge. The first consequence, therefore, of the excessive control exercised by the Central Government even in the smallest details is an immense increase in the labour of the provincial Governments and their officers. For the purpose of correspondence it cannot be assumed that the Central Government knows anything of local affairs. Everything has to be explained at full length and on paper to a distant official. Time which should be spent in direct administrative work and in studying local problems has to be employed in explaining facts well known to the local authorities, and in attempting to persuade the Central Government to accept proposals or to refrain from taking measures ill-adapted to local conditions. The length to which this process has been carried is almost incredible. The schemes for police reforms in some districts of this Presidency submitted to the Government of India towards the end of 1905 may serve as an example of the enormous amount of labour expended in elaborating proposals for the consideration of the Government of India. Hence arise interminable delays. To take a single instance, some of these police reports have but recently been returned, after the lapse of eleven months, with criticisms on minute details; while the reforms, so far from having been advanced, are as far off as ever. It is not surprising that there should be a tendency to shrink from the labour, the worry and annoyance involved in making proposals for reform or improvement. Administrations and officers subjected to a long course of this treatment must be reduced to the condition of oxen in an oil mill which tread their little circle unconsciously with blinded eyes. All sense of responsibility must disappear; since those who have no definite power can feel no responsibility. Already it is difficult to say where the responsibility for any particular action or decision lies. The effect on the people of the country is pernicious. They go to the local officers about a certain business, and find that it rests with the Local Government. If they get as far as the Local Government, they find that it is the affair of the Government of India. The Government of India is far off; and no one can tell who, in any particular matter, is for the moment the Government of India. They have no belief or trust in an impersonal Government which they cannot see or know or approach, and they regard it as a blindly moving machine propelled by an unknown force. Another inevitable result of close control by a Central Government is the enforcement of uniformity of system in all branches of the administration. It is inevitable because, without it, such control is impossible. The Central Government are not competent to deal with the multifarious conditions of the different provinces. Their only resource is

therefore to ignore discordant elements and to prescribe uniform systems to which everything must be forced to conform, in the vain belief that familiarity with rules and regulations will prove an efficient substitute for a knowledge of living facts. This Procrustean method of administration must ultimately fail, because the local conditions will not permit of being cut to standard shape; but, before the failure becomes conspicuous, irreparable mischief may be done. Much of the indifference to the authority of Government which is now growing up and spreading unrest throughout India may be traced to this source.

All this is done in the name of efficiency; but the efficiency is unreal. Schemes and systems affecting to create uniformity throughout the continent of India may appear complete and harmonious on paper, and would no doubt work excellently in some small homogeneous State specially created to suit them; but when they clash with discordant local conditions they must inevitably lead to inefficiency of administration, and to what is much worse than inefficiency, popular discontent. The idea that the population of India is a plastic mass, which can be moulded by authority into any forms therotically desirable, must be abandoned. New forces are arising and gathering strength which will make elasticity essential to the continuance of British Rule.

Part III.—*Constructive.*

It has now to be considered what practical remedy can be devised for removing unnecessary centralization in the Government of India. The solution of the problem lies in a definition of the functions that can with greatest advantage be exercised by a Central Government placed for the greater part of the year at a distance from all the great provinces of India, and those that can be entrusted to the local administrations, especially those of the status of the Bombay Government directly in touch with the working of the executive machine. It appears unnecessary to discuss the abolition of Local Governments at a time when the avowed object of the policy of His Majesty's Government is to bring the administration more into touch with native sentiment. Clearly a Government at Simla and Calcutta is less favourably situated in this respect than a Government in Bombay, in regard to the Bombay Presidency. If it be admitted that the transfer of the limited powers still exercised by the Government of Bombay to the Government of India is not a reasonable proposal, there remains the question how to divide between the Government of India and this Government the various administrative functions so as to remedy existing evils and to check the reduplication of work and the undermining of authority and of responsibility that has been brought about by excessive references to the Central Government.

Modern tendencies are evidently moving in the direction of forms of Government which place the fullest powers as low down in the administrative scale (*i.e.*, as near the section of the population immediately affected) as can safely be arranged, such powers alone being centralized as cannot be efficiently exercised otherwise. Local Governments cannot efficiently arrange for defence, for negotiations with foreign powers, or for any branch of the administration in which uniformity is the chief essential, *e.g.*, currency, postal arrangements, customs tariffs, merchant shipping laws and rules. On the other hand, where uniformity or central control is not clearly essential, or is impracticable, all centralization involves, and must necessarily involve, a serious sacrifice of elasticity. Further, by centralization all progress tends to be retarded, all initiative is liable to be checked, and the sense of responsibility of the local authorities is greatly impaired. Above all, centralization in a country so large and so populous as India, unless greatly circumscribed, must lead to inefficiency, and to the wielding of undue power by subordinates. No Government is overruled except with the concurrence of His Excellency the Viceroy and a Member of his Council. But it is obvious that the personal consideration which can be given by these high authorities to the innumerable questions coming before them must frequently be exceedingly slight. In practice, therefore, much power must rest with the officials of the Secretariat whose faculties are exercised chiefly in the way of criticism and fault finding.

All modern schemes of Government contemplate the governing of large masses, so far as possible, in harmony with the ideas of their leaders and representatives. In a country with a population so heterogeneous as India there is always grave risk of measures, excellent in theory, running wholly counter to the wishes and feelings of the people. Local needs, ideas and prejudices can best be understood by a sympathetic and active Collector. A Commissioner, in touch with his Collectors, will also understand them. A Local Government, if well advised by Commissioners and Collectors, and if its members are accessible to leading citizens, can hope to attain a reasonable grasp of local ideas. The Government of India, at a great distance from the provinces, possessing no representative character and frequently not containing a single member with any real personal knowledge of great territories such as Bombay or Madras, must inevitably be often out of touch with local public opinion in those areas. In so far as it lays down principles and adopts measures not already formulated by the Local Government or refuses to sanction measures deliberately recommended, it incurs a grave risk of running counter to local feeling. The dependence of a Local Government on such a distant central authority in matters of chiefly local concern tends to become an unmixed evil. The time has arrived for relieving the Local Governments in all matters that relate to provincial administration of a centralized control that must frequently tend thus to run counter to local opinion and requirements. Continents such as America and Australia have solved this problem by a definite allocation to a Central Government of functions that cannot be localized. India, more heterogeneous than either, and containing a population many times more numerous, has greater need for a similar organization of Government. Measures for conferring a representative character upon provincial Governments are about to be carried out. Such measures must evidently prove futile, and must lead to outbursts of political agitation if not accompanied by decentralization of administrative powers.

The functions that belong of necessity to the central and local executive may be brought under the following heads:—

Division of Administration.

Imperial functions for Central Government.

1. Banking and Bankruptcy.
2. Civil Works (Imperial).
3. Coinage.
4. Currency.
5. Customs.
6. Defence.
7. Ecclesiastical.
8. Foreign relations, including relations with Native States outside the province.
9. Immigration and Emigration.
10. Merchant Shipping.
11. Meteorology.
12. Opium (External).
13. Patents.
14. Post and Telegraphs.
15. Railways.
16. Salt.
17. Stamps.
18. Statistics, including census and bureaux for the collection and dissemination of information.
19. Superannuation (Imperial Services and other Home Charges).
20. Taxation (General).
21. Trade Marks.

Functions pertaining entirely to Local Government.

All functions not centralized, including full control of the following:—

1. Assessed Taxes.
2. Civil Works.
3. Courts of Law.
4. Education.
5. Excise.
6. Forest.
7. Irrigation.
8. Jails.
9. Land Revenue.
10. Marine (Local).
11. Medical.
12. Municipalities and District Boards.
13. Police.
14. Political relations with States in the Presidency.
15. Registration.
16. Scientific and Minor Departments, excluding Meteorology.
17. Stationery and Printing.
18. Superannuation (Provincial Services).

And any other matters not assigned to the Central Government.

In these Departments this Government should be subject to control not exceeding that exercised by the Secretary of State over the Government of India. In whatever way the established Services, imperial or provincial are recruited, it should at least be within the discretion of the Local Government to deal with all questions of housing, travelling and conveyance allowance, acting allowances, etc. All authority necessary for this purpose should be reserved to the Local Government.

On the adoption of this division of functions between the two Governments, it would seem desirable that some of the restrictions now imposed on the local Legislature should be removed. The formal assent of the Governor-General might still be retained as a necessary precedent to the validity of a provincial Act, corresponding to the Royal Assent to a Bill in England. This will sufficiently enable the Government of India to interfere in any case where such a course is considered necessary; but otherwise, within the limits of the authority already exercised or to be conferred on the Governor in Council under the proposed scheme of decentralization, the provincial Legislature should be invested with full power to legislate and responsibility for the provisions of any enactment passed. Prior sanction or consent should only be required in cases where the proposed legislation will affect some branch of the administration, *e.g.*, defence or foreign relations, which falls among the functions allocated to the Central Government. The time has come when the restriction which prevents any provincial legislation affecting the jurisdiction of the High Court might be withdrawn. This has in the past led to inconvenience, and necessitated the passing of validating Acts by the Government of India, such as Acts XII. of 1888 and XIV. of 1904. Again, it seems necessary that the local Legislature should be allowed a free hand in framing its rules for the conduct of legislative business, the discussion of the budget, and the nomination of Additional Members, subject to such general principles as may be laid down by the central authority. The present system often entails the sacrifice of convenience to uniformity.

Assuming that the spheres of responsibility of the two Governments have been divided in the manner indicated above, the question arises how financial provision is to be made for the work of each.

There appear to be two possible alternatives:—

(1) Complete financial autonomy of the Local Government, who would provide for the requirements of the Central Government by allotments in proportion to the needs of the latter. This autonomy would include borrowing powers, and the power to raise and to revise local taxation of all descriptions.

(2) Decentralization of expenditure between the Local Government and the Government of India after due provision has been made for the requirements of the former, who would continue to act as agent for the Central Government in imperial departments.

As regards the first of these schemes, (1) this Government consider that if there were a *tabula rasa* to work upon, the plan would have many advantages; but its adoption would entail changes in the existing system of such a radical character that they could be carried into effect only by a gradual process.

Under the scheme (2) the Government of India would make as at present a *quasi*-permanent settlement with the Local Government. It is not possible to construct such a settlement without negotiation. Under such a settlement as is contemplated, this Government would be allowed a certain sum for the administration of the provincial services defined above, and the two existing safeguards against excessive depletion of resources owing to famine, the minimum land revenue guarantee, and the provision for famine expenditure would be maintained. This Government would then administer the provincial departments within the limit of the funds allotted, and the Central Government would exercise no control over any of this expenditure.

The financial effect of this division of functions would thus be complete liberty for the Local Government in framing the budget for the heads of provincial expenditure concerned, and power to spend in excess of budget provision on these departments, subject only to the maintenance of the minimum balance prescribed. All questions of pay and allowances, special leave provisions, etc., would be dealt with finally by this Government subject to the control already mentioned.

As a result of this liberation of the Local Government from the control of the Central Government in matters of purely provincial concern, it would be possible to bring the administration of the Presidency into harmony with local opinion and requirements. The enlargement of the Legislative Council and the creation of an Advisory Council, if carried out, cannot bring about the results expected unless scope is allowed to this Government for deferring to local opinion in sanitary, educational and similar matters of purely local concern. Under the existing system, which permits the Government of India to alter the budget of this Government and sanction to needed improvements, there is little latitude for devoting expenditure to schemes popularly approved, nor can the budget as presented to Council be modified. All this would be remedied under the improved scheme, and it would be possible, for instance, to divert large sums from medical relief to education or *vice versâ* if Government, after discussion in Council, were in favour of such a change.

Similarly, schemes for increasing the pay of schoolmasters or of Hospital Assistants or similar subordinates of this Government could be taken up, discussed, and finally disposed of in the local Council, and in harmony with the general feeling of that body. At present, as they might involve an expenditure exceeding Rs. 25,000, they could not usefully be considered in Council without the sanction of the Government of India, which for various reasons might not be forthcoming.

Under such a system of financial devolution, this Government might be entitled to borrow money for public purposes when necessary, and when the state of its finances permitted. In all but works of first class magnitude, such as great schemes of irrigation affecting the interests of more than one province, the intervention of the Government of India is undesirable. There is no adequate reason why provincial resources should not be utilized to cover large items of expenditure on matters falling under the heads allotted to this Government above, which cannot be undertaken out of current revenues. The only conditions that should be imposed to restrict borrowing are a maximum rate of interest, in order that local loans should not prove appreciably more expensive than imperial borrowing and the avoidance of competition with other Governments.

This Government recognizes that in many of the departments allotted to the Imperial Government in the above scheme, such as Customs and Salt, the latter, from its position, is unable to administer directly. Thus, in many petty questions of customs administration, the Local Government controls, and it acts as collecting agent of imperial revenues for the central authority. The need for local administration in the case of the Salt Department is greater than in that of Customs, and may be said to be imperative. It is desirable that such departments should be administered on the spot by the Local Government as agents of the Central Government, for the reasons already stated.

In such departments this Government would continue the exercise of a certain control in the interests of the Imperial Department concerned; but as agent of the Central Government it requires considerably wider powers than are at present exercised. In Imperial Departments, as has been pointed out, this Government cannot sanction a scheme costing over Rs. 3,000, a new post above Rs. 50, or civil works above Rs. 2,00,000 excluding tools and plant. If this agency work on behalf of the Central Government is to be continued, it is most desirable that the powers of the Local Government should be increased to the following:—

(1) power to sanction any scheme of reorganization up to Rs. 25,000;
(2) power to sanction any appointment up to Rs. 250;
(3) power to sanction any civil work up to Rs. 10,00,000;

on condition that budget provision has been made by the Imperial Government for such items.

The scheme above outlined falls far short of the possibilities suggested by Sir D. Barbour in the important evidence given before the Royal Commission on the "Administration of the Expenditure of India" in 1895. This scheme, in the opinion of the Government of Bombay, would go far to remedy the evils pointed out, and would constitute a real step in the direction of the more complete decentralization which will certainly be necessary to meet the new political conditions arising in India. The existing system of centralized administration is unknown in any other portion of the world of comparable area and diversity. Already this system is tending to break down under its own weight, while it inevitably prevents or delays progress, and destroys initiative and responsibility. Even if we had to deal with a purely passive population the drawbacks of the exaggerated centralization, which has been allowed to grow up without deliberate intention, are manifest. The forces which are now producing what is called "unrest" in India will unquestionably broaden and deepen with the years. While there is yet time, it is necessary to lay the foundation of a system of administration which will readily adapt itself to the new conditions without shock and dislocation, involving grave danger to the stability of British Rule in India.

PART IV.

It has been stated that the solution of the problem of decentralization between this Government and the Government of India lies in centralizing those powers alone which cannot be efficiently exercised otherwise. In dealing with the extent to which further powers should be allotted to the local officers, this Government is prepared to adopt the same principle. They are of opinion that the solution of the problem has been correctly indicated by the Committee of Commissioners which sat in 1901 to consider the reduction of unnecessary reports and wrote as follows:—

> "There are two ways in which the division of authority between Government and the local officers can be carried out. The first is to concede to the local officer only just so much authority as will save the administrative machine from getting clogged with work: the other is to delegate every power that is capable of delegation and to reserve to Government only such powers as it is absolutely necessary to centralize. We venture to think that the latter policy should be definitely adopted, and that officers should be encouraged to take responsibility, it being reckoned a greater fault to be constantly asking for orders than occasionally to make a mistake."

The necessity for thus leaving the fullest possible freedom to the officer on the spot was clearly stated by Mountstuart Elphinstone, writing nearly a century ago, in his "Report on the Territories conquered from the Paishwa." He remarks:—

> "It appears an objection to this plan, that it affords the *mamlatdar* an opportunity of collecting more than he brings to account; but in such a case the villagers will of course complain, as they always did when the money was taken from them unreasonably; and this abuse, like many others, must depend for a remedy on the vigilance of the Collector.
>
> "On this, indeed, it will have been long since observed, the whole system must depend, its object being to provide sufficient powers, and leave it to the principal officer to guard against the abuse of them. That he will always succeed, is more than I would promise; but perfection is not to be looked for, and we have only the choice of taking away from our agents the power to do good, or leaving them in some degree the power to do harm. Against this, even a system of check and limitation will not always guard: for a man may be careful not openly to commit irregularities, while he is secretly guilty of every sort of oppression. As long as the chief power in the district is in able hands, the good done by the inferiors, on this system, will far preponderate over the evil; and if the Collector be deficient, I am afraid that no distribution of powers would make up for his want of capacity, or do more than palliate or conceal the evils to which such a want would give rise."

It is certain that this principle of trusting District Officers with the widest possible powers has in recent years been frequently ignored, and that Collectors are now subject to an amount of control and restriction of powers which greatly impairs their value and efficiency. Legally, financially and administratively it has come to be considered more essential to provide numerous checks and counter checks on the possible errors of these officials than to place wide powers in their hands, and to risk an occasional incorrect decision.

In the absence of adequate independence on the part of the Commissioner and Collector due to this faulty distribution of power, this Government is called upon to deal with a mass of petty matters that should properly be removed entirely from its direct cognizance. In the opinion of this Government the time has come to invest Commissioners, Heads of Departments and Collectors with broader powers. Ten years ago this Government was prepared to legislate with that object, but the Government of India objected to the form of the proposed legislation, and little progress has therefore been made in reform. If permitted to do so, this Government is ready to undertake the legislation then disallowed, and to confer on the Revenue Commissioners the powers delegated to the Commissioner in Sind under Act V. of 1868. The experiment has proved most beneficial in Sind, and there is no reason why it should not work equally well elsewhere

Reports have been received from all Commissioners, Heads of Departments and Collectors showing the devolution that they desire. In Appendix V. will be found a complete list of the proposals received. This Government is not prepared to decide which of the proposals should be accepted, until they have been fully examined. According to the principle already laid down, it is the intention of Government to adopt every proposal in the absence of specific objections,

among which the risk of misuse of the power will not be allowed to carry undue weight. The fullest possible powers will thus be delegated to Commissioners, Heads of Departments and Collectors, whether by legislation, rule, or administrative order, as the case may require. Between Collectors and Assistants the Land Revenue Code of this Presidency already permits the fullest delegation of powers.

In connection with this proposed devolution of powers, this Government has recently initiated an experiment which is likely to afford valuable assistance in adopting measures of decentralization. Orders have been issued (*vide* Government Resolution No. 7569, dated the 17th December, 1907, given in Appendix VI.) conferring on Commissioners, Heads of Departments and certain Collectors power to anticipate sanctions of higher authority other than those required by law. A monthly tabulated statement of such sanctions is required to be submitted for the information of Government. It is proposed on the information thus made available to decentralize powers of sanction which Collectors and others are shown to anticipate without inconvenient results.

In finance this Government consider that a far greater latitude than at present allowed is required for all officers. The necessity of obtaining sanction to the expenditure of petty sums merely destroys responsibility without securing economy. A broad discretion is required for all officers, increasing as they rise in rank. The proposals specially favoured by this Government apart from those contained in Appendix V. are as follows :—

(1) An extension of the contract grant principle, and an increase in these grants.

(2) An extension of Article 278A of the Civil Account Code to allow of the power therein conferred being given to Commissioners, Heads of Departments, Collectors and others, by the Local Government up to a limit to be fixed by this Government in each case.

(3) Power to entertain temporary establishment up to six months within the following limits :—

	Rs. per mensem.
Commissioners and Heads of Departments, including Superintending Engineers ...	100
Collectors	50

Budget provision will be made by Government for such discretionary expenditure, and the total communicated to Commissioners and Heads of Departments for allotment in their divisions and departments.

The increase of Commissioners' and Collectors' powers to be effected by these changes involves two special considerations. These officers must be fit to exercise the fuller powers, and they must have the necessary leisure for doing so. Government are prepared to exercise greater rigour than hitherto in the selection of officers for these posts, should a more careful selection be found necessary, and to enforce the orders of the Secretary of State contained in his despatch No. 68, dated 11th July, 1879. The freeing of Collectors and Commissioners from much of the work that now occupies their time will to some extent be secured by the wider powers to be conferred on them, rendering applications for sanctions unnecessary.

Members of Council should tour freely in the Presidency; and the Member in charge of the Revenue Department should be selected only from those who have held for at least three years the post of Collector or Commissioner. It is necessary to exact a special standard of fitness in appointing Commissioners, and these should be the fittest officers available and not merely those who are not unfit. All Collectors should be considered to be on probation for their first continuous year in charge of a district, and their confirmation as Collectors formally gazetted after one year in event of their proving capable. The hands of Government would be greatly strengthened if it were possible to retire officers of the Covenanted Civil Service unfit to rise above the grade of Assistant Collector or Assistant Judge, on reduced pension. This expedient should also be available in other departments, such as the Public Works Department.

The undue proportion of their service spent by certain officers in Secretariat appointments has frequently tended to encourage centralization, while depriving numerous officers of the opportunity of short Secretariat experience, which is undoubtedly of value. This Government is opposed to such lengthy tenure of Secretariat posts being permitted in the future. The tenure of these appointments should be limited to three years, and there should be an interval of three years between each Secretariat appointment. The evil could be permanently averted by constituting ten years' executive service, of which five should be in districts, a qualification for the posts of Secretary to a Local Government.

Much additional relief could be afforded by the widespread substitution of triennial or quinquennial annual reports in all branches of the administration. The annual record of comparatively unimportant details of municipal, Local Board or other purely local administrations gives occasion for a vast production of printed platitudes or hasty generalizations, and imposes a heavy demand on the time of Collectors and Commissioners without yielding results of commensurate importance. This Government are of opinion that such reports should be abolished in all cases where special reasons cannot be advanced for their retention. In their place, an annual submission by the office concerned, of the necessary statistical tables with explanatory foot-notes would be substituted, and it would be desirable, every third or fifth year, to suspend certain routine duties of the Collector to enable him to prepare a progress report for the intervening period. The periods put forward for the reports at present submitted annually by Collectors are shown in Appendix VII.

The present system of appeal is liable to no little abuse. It is, for example, possible for a petty matter of administration to be brought before the Assistant Collector, Collector, Commissioner and Government in succession on appeal. It would be desirable to limit such waste of officers' time in future by embodying in all legislation permitting appeals a proviso that when a question has been disposed of on second appeal, no further appeal shall lie unless by permission of the appellate authority, who shall certify that in his opinion there is a case for consideration by higher authority.

The distinction between an appeal and an application for revision allowed by law or by rules having the force of law should be emphasized and authoritatively laid down for the guidance of all appellate and revisional authorities. This might be effected by means of the General Clauses Act. If it is not held advisable to limit the exercise of revisional jurisdiction as strictly as in section 622 of the Code of Civil Procedure, at any rate a rule similar to that ordinarily followed in cases where the exercise of judicial discretion is in question might be adopted, *i.e.*, that a revisional authority should not interfere unless the order under revision is manifestly perverse, unjust or based on an erroneous opinion on a point of law.

PART V.

In the opinion of this Government the time has not arrived for increasing the powers of Local Boards and municipalities except in two directions, *viz.* :—

(1) the creation of appointments;

(2) the imposition of a special cess for the purpose of guaranteeing the interest on or otherwise defraying the cost of a light railway, tramway, monorail or other means of conveyance.

The powers of District Local Boards and municipalities in connection with appointments are as follows:—

Under section 38 of Act I. of 1884 the District Local Boards can fix the staff to be employed, as well as their salaries, fees and allowances.

Under section 46 of Act III. of 1901 all such appointments made or allowances granted by a municipality require the sanction either of Government or the Commissioner.

This control is excessive in the case of municipalities, and such bodies may well be allowed to create appointments or grant allowances involving a charge on the municipal funds not exceeding Rs. 50 per mensem in each case without sanction. In case of abuse the power should be withdrawn by the Commissioner.

It seems probable that District Local Boards and municipalities could be given more interest in local administration, if they were allowed to entertain schemes for constructing light railways, tramways, etc. This could be done either by a guarantee to a company, or by departmental management. In either case a special cess should be allowed to provide a guarantee of the necessary funds. Such power might be, for preference, conferred by the Commissioner on well conducted municipalities, and the schemes would require his sanction before final adoption.

In the opinion of this Government the powers already exercised by the Harbour and Improvement Trusts and the Bombay Corporation are wide enough and give no cause for complaint of excessive control.

Finally, the question of resuscitating the village panchayat appears to this Government worthy of some attention. It is a well known fact that the social regulation of many caste and sub-caste divisions in this Presidency is largely confided to panchayats, whose decision carries respect. It is obvious that within the narrow bounds of village life a resident acting as a member of a panchayat is subject to the control of local opinion in a manner and to an extent that no *taluka* official ever experiences. The Government is not prepared to say with confidence that the reconstitution of panchayats in villages for the decisions of questions of petty importance, such as conviction for trivial assault and the right to possess property of small value, is a measure bound to yield satisfactory results. At the same time the experiment is worth trying. In many large villages of Gujarat the influence of the descendants of the original founders is still strong. In the Deccan and the Southern Maratha Country the members of the *watan* families are similarly influential. This Government is prepared to constitute in selected villages in these areas panchayats with petty civil and criminal powers, and to extend the system in event of its working satisfactorily. It has been suggested that such panchayats might also do useful work as wards of minors' estates and in controlling the exercise of forest privileges and possibly in connection with co-operative credit societies.

APPENDIX I.

Current Provincial Settlement.

The year 1905-06 was the first of the current provincial settlement, for which no period of duration has been fixed. The Government of India have, however, reserved to themselves the right to revise the settlement when necessity may demand, but this power will be exercised only when the variations from the initial relative standards of revenue and expenditure have, over a substantial term of years, been so great as to result in unfairness either to this Government or to the Government of India, or in the event of that Government being confronted with the alternative of either imposing general taxation or seeking assistance from the province.

2. The Government of India started the provincial account in 1905-06 with an opening balance of Rs. 76,73* made up of (i.) Rs. 20,00, the minimum balance which the Local Government have to maintain, and (ii.) special imperial contributions of (*a*) the initial grant of Rs. 50,00 made in accordance with the terms of the settlement and (*b*) Rs. 6,73 on account of the unexpended portions of the grant previously made for the completion of the St. George's Hospital, for reforms necessitated in connection with the Indian Universities Act, 1904, and for desirable objects of public utility. Out of the initial grant of Rs. 50,00 a sum of Rs. 36,00 is calculated to meet ordinary initial requirements and enable the Presidency to start the new settlement on a favourable footing, and the remaining Rs. 14,00 is a final allotment to cover plague charges falling under the head 24, Medical, except those on account of the Bombay Bacteriological Laboratory, for which a separate assignment has been allowed in the settlement. It is, however, open to the Local Government to utilise at their discretion any part of the sum of Rs. 14,00 for expenditure under any other head.

3. The revenue heads Land Revenue (except assessment of alienated lands, which is a wholly provincial book entry on both sides of the account), Stamps, Excise, Assessed Taxes (except income tax on surplus profits of railway companies, which goes to Imperial), Forests and Irrigation Major Works (direct receipts) and Minor Works, and the corresponding expenditure heads (including refunds, and assignments and compensations, but excluding Land Revenue, which is wholly provincial) are divided in equal proportions between imperial and provincial.

The following are wholly provincial transactions :—

(i.) Revenue and expenditure heads Registration (including refunds), Interest (Provincial Loan and Advance Account and receipts on account of a few Educational and Medical Charitable Funds), Courts of Law, Jails, Police, Marine, Education, Medical and Contributions between provincial and local ;

(ii.) Revenue and expenditure heads Stationery and Printing (except the value of Stationery supplied from the Central Stores to certain local funds and other independent bodies and the cost of stationery purchased for the stores) ;

(iii.) Revenue and expenditure heads Civil Works (except transactions connected with buildings belonging to Imperial Departments) ;

(iv.) Revenue and expenditure heads Superannuation and Miscellaneous (except a few items, such as subscriptions under the I. C. S. Family Pension Rules, Military and Bombay Civil Fund Pensions, extraordinary items exceeding Rs. 10 remittance of treasure, bills of exchange, etc.) ;

(v.) Revenue and expenditure heads Scientific and other Minor Departments (except charges on account of (i.) pay and allowances of officers on the cadre of the Civil Veterinary Department and (ii.) Census and Ethnographic Survey) ;

(vi.) Expenditure heads General Administration (*i. e.*, charges on account of His Excellency the Governor, the Members of Council, the Civil Secretariat, the Revenue Commissioners, Local Fund Audit and Collector's Local Fund Establishments) and Political (*i.e.*, Kathiawar, Cutch, Mahi Kantha, Palanpur, Kolhapur and Southern Maratha Country, Savantwadi and other Minor Agencies).

For Famine Relief a special settlement has been made since 1907-1908, under which an annual assignment of Rs. 13,70 will be made to provincial through the Land Revenue head to build up a reserve of credit up to a maximum of Rs. 80,00 ; *per contra* these assignments will be debited in the provincial account to the expenditure head "Reduction or Avoidance of Debt." A separate administrative or *pro forma* account will be kept of the accumulations to the credit of the Local Government. When famine occurs, the direct expenditure on actual measures of relief will be charged against imperial revenue under the expenditure head "Famine Relief" until the amount at the credit of the Local Government is exhausted, after which event further expenditure will be divided between imperial and provincial in equal shares. If a famine should be so widespread or severe as to reduce the provincial balance below one-half of the prescribed minimum of Rs. 20,00 the incidence of expenditure after that stage will be a subject for special arrangement at the time. If famine occurs during the first five years after the new scheme has been introduced, and before a sufficiently large reserve of credit has been accumulated, any expenditure incurred on relieving it will be treated as wholly imperial up to a limit equal to five years' assumed credits in the *pro forma* account.

4. The settlement is of a consolidated character and is based in the main on the figures of the budget for 1904-1905. The revenue and expenditure were estimated at Rs. 4,48,98 and Rs. 4,91,75 respectively, and in order to produce an equilibrium between revenue and expenditure the Government of India make a fixed assignment of Rs. 42,77 annually through the head "I.—Land Revenue." Furthermore, the Government of India have agreed that, if in any year the provincial share of divisible Land Revenue should fall below Rs. 1,89,25, the deficit will be made up from imperial resources. The fixed annual assignment has since been increased by Rs. 70 and Rs. 44 respectively in connection with the division of the Khandesh District and the revision of the Sind Sadar Court, for which separate assignments were contemplated but not finally fixed in the settlement as the schemes were under consideration.

5. The settlement does not take into account any contribution which the Government of India find desirable to make towards the expenditure rendered necessary by reforms which were in contemplation in the administration of police and education or towards the additional expenditure on irrigation which may result from the investigation of the Irrigation Commission. Since the terms of the settlement were fixed, certain items under the expenditure head "Assignments and Compensations" have been reclassified, the charges on account of Cantonment Magistrates have been transferred to the Military Department, and transactions on account of the Cantonment Police and Sind Village Officers' Cess have been provincialized. Pages 182-183 of the Civil Budget for 1907-1908 show a net imperial grant of Rs. 38,05 (exclusive of the fixed annual assignment of Rs. 42,77 on account of the adjustments between imperial and provincial for such services and other imperial grants-in-aid, all of which, except a few aggregating Rs. 14,63* (fixed for specified terms), are recurring items.

* The figures all refer to 000's of rupees.

* This amount includes Rs. 13,70 on account of famine-relief.

Statement of Revenue and Expenditure fixed under the Bombay Provincial Settlement commencing from the year 1905-06.

(Thousands of rupees.)

REVENUE		EXPENDITURE.	
Heads of Revenue.	Settlement figure.	Heads of Expenditure.	Settlement figure.
I.—Land Revenue { Divided	1,92,22	1.—Refunds	2,50
{ Wholly Provincial	91,71	2.—Assignments	95,69
IV.—Stamps	30,75	3.—Land Revenue	66,43
V.—Excise	59,50	6.—Stamps	1,25
VIII.—Assessed Taxes	17,90	7.—Excise	2,52
IX.—Forests	12,65	10.—Assessed Taxes	36
X.—Registration	5,60	11.—Forests	9,40
	4,10,33	12.—Registration	3,00
XII.—Interest	5,56		1,81,15
		13.—Interest	6,76
XVI-A.—Courts of Law	4,26		
XVI-B.—Jails	2,25	18.—General Administration	14,59
XVII.—Police	4,20	19-A.—Courts of Law	48,68
XVIII.—Marine	67	19-B.—Jails	8,24
XIX.—Education	3,06	20.—Police	64,26
XX.—Medical	2,17	21.—Marine	43
XXI.—Scientific and other Minor Departments.	26	22.—Education	23,55
	16,87	24.—Medical	21,06
		25.—Political	4,22
XXII.—Superannuations, etc.	1,90	26.—Scientific and other Minor Departments.	2,96
XXIII.—Stationery and Printing	68		1,87,99
XXV.—Miscellaneous	63		
	3,21	29.—Superannuation allowances, etc. ...	22,90
		30.—Stationery and printing	11,35
		32.—Miscellaneous	2,73
XXIX.—Major Works—Direct Receipts ...	5,25		36,98
XXX.—Minor Works and Navigation ...	1,40	42.—Major Works—Working expenses ...	5,25
	6,65	Do. Interest	8,82
		43.—Minor Works and Navigation ...	15,71
XXXII.—Civil Works	6,36		29,78
Total Revenue ...	4,48,98		
		45.—Civil Works	40,00
Fixed Assignment ...	42,77	Contributions	9,09
Grand Total ...	4,91,75	Total Expenditure ...	4,91,75

APPENDIX II.

Appointment of Inspectors-General.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official or unofficial, with officers of the Local Government.
1	Inspector-General of Forests.	22nd March 1864.	In order to assist the Government of India in dealing with the forest business that comes before it.	The Inspector-General will be at liberty to offer suggestions on any subject connected with forest administration to any of the Local Governments, but it will entirely rest with those Governments to act on such suggestions or not, as they may think proper.	Official correspondence with the local officers and Governments is allowed.

Appointment of Inspectors-General—cont.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official or unofficial, with officers of the Local Government.
2	Inspector-General, Civil Veterinary Department.	18th February 1892.	To have at the head of the Department a consultative and advising officer.	To deal with all matters connected with military requirements, including the inspection of military stations, &c., and partly as a consulting officer on all matters of general administration which the Government of India may be required to deal with in communication with Local Governments.	Not stated in the order.
3	Director-General of the Indian Medical Service.	1st April 1896.	Amalgamation of the medical services of Bengal, Madras and Bombay into one service under the direct administrative control of the Government of India.	To propose transfers between the Military and Civil Departments, to recommend for promotion to the administrative grades and to advise the Government on all questions relating to the admission of officers and subordinates to the Indian Medical Service, to the conduct and services of Indian Medical Officers of all grades and to the supply of medical and surgical stores.	He is entitled to receive any information he desires from the Surgeon-Generals and to communicate with them in regard to the operation of departmental rules and orders.
4	Chief Inspector of Explosives with the Government of India.	5th September 1898.	The necessity for inspection and testing of nitro-compounds.	The duties of the Chief Inspector are to carry on the regular and systematic examination of all the important magazines in the country, to investigate and report on the causes of explosions and to give expert advice in all matters connected with the Administration of the Explosives Act and rules framed thereunder.	The local Chief Inspectors have been instructed to co-operate with the Chief Inspector to the Government of India and to render him such assistance as may be required. They have also to furnish that officer with copies of reports of all inspections made by them and to refer to him direct any technical questions on which his opinion or advice may be desired.
5	Inspector-General of Agriculture.	24th October 1901.	To have an adviser on matters connected with agriculture.	The duties of the Inspector-General are to guide and co-ordinate the experiments which are being made under the orders of Local Governments, and to publish and criticise their results, to indicate new lines which enquiry may profitably follow, and to respond to the requests of private investigators for assistance or advice.	He is authorized to correspond direct with the Heads of the Departments of Agriculture
6	Director-General of Indian Education.	6th November 1901.	To have an expert adviser in educational matters.	To visit the different Local Governments and administrations and confer occasionally with the Director of Public Instruction and thus establish between the Government of India and the Local Governments a better understanding on educational matters.	The mode of correspondence has not been specified.
7	Director-General of Archæology.	11th February 1902.	To provide an expert Head for the Archæological Department who could assist local effort with authoritative advice and guidance, and maintain a continuous record of the archæological needs of the various provinces and of the action taken to meet them.	The duties are to exercise a general supervision over all the archæological work of the country; to assist the provincial Surveyors in ascertaining and formulating the special requirements of each province; to advise the Government of India as to the operations for which special subsidies may be allotted from imperial funds and to visit all the important circles in each year, reporting the general results of his tour to the	Not stated.

Appointment of Inspectors-General—cont.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official, or unofficial, with officers of the Local Government.
				Local Government of each province visited and offering any suggestion that he may have to make in connection with the buildings which he has inspected.	
8	Inspecting Officer of Cantonments.	4th June 1903. (Appointment made in the first instance for 5 years.)	To improve the prospects of the Cantonment Magistrates' Department and the standards of executive and sanitary work in Cantonments throughout India.	To examine the work of Cantonments, co-ordinating results, so that the experience gained in one place may be utilized elsewhere, and advising the military authorities generally in matters of Cantonment administration to acquaint himself with the financial position of Cantonments generally and to advise how that position may be improved; his inspection and report on Cantonment Magistrates to be confined to their executive work only, his concern with their judicial work being restricted entirely to the question of how far its nature or amount may interfere with their other duties.	Not stated.
9	Director, Criminal Intelligence.	30th June 1904.	In order to substitute for the Thagi and Dakaiti Department a Central Criminal Intelligence Department.	To collect and communicate information regarding such forms of organized crime as are committed by offenders operating along the railway system, criminal tribes, suspicious strangers, wandering gangs, dakaits, note-forgers, coiners and the like.	The Director is to correspond freely with the provincial Inspectors-General of Police about the classes of crime with which he is concerned.
10	Controller of Printing and Stationery.	1st July 1904	To improve the management and control of the Department of Stamps and Stationery in India and to introduce greater efficiency and economy in the adminstration of the Government printing presses.	To inspect, supervise, and control all printing presses under the Government of India and also to inspect presses under the Local Governments and administrations, advising them in matters connected with printing and stationery.	It is not stated how he is to correspond with Local Governments, but Local Governments have been asked to arrange to help him in his inspections and to pay due attention to his reports. In demi-official letter of 6th August 1904, the Secretary to the Government of India in the Finance Department stated that the Superintendent of Stationery in Bombay should be instructed to place himself in communication with the new Controller with a view to settling the most convenient procedure to be followed in arranging for the contracts for country stationery.
11	Sanitary Commissioner with the Government of India.	8th September 1904.	Provision of a sanitary adviser whose whole time can be devoted to sanitary work only and who can assist the Government of India with his counsel and at the same time supervise the existing sanitary machinery and direct and inspire the measures taken for its improvement.	The functions of the Sanitary Commissioner are to advise the Government of India upon sanitary and bacteriological questions and to organize and direct research throughout India.	By Home Department Resolution No. 1273–1290, dated the 8th September 1904, the Sanitary Commissioner with the Government of India was empowered to correspond *unofficially* with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics, and

Appointment of Inspectors-General—cont.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official or unofficial, with officers of the Local Government.
					purely technical questions. Recently, however, the Government of India have stated that the restriction to unofficial correspondence has produced considerable inconvenience and they have, therefore, directed that such reference should in future be made *officially*.
12	Director-General of Commercial Intelligence.	27th February 1905.	To take the place of the Director-General of Statistics (whose appointment was made in 1895) and to act as an intermediary between the Government of India and the mercantile public.	To collate and compile the statistics of all departments.	Not stated.
13	Inspector-General of Irrigation.	8th February 1906 (for a period of three years), as a whole time officer; but previously Joint and Deputy Secretary to the Government of India.	To make suitable and satisfactory arrangements for dealing with the vast number of important irrigation projects which have been sanctioned or proposed.	To inspect the various irrigation projects and discuss with the Local Governments the possible development of those water-ways in India which, in the interests of commerce, it is considered desirable to maintain or improve.	Not stated.
14	Inspector-General of Excise and Salt.	30th September 1907.	To facilitate reforms in the excise system prevailing in the different provinces.	To keep the Government of India informed on matters of general administration relating to excise and salt. To furnish Local Governments in the provincial Departments concerned with advice and information and to bring the experience of one province to bear upon the problems of another so as to secure such co-ordination, as may be possible, of the systems of the different provinces.	He is to correspond and confer informally with the Heads of the Departments and with Local Governments on matters regarding excise and salt, in order that he may be in the most favourable position to offer informed advice to the Governor-General in Council, who is ultimately responsible for the effective observance of the policy of Government in such matters.

APPENDIX III.

CASES SHOWING NEED FOR DECENTRALIZATION.

Political Department.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	Foreign Service, &c.		
1	(*a*) Foreign Service, first and second kinds.	Civil Service Regulations. Foreign Department Resolution No. 1745-G., dated 18th August 1905 (Bombay Government Resolution, Political Department, No. 7649, dated 27th November 1905).	The rules relating to the transfer of officers to foreign service were revised by the Government of India in the year 1889 (Resolution of the Government of India in the Finance and Commerce Department, No. 169, dated the 7th January 1889). Before this revision the rules governing such transfers were those laid down in sections 8 to 11 of the Civil Pension Code. There was then no distinction between the three different kinds of foreign service, as at present, the broad rule in section 8 of the Civil Pension Code being that a reference to the Government of India was necessary when it was proposed to grant an officer in foreign service a net salary exceeding Rs. 250 per mensem. The records show that in some cases this Government sanctioned a transfer and then reported it to the Government of India for confirmation.

Political Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			References to the Government of India are now necessary in the following cases :— (*i*) Where the officer to be lent to the Darbar has not ten years' qualifying service for pension under Government; (*ii*) When it is proposed to be given in foreign service exceeds the limit laid down in Article 753 (*iv*) of the Civil Service Regulations; or (*iii*) When it is proposed to give him any emoluments other than those specified in Rule III of Appendix 31, Civil Service Regulations. As regards (*i*) the restriction as to ten years' qualifying service for pension was imposed for the first time in 1889 (paragraph 3 of Government of India Resolution quoted above). If the powers at present exercised by the Government of India were delegated to the Bombay Government a great deal of correspondence would be saved. The Government of India in their Resolution No. 4622-I. B., dated the 5th December 1907, have revised their orders of August 1905 regarding the grant to officers of Government transferred, under foreign service conditions, to Native States, of any privileges and concessions in addition to substantive pay, and have indicated the concessions which may be sanctioned by a Local Government in those cases in which it has power under the rules in the Civil Service Regulations of sanctioning the transfer of an officer to service under a Native State.
	(*b*) Pensions from Native States.	Article 784 of the Civil Service Regulations.	The sanction of the Government of India is necessary to allow a Government or retired pensioned officer to receive a pension or gratuity from Native States. A question is at present under consideration whether an officer lent to a Native State can continue in the service of that State after retirement from Government service. The orders of the Government of India on this question are awaited in the Financial Department.
	(*c*) Employment of European pensioners in Native States.	Foreign Department Resolution No. 2245-G., dated 19th October 1905 (Bombay Government Resolution, Political Department, No. 7649, dated 27th November 1905).	*Cf.* Mr. Steele's case, the only case that has arisen since the Government of India's order of 1905 (Bombay Government letter No. 7725, dated the 29th November 1905). Mr. C. E. S. Steele is a European pensioner and retired from the post of Collector of Hyderabad, Sind. He has been appointed as Divan and Adviser to the Chief of Chhota Udepur for a period of three years with the Government of India's sanction. *Note.*—During 1902–1906 there were on the subject of Foreign Service generally 38 references from, and 44 to, the Government of India.
	Employment of Europeans in Native States.		
2	(*a*) Employment of Europeans generally.	Foreign Department Order No. 2847-I., dated 11th August 1886 (Government Resolution, Political Department, No. 5133, dated 2nd September 1886). Foreign Department letter No. 4692-I., dated 29th October 1887 (Bombay Government Resolution, Political Department, No. 7600, dated 21st November 1887). Foreign Department letter No. 3733-I.A., dated 1st October 1897 (Bombay Government Resolution, Political Department, No. 6587, dated 27th October 1897). Foreign Department letter No. 3086-I.B., dated 28th August 1904 (Bombay Government Resolution, Political Department, No. 5597, dated 10th September 1904). Foreign Department letter No. 421-I.A., dated the 30th January 1905 (Bombay Government Resolution, Political Department, No. 891, dated 8th February 1905). Foreign Department letter No. 408-G., dated the 13th February 1907.	In the year 1831 the Government of India for the first time prescribed a half-yearly return of officers, Europeans and East Indians, who were British subjects and were employed in the service of a Native State in Alliance with the British Government, whether they belonged to His Majesty or the Honourable Company's Service, or were without any Commission or rank in Her Majesty's Service (letter from the Chief Secretary to the Government of India dated the 26th August 1831). In 1867 the return was made annual (Government of India Circular No. 504, dated the 27th May 1867). Till the year 1886 there was no order requiring the previous sanction of the Government of India to such appointments, unless a reference was required by the rules relating to the transfer of British officers to foreign service in Chapter III of the Civil Pension Code. There were instances where the Bombay Government had sanctioned on their own authority the appointment of Europeans to positions of importance in Native States such as Companion and Adviser to a Prince, Guardian to a young Raja, State Engineer, &c. But in Foreign Department Resolution No. 2847-I.A., dated the 11th August 1886, the Government of India, when issuing revised orders for the submission of the annual return, interfered, for the first time, with the freedom of the Bombay Government in the matter. While authorising Local Governments to sanction the employment of Europeans (such as bandsmen, gardeners and mechanics) *in positions of minor importance* in Native States, they directed that in all other cases applications for leave to employ Europeans either temporarily or permanently should be submitted to the Government of India for sanction. The sanction is not to be anticipated and the term European includes Americans and Australians. Such applications are required to be made in a set form giving particulars as to the proposed employé's antecedents, &c. The annual return which is submitted to the Government of India is required by them for *reasons of policy* and is not necessarily connected with the provisions of Treaties.

Political Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	(*b*) Extension of the period of their employment. (*c*) Increase in their salary. (*d*) Grant of other special privileges, &c.	.....	All these questions have also to be referred to the Government of India in cases where the original appointment is sanctioned by that authority.
	(*e*) Employment of European Lady Doctors.	Foreign Department letter No. 1043-I.A., dated 17th March 1897 (Bombay Government Resolution, Political Department, No. 2419, dated 9th April 1897).	The Government of India's orders require intimation of the wish or intention to employ a lady doctor within a Native State. The object of the reference is stated to be twofold— (1) To obtain the advice of the "National Association for providing Female Medical Aid to the Women of India"; and (2) To obtain useful information before permitting the employment. On the subject of employment of Europeans generally, including the return, there were during 1902–1906 19 references from, and 22 to, the Government of India.
3	Acceptance by Medical Officers of Government of fees for professional services rendered to Ruling Chiefs and their families or dependents, Indian gentlemen of high position in a Native State or Indian gentlemen of high position in British India.	Home Department (Medical) Notification No. 437, dated 25th July 1893, paragraph 2 (Bombay Government Resolution, Political Department, No. 6592, dated 4th November 1893). Home Department (Medical) Notification No. 607, dated 1st July 1907 (Bombay Government Resolution, Political Department, No. 6171, dated 2nd September 1907). Home Department (Medical) letter No. 987 dated 6th September 1907.	The first orders of the Government of India in the Home Department on the subject of the remuneration of Medical Officers for attendance on Native Chiefs were issued in December 1888. Previous to that date Medical Officers were allowed to accept fees under Clause IV of Foreign Department Notification No. 1299-G., dated the 20th June 1876, regarding acceptance of presents. This Government considered the question whether the fee was excessive. In September 1889 the Government of India in the Foreign Department ruled that the orders were of general application and that Medical Officers employed in the Political Department in Native States who were attendants on Native Chiefs were to be guided by the orders. In 1893 fresh orders were issued by the Home Department without reference to this Government. These orders were subsequently altered in October 1900, June 1901, and April 1904. In no case does this Government seem to have been consulted. In October 1901 the Government of India in the Foreign Department addressed this Government on the subject of the rules. They stated (*i*) that much uncertainty exists as to what are reasonable and proper fees, and (*ii*) that Local Governments have in some instances failed to realise the importance of strictly scrutinizing and controlling the proposals made, and have, therefore, passed on, and occasionally even recommended for sanction, fees which the Government of India have been compelled to regard as excessive and improper. They further observed as follows :— "Upon the first point it is obviously impossible to lay down any precise principles or definite regulations, but the existing rules prescribe that fees should not be out of proportion to the relief afforded or to the circumstances of the case. It may be added that they should also not be out of proportion to the rank, position and emoluments of the Medical Officer concerned, and though it may often be right that they should be liberal, they should not exceed, to an extent which may be deemed extravagant, the general standard of the fees which the Medical Officer accepts in his ordinary private practice. With regard to the second point, the Governor-General in Council desires to take this opportunity of reminding Local Governments of the duty that is imposed upon them by the rules of closely investigating the proposals made, not only when they sanction the fees themselves, but also when they forward their suggestions for the orders of superior authority. It should be understood that they are not expected to refer for orders every case in which the fee offered or claimed exceeds Rs. 2,000, but only those cases in which they desire to recommend that the fees should exceed that amount. It is only by the strict and conscientious discharge of this duty by Local Governments that the Government of India can be relieved of the disagreeable necessity of intervening at a difficult stage and under circumstances which are invidious to all concerned." They then proceeded to cite instances in which applications had been received by them for sanction to the payment of inordinate fees, and added that it could not be denied that the cases brought to notice indicated that there were instances in which a clearer understanding of the objects and wishes of the Government of India was desirable. As regards fees the procedure has under the orders of 1907 been revised and is as follows :— Fees calculated on the scale of Rs. 16 a visit or in certain cases Rs. 32 according to recognised custom, unless the total exceeds Rs. 160 during any one month, may be accepted without permission. Higher fees require the permission of the Director-General, India Medical Service. The application is to be made by the officers concerned through the local Administrative Medical Officer, who is to consult the local Government (without disclosing professional details) and to communicate their views to the Director-General. The decision of the Director-General, who has to consult the Government of India when he differs from the Local Government, is final. This Government was not consulted previous to the issue of the Government of India's orders of July 1907.

Political Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
4	Retension of presents by Government Officers.	Foreign Department Circular No. 1299-G., dated 20th June 1876 (Bombay Government Resolution, General Department, No. 2271, dated 25th July 1876).	The acceptance of any presents is prohibited by law (33 Geo. III, Chap. 52, Sec. 62). References are, however, made to the Government of India for permission to the retention by Political Officers of articles, such as silver trowels, silver keys, &c., presented to them on the occasions of the laying of foundation-stones, opening of public buildings, &c., and the permission is almost invariably given. General permission has been granted to the Commissioner in Sind to retain such mementoes (Foreign Department letter No. 8, dated the 3rd January 1905). In Bombay Government letter No. 725, dated the 16th February 1905 (General Department), it was suggested to the Government of India that the Bombay Government be authorized to dispose of all such references, a quarterly return of the orders passed being sent to the Government of India, if they desired it, for information and to enable them to exercise control, as in the case of memorials withheld. In reply they stated in Home Department letter No. 622, dated the 7th March 1905, that it did not appear to them that the quarterly lists would fully serve the purpose in view, and that they would prefer to make no change in the existing orders on the subject, which require that the permission of the Governor-General in Council should be obtained in each case. *Note.*—During 1902–1906 there were 20 references to and from the Government of India in the Political Department.
			Judicial Department.
5	Application for sanction to the addition to the Presidency police force of policemen or *ramoshis* for employment in guarding public buildings.	City of Bombay Police Act, 1902 (Bombay Act IV of 1902), Section 4.	The services of the ramoshis are treated as temporary and non-pensionable. An amendment of the question (which practically follows Section 7 of the old Act XIII of 1856) so as to authorize the Bombay Government to entertain the requisite number of *ramoshis* or policemen, or the grant of a general authority under that section to employ *ramoshis* or extra policemen within a fixed number, would greatly reduce the number of references which have to be made to the Government of India. In 1904, in applying to the Government of India for sanction to the employment of a certain number of policemen, an enquiry was made as to whether they had any objection to the section of the Act referred to being amended so as to dispense with any previous sanction. In reply, however, they stated that the question of amending the section in the manner suggested by the Bombay Government would be considered in connection with the proposed General Police Act for India (*vide* Home Department Letter No. 191, dated the 4th March, 1905). The General Police Bill has, it is understood, been dropped. *Note.*—During 1902–06 ten references were made to the Government of India on this subject.
6	Application for sanction to removal of Hurs from one settlement to another.	Section 15 of the Criminal Tribes Act, 1871 (Act XXVII of 1871).	*Note.*—During 1902–06 two references were made to the Government of India on this subject.
7	Application for extension of certain portions of the Dekkhan Agriculturists' Relief Act, 1879, (XVII of 1879), to those parts of the Bombay Presidency to which they had not been already extended.	Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), Section 1.	The sanction of the Government of India is required under Section 1 of the Act. The Act is a local one passed with a view to benefit the agriculturists of the Bombay Presidency. *Note.*—During 1902-06 four references were made to the Government of India on this subject.
8	Rules made by the High Court regarding (*a*) the fees chargeable for serving and executing processes issued by the High Court in its appellate jurisdiction and by the other Civil, Criminal and Revenue Courts subordinate to it, and (*b*) the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes	Court Fees Act (VII of 1870), Section 20.	All such rules, alterations, and additions have to be published in the local Official Gazette after being confirmed by the Local Government and sanctioned by the Governor-General of India in Council.

Judicial Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
9	Proposal that the names of the Mehwasi Chiefs may be included among the personages, who, with their retainers, are exempted from the operation of the Arms Act under clause (9) of paragraph 1 of Home Department Notification No. 518, dated the 6th March 1879.	Section 27 of the Indian Arms Act, 1878 (XI of 1878).	*Note.*—During 1902–06 there were two references to the Government of India on this subject.
10	Proposal to exempt certain persons belonging to the Bhávnagar State Imperial Lancers, while temporarily residing or travelling in British India, from the operation of Sections 13 to 16 of the Indian Arms Act, 1878 (XI of 1878), in respect of the swords of honour which were presented to them by His Highness the Thakor Saheb Bhávnagar in recognition of their services in South Africa during the late War.	Section 27 of the Indian Arms Act, 1878 (XI of 1878).	There was only one reference to the Government of India on this subject during 1902–06.
11	Applications for sanction to the rules framed by the Bombay High Court under Section 2 of the Destruction of Records Act, 1879 (III of 1879).	Section 5 of the Destruction of Records Act, 1879 (III of 1879).	During 1902–06 there were four references to the Government of India on this subject.
12	Report about changes in the number of Subordinate Civil Courts.	The Bombay Civil Courts Act, XIV of 1869, Section 21.	Section 21 says that "there shall be in each district so many Civil Courts subordinate to the District Courts as the Governor of Bombay in Council, acting under the general control of the Governor-General of India in Council, shall from time to time direct." In accordance with these orders any reduction or increase in the number of Subordinate Civil Courts must be reported to the Government of India. During 1902–06 there were two references to the Government of India on this subject.
13	(*a*) Application for sanction to the extension of certain sections of the Bombay Civil Courts Act, 1869 (XIV of 1869), to the Province of Sind. (*b*) Proposal to extend to Sind, subject to certain restrictions and modifications, the Bombay District Police Act, 1890 (Bombay Act IV of 1890).	Scheduled Districts Act, 1874 (XIV of 1874), Sections 5 and 5-A.	During 1902–06 there were two references to the Government of India on this subject.
14	Proposals to put rifled arms in the hands of the police.	Letter from the Government of India, Military Department, No. 1986-D, dated the 2nd May 1894.	The sanction of the Government of India is necessary whenever it is proposed to put rifled arms in the hands of the police. In each of the thirteen cases referred to the Government of India for sanction during 1902–06, their sanction was given.

General Department.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
15	Remuneration of Government Officers who may be appointed to perform the duties of President or Assessor of the Tribunal of Appeal.	Article 81 of the Civil Service Regulations.	Under Section 48 (8) of the City Improvement Act the remuneration of the members of the Tribunal is to be fixed by this Government. When the President or Assessor is a Government officer, the sanction of the Government of India is required under Article 81 of the Civil Service Regulations to the grant to him of the remuneration. In this Department letter No. 3465, dated 18th June 1901, the sanction of the Government of India was asked for to the grant of certain remuneration to Messrs. McLeod and Kemball for doing duty as President and Assessor, respectively, of the Tribunal of Appeal. In the same letter the general sanction of that Government was requested to the payment of such remuneration as might be fixed from time to time by this Government under section 48 (8) of the City Improvement Act to any Government officer who might in future be appointed President or Assessor of the Tribunal. The Government of India remarked that the remuneration proposed was excessive and they called for further information. With reference to the question of the general sanction the Government of India stated that they preferred not to delegate the power asked for. In this Government letter No. 6420 of 13th November 1901, reasons were adduced in favour of the remuneration recommended by this Government, and the Government of India sanctioned it as a purely temporary arrangement having effect for a period of one year only. In 1902, 1903 and 1904 the sanction of that Government had to be obtained to the grant to the President of the same remuneration. In 1904 the Government of India stated that they had no objection to the continuance of the remuneration to any officer of Government whom this Government might select for the post subject to the condition that if in any period of six months an officer drew a remuneration greater than that to which he would have been entitled had Article 81 of the Civil Service Regulations been applied to his case, the matter should again be referred to them for orders. No subsequent reference has been made to the Government of India regarding the remuneration of the President. Subject to the same condition the Government of India also sanctioned the payment of the remuneration to any Government officer who might be appointed as Assessor. The fees received by the Assessor, Mr. R. J. Kent, for the period of six months from the date of his appointment—4th May 1904—was greatly in excess of the limit prescribed, and the Government of India were asked to allow that officer to retain the fee earned by him (letter No. 3150, dated 10th June 1905). The Government of India sanctioned the retention of the fees received by Mr. Kent, but re-opened the question of the fees payable to the Government Assessor (letter No. 101, dated 27th July 1905). Two more letters had to be written to the Government of India, and the question was not finally settled until June 1906. During 1902–1906 there were nine references to the Government of India on this subject.
16	Grant of remuneration to the Assistant Commissioner for taking Accounts and Assistant Taxing Officer, High Court, for doing duty as Taxing Officer of the Tribunal of Appeal.	Article 81 of the Civil Service Regulations.	The Government of India sanctioned the remuneration fixed by this Government on the condition that if in any period of six months the Assistant Commissioner drew a remuneration greater than that to which he would have been entitled had Article 81 of the Civil Service Regulations been applied to his case, the matter should be again referred to them for consideration. The fees received by the Taxing Officer during the period from 18th April 1904 to 30th September 1905 was within the limit allowed by Article 81 of the Civil Service Regulations, but the fees received during the period between 1st October 1905 and 1st April 1906 was above the the limit, and the Government of India's sanction was asked for to the retention of the fees earned by the Taxing Officer. The Government of India accorded the required sanction. Similarly, the fees earned by this officer during the period from 1st October 1906 to 31st March 1907 exceeded the prescribed limit by Rs. 60 only, and the sanction of the Government of India had again to be obtained to the retention of the excess by the officer concerned.
17	Examination of the octroi schedules of the District Municipalities in this Presidency with a view to ascertain whether the rates levied on articles for which sea customs are paid and the corresponding indigenous articles are higher than the rates prescribed by the Government of India.	Executive orders of the Government of India issue in 1899.	Under the Government of India's orders of 1868 the levy of octroi duties on articles liable to sea customs duty and imported into India by sea was prohibited. These orders became inoperative when the sea customs duties were abolished in the early eighties. When the sea customs duties were reimposed in 1894, the question of dealing with the existing local octroi schedules, which contained numerous articles then made liable to imperial taxation, came under the consideration of the Government of India and in 1899 they prescribed certain rates at which the levy of octroi upon articles liable to customs duties should be permitted. This Government was asked to examine the circumstances of each municipality in order to ascertain whether the rates levied on articles for which sea customs were paid and the corresponding indigenous articles were higher than the prescribed rates, and to report any exceptions as regards rates to them for consideration. The examination was commenced in 1900 and the orders issued in several cases were communicated from time to time* to the Government of India. In 1902 the results of the examination were summed up and certain suggestions were made to the Government of India regarding the modification of the rates prescribed by them. They were further informed that in six municipalities in the Northern Division it was found that immediate compliance with the orders of the Government of India would result in very serious derangement of the municipal finances and that accordingly these municipalities had been given a short period of grace in which to prepare and submit for the approval of Government such revised schemes of taxation as would enable the prescribed reduction of the rates to be effected without appreciable loss to the revenues of the Boards. The Government of India approved of the action of this Government. In their Resolution No. 179–185, dated

* Five letters were sent to the Government of India in 1900 and 1901.

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			the 17th September 1903, the Government of India stated that they were constrained to come to the conclusion that the rates proscribed by them in 1899 were too low and they proposed accordingly more liberal rates and asked for the opinion of this Government whether the rates were suitable for final adoption. This Government proposed certain modifications in the rates for tobacco and ghi, but the Government of India did not accept them and confirmed their orders of 17th September 1903. Three letters have been sent to the Government of India in the current year in connection with the octroi schedules of the six municipalities in the Northern Division referred to above. The correspondence is now practically closed and no further action appears to be necessary. It may however be noted that some municipalities, *e.g.*, Surat, Broach and Ahmedabad were much exercised at devising ways and means to meet the deficit in their revenue caused by the reduction of the rates on ghi and sugar—articles which are consumed chiefly by the well-to-do people.
18	Grant of holidays in Government and other offices in this Presidency.	.....	Ever since 1858 it had been the practice in this Presidency to allow eleven special holidays in each year to each of the classes of office servants, viz., Christians, Hindus, Mahomedans, Pársis and Jews in addition to the four State holidays. The holidays under the Negotiable Instruments Act were selected by a Committee appointed by Government every year, consisting of the Chamber of Commerce, Bombay, the Secretary and Treasurer, Bank of Bombay, the Accountant-General, a representative of the Managers of the Exchange Banks and an officer nominated by the Chief Justice, and the days selected by the Committee were notified by Government as holidays under the Negotiable Instruments Act. In paragraphs 5 and 6 of their letter No. 5233, dated 16th September 1901, which was issued without prior consultation with this Government, the Government of India directed that certain holidays should be omitted from the list of holidays under the Negotiable Instruments Act, and that holidays for Eastertide should be restricted to four days and should not be notified for seven days as was done previously under the orders of this Government. They further directed that the number of special sectional holidays should be reduced. In his minute, dated 1st October 1901, the Honourable Sir Charles Ollivant remarked :— "The letter in spirit and terms is at once pedagogic and grandmotherly. Even in the most trivial things there must be the strictest conformity with one bureaucratic model. Little heed is paid to local circumstances and peculiarities, and it is conceivable that had our opinion been asked beforehand we might have deemed it reasonable and judicious to consult the Bombay Chamber of Commerce, the Bombay Piece Goods Association and other bodies. But we have not been asked and our duty now is simply except in regard to paragraphs 6 and 7 to obey and promulgate orders." With reference to the holidays under the Negotiable Instruments Act the Government of India were informed in Financial Department letter No. 4833, dated 21st December 1901, that "the matter is one which mainly concerns the commercial community, and it has been the practice to be guided by a Committee the members of which are in the best position to know what holidays would best suit the interests of that community. It will give rise to considerable dissatisfaction if Government decline to notify under the Negotiable Instruments Act days which a Committee so composed consider to be suitable Bank Holidays." Concerning the sectional holidays the Government of India were informed that this Government would be very unwilling to depart from the principle of allowing the same number of holidays to each community ; that the rule was eminently fair in its working and had been followed without question or complaint for over forty years ; and that Hindus and Mahomedans would have a right to complain if they were placed at a disadvantage as compared with Jews and Pársis. (Letter from General Department No. 1931 of 7th April 1902.) The Government of India agreed that one more day should be notified for the Christmas holidays, but declined to modify their orders as regards Whit-Monday and Ascension day and also their orders in connection with the sectional holidays. This Government accepted the orders of the Government of India and reduced the number of holidays granted to Mahomedans, Pársis and Jews. References have been made to the Government of India from the Financial Department regarding the notification of a holiday at Whitsuntide. This item is an instance of unnecessary interference in the interests of uniformity.
19	Imposition of taxes such as octroi, wheel-tax, water-tax, etc., in cantonments.	Section 17 of Cantonment Act XIII of 1889.	Section 17 of the Cantonments Act, 1889, prescribes that, with the previous sanction of the Governor-General in Council, the Local Government may impose in any cantonment which is not included in a municipality any tax which, under any enactment in force at the date of the notification, can be imposed in any municipality within the territories administered by such Government, and may abolish or modify any tax so imposed. The levy of taxes in municipalities is sanctioned by this Government and there is no reason why taxes in adjacent cantonments should not be sanctioned by them without reference to the Government of India. The Government of India have never refused their assent to the levy of the proposed taxes. If the power is delegated to this Government, the issue of about half a dozen letters every year may be avoided.
20	Retention of presents by Government officers.	Rule 2 of the Government Servants' Conduct Rules, 1904.	In February 1905 the Honourable Sir James Monteath, when presiding at the ceremony of closing the Industrial and Agricultural Exhibition held in Bombay, was presented with an album of photographs of the Exhibition. The Government of India were asked to sanction the retention of the album by the honourable member. They were at the same

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			time asked to authorize this Government to dispose of all such references, and were told that a quarterly return of the orders passed by this Government would be sent to them, if they desired it, for information and to enable them to exercise control as in the case of memorials withheld. The Government of India sanctioned the retention by the Honourable Sir James Monteath of the album. Concerning the proposed delegation, they stated that it did not appear to them that the submission of quarterly lists would fully serve the purpose in view, and that they preferred to make no change in the existing orders on the subject, which required that the permission of the Governor-General in Council should be obtained in each case. In May 1905 the sanction of the Government of India had to be obtained to the acceptance by the Reverend Canon Hill of a testimonial presented to him by the congregation of the Cathedral. In 1906 a silver-key (value Rs. 16) was presented to the Honourable Mr. Fulton on the occasion of the opening of the New High School at Ahmedabad. The Government of India were addressed and they sanctioned the retention by the honourable member of the key. Similarly in April last they sanctioned the retention by the Honourable Mr. Muir Mackenzie of a curtain which was presented to him on the occasion of his opening the Industrial Exhibition held at Surat in March 1907. All these petty references can be avoided if this Government were empowered to deal with such cases. In 1905, the Government of India in the Foreign Department accepted the proposal made by this Government that the Commissioner in Sind should be permitted to accept mementoes presented to him at such functions.
21	Investments by Government Servants other than those in immovable property.	No. 11 of the Government Servants' Conduct Rules, 1904.	No. 11 of the Government Servants' Conduct Rules, 1904, prescribes (1) that a Government servant may not make any investment other than one in immovable property permitted by Rule 9, which gives him *a private interest in matters with which his public duties are connected*, and (2) that subject to this condition he may hold shares in any company, including a mining or agricultural company, which has for its object the development of the resources of the country, provided that he will not be employed in any district in which the operations of any such company are conducted. In 1905 Mr. A. R. Bonus, Collector of Sholápur, reported that he possessed ten orginal and ten partly paid extension shares in the Bársi Light Railway Company, Limited. It appeared to Government that if the rule in question was interpreted strictly as it stood, Mr. Bonus or any other officer who was found to own shares in any one or more Railway Companies or other Joint Stock Companies having for their object the development of the resources of the different parts of this Presidency would have either to be transferred to any other district or division in which the operations of such companies are not conducted or to be called upon to sever his connection with such companies by selling all the shares owned by him therein. This Government was of opinion that it would not be in the interest of the Public Service or of the officer concerned to adopt indiscriminately either of these courses, and that it would be more satisfactory to have the rule made more workable and precise by amending it so as to leave the Local Government free to deal with each case on its merits, simply bearing in mind the general principle, well understood in the Law Courts, that no one can deal officially with a case involving in any degree his own pecuniary interests. The stringency of the rule was brought to the notice of the Government of India and they were asked to sanction the relaxation of the rule in the case of Mr. Bonus, and to amend the rule by substituting for the words italicised in the rule as quoted above the following :— "Such private interest in matters with which his public duties are connected as would be likely in the opinion of the Local Government to embarrass or influence him in the discharge of such duties." The Government of India sanctioned the relaxation of the rule in the case of Mr. Bonus, but they declined to make the amendment of the rule proposed by this Government, and stated that they considered it desirable that individual cases of this character should be referred to them for orders. Subsequently two more references were made from the General Department to the Government of India for the relaxation of the rule in question.
22	Appointments of Indian Medical Service Officers and of Plague Doctors as Civil Surgeons.	.....	Up to 31st March 1895, leave of all kinds was granted to Indian Medical Service Officers and appointments to fill vacancies were made by this Government without reference to the Government of India. The abolition of the Presidential Army System from 1st April 1895 led to important changes in the constitution of, and the control of this Government over, officers of the Indian Medical Service. The post of Director-General, Indian Medical Service, was created by the Government of India and revised rules for the grant of leave to officers of the Service were introduced in the Civil Service Regulations —Article 861. According to these rules all applications for leave from Commissioned Medical Officers, except privilege leave and leave on medical certificate, are submitted by the Surgeon-General to Government through the Director-General who countersigns the applications if the state of the Public Service admits of the grant of leave. If the services of any officers are required to replace those on leave, this Government has to apply to the Government of India and, in doing so, it cannot even specify the name of any particular officer whom the Surgeon-General may consider suitable for the vacancy. Applications made by this Government and the Government of Madras to secure a separate Medical Service did not elicit a favourable reply from the Government of India as the Indian Medical Service is recruited on a basis of providing for military needs with a strong reserve liable to be called out to serve with troops upon emergencies and in the meantime employed upon civil duties. In their letter No. 539, dated 6th June 1904, the Government of India stated that they were not disposed to re-open the question of separating the Civil from the Military Service, on grounds both of policy and of the greatly increased expenditure which the arrangement would entail.

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			During 1902–1906 about 17 references were made to the Government of India on the subject of leave and appointments of Indian Medical Service Officers. It is for consideration whether the question of separating the civil from the Military Service should again be taken up. The appointments of Plague Doctors to act as Civil Surgeons are reported to the Government of India for their formal sanction as the Civil Surgeoncies, with certain exceptions, are appointments reserved for Indian Medical Service Officers.
23	Grant of charge allowance to an Assistant Surgeon or Hospital Assistant for holding charge of the duties of Civil Surgeon, Jacobabad, in addition to his own duties.	.....	The Accountant-General held in 1898 that Article 142 of the Civil Service Regulations did not apply to the grant of charge allowance in this case, as the Civil Surgeoncy at Jacobabad was to be held by a Regimental Medical Officer along with a Military one, the allowance admissible to such an officer being Rs. 100 per mensem only. Since then the sanction of the Government of India has been obtained to the grant of the charge allowance to an Assistant Surgeon or a Hospital Assistant whenever he is appointed to act as Civil Surgeon. Four references were made to the Government of India on the subject during 1898–1907.
24	Increase in the cadre of Civil Assistant Surgeons.	.....	The minimum salary of an Assistant Surgeon is Rs. 100 plus Rs. 20 local allowance, and the maximum salary of a Senior Assistant Surgeon is Rs. 300 pay plus Rs. 50 local allowance. The sanction of the Government of India is necessary as the maximum salary exceeds Rs. 250 per mensem. Two references were made to the Government of India during 1902–1906.
25	Confirmation of the orders passed by this Government regarding the promotion of two Assistant Surgeons from the Third to the Second Grade.	.....	In these cases the Assistant Surgeons were given promotion from the dates on which they completed their seven years' service although they passed their grade examination some six months after, owing to no fault of theirs. The Accountant-General required the confirmation by the Government of India of these orders on the ground that, under the rules framed by the Government of India for the promotion of Assistant Surgeons, an Assistant Surgeon, before he became eligible for promotion from the Third to the Second Grade, must have (1) completed seven years' service, and (2) passed the usual examination, and that in the case of the two Assistant Surgeons in question the second condition had not been fulfilled on the dates from which promotion had been granted to them. The Government of India confirmed the orders.
26	Delegation to the Government of authority under the Epidemic Diseases Act of 1897 for dealing with a cholera epidemic at fairs.	.....	This authority was asked for to enable this Government to take special measures for dealing with epidemics of cholera on the occasion of the annual fairs at Pandharpur. What was wanted was the power to prohibit the gathering altogether The Government of India regretted their inability to sanction the proposed delegation of powers. The reasons, which led the Government of India to this decision, were that (1) the best protection against an outbreak of cholera at large assemblages is to be found, not in interference with the movements of the people, but in good sanitary arrangements both at the fair itself and on the routes taken by the pilgrims, and that, if proper arrangements for general conservancy are made and if the water-supply at the place, where the fair is held, is adequate and its purity effectually protected, there is little likelihood of any outbreak of cholera; and (2) that the provisions of the Municipal Act are sufficient to enable the desired protection to be secured. The Government of India further stated that if in spite of all endeavours cholera should be present in an epidemic form at any place at the time when a fair or festival was about to be held there, the Government of India would be prepared to consider the desirability of prohibiting the fair on that particular occasion and that an application from the Local Government would meet with due consideration.
27	Appointment of Europeans to offices on pay of Rs. 200 per mensem and upwards.	Article 773 (*a*) of the Civil Account Code, Volume II.	Under the orders issued in 1879 the sanction of the Secretary of State was necessary to such appointments. In 1892 it was decided that the sanction of the Government of India would be sufficient for the appointment of Europeans who were not Statutory Natives of India to offices carrying a salary of Rs. 200 a month and upwards. (Government Resolution, Revenue Department, No. 9499 of 3rd December 1892.) During 1901–1906 four references were made to the Government of India on the subject. In no case has that Government declined to sanction the appointments made by this Government and the references seem to be unnecessary in most cases.
28	Proposal that the special allowance of Rs. 25 per mensem drawn by the Hospital Assistant attached to the Bombay Bacteriological Laboratory for performing the duties of a tutor may be raised to Rs. 45 per mensem.	The sanction of the Government of India has been asked for in accordance with the orders cited in Government Resolution No. 273, dated the 29th January 1878.	Under the orders of the Government of India quoted in column 3 this Government is competent to sanction allowances to Hospital Assistants up to Rs. 25 a month. The Government of India may be asked to raise the limit to Rs. 50. The highest emoluments which this Government will then be able to sanction will be Rs. 120. (Rs. 70 pay of a Senior Hospital Assistant plus Rs. 50 the proposed allowance).

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
29	Proposed entertainment of a compounder on full pay in place of the one who has been granted combined leave of absence. (Letter to the Government of India, No. 5883, dated the 30th September 1907).	Under Article 147 (iii) of the Civil Service Regulations the Government of India have been asked to sanction the grant of the full pay of Rs. 20 to the substitute.	In paragraph 2 of the letter referred to in column 2 the Government of India have been informed as follows :— "I am further to suggest for the favourable consideration of the Government of India that in dealing with acting appointments in cases where the pay of the permanent holder does not exceed Rs. 50 per mensem, it might be left to the discretion of the Local Government to allow the full pay to the substitute when they are satisfied that the post cannot be filled by a competent man for less. It is not intended that the special rate of pay to be allowed in such cases should interfere in any way with the leave allowances of the substantive holder of the appointment."
30	Appointment of Assistant Surgeon Motiram N. Lalvani, L. M. & S., to perform the Civil and Railway Medical duties at Jacobabad as a temporary measure.	The appointment (Civil Surgeoncy of Jacobabad) is held by the Staff Surgeon at that station and the appointment of another officer requires the sanction of the Government of India.	The Government of India may be asked to authorize this Government to make such appointments without reference to them.

Educational Department.

31	Applications for sanction to the appointment of non-officials to act as professors in the Indian Educational Service.	.....	In 1901 this Government submitted to the Government of India a proposal that temporary vacancies in such appointments held by members of the Indian Educational Service as the Professorships in History, Philosophy and Political Economy should be filled by graduates from England. It was decided with the approval of the Secretary of State that all temporary vacancies in the Indian Educational Service of not less than a University year of about nine months which cannot be suitably filled in this country should be recruited for in England. Owing to shortness of notice or other causes the Secretary of State is unable to send out a temporary professor and local arrangements have to be made. In such cases and in cases of temporary vacancies of shorter duration when no suitable officer of the Provincial or Subordinate Educational Service is available, it becomes necessary to fill the temporary vacancies by gentlemen not in Government Service. The Government of India are asked by telegram to sanction such appointments and the sanction is accorded subject to the confirmation of the Secretary of State. During 1902–1906 two references were made to the Government of India. It would be convenient if this Government were allowed to make temporary appointments of outsiders to the Indian Educational Service when necessary on the condition that the pay of the outsider so employed should not exceed Rs. 250 a month, *i.e.*, half the minimum pay of the appointment admissible under Article 144, Civil Service Regulations.
32	Proposal to place certain officers of the Indian Educational Service on special duty in Europe and other foreign countries during a portion of their leave to study educational methods and systems.	.....	In paragraph 19 of Home Department letter No. 467, dated 16th November 1901, the Government of India expressed their readiness to consider favourably and to recommend to the Secretary of State proposals from Local Governments that individual inspectors and teachers in scientific and technical subjects should be permitted to enjoy portions of their furlough on special duty with the object of acquainting themselves with the more recent developments in all matters connected with teaching. In accordance with this policy which has been approved by the Secretary of State three applications have hitherto been made to the Government of India to place officers of the Indian Educational Service serving in this Presidency (Messrs J. G. Covernton, Fraser and Sharp) on special duty in England, Germany and Japan, and the results of their studies have been published in the "Occasional Reports" Series issued from the office of the Director-General of Education. In other cases of deputation on special duty in England, the Secretary of State is addressed direct by this Government (as in the recent case of Mr. Fern of the School of Art). In the above cases, the Government of India have reserved the power of recommendation to themselves in order probably to guard against the same subject being studied by different officers from different provinces. During 1902–1906 three such references were made to the Government of India.

Revenue and Financial Departments.

33	Notifications regarding disforestment of land in reserved forests.	Section 26 of the Indian Forest Act, 1878.	During five years 131 references were made to the Government of India and sanctioned by them. Section 26 of the Indian Forest Act requires that no land shall be disforested without the previous sanction of the Government of India. In accordance with this section the Local Government cannot order the disforestment of any area, however small, or whatever the purpose for which disforestment is rendered necessary. Before a plot included in a forest is made available for transfer when required by a

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			Railway Company for extending a station yard or establishing a small depôt, or by the people of a village for a cemetery, the Government of India have to be approached for sanction to the disforestment. In the 131 cases mentioned above the area of disforested land amounted to— one acre or less in 25 cases, above 1 and below 10 acres in 48 cases, above 10 and below 25 acres in 28 cases, above 25 and below 50 acres in 13 cases, above 50 and below 100 acres in 6 cases, above 100 and below 500 acres in 8 cases, and between 600 and 3,400 acres in 3 cases. In 1899, in connection with the question of the delegation of powers to Commissioners (R. I. No. 1880-E.), it was suggested that the sanction of the Governor-General in Council might cease to be required to the exclusion of lands from reserved forests and that the Commissioners might be given the powers of the Local Government under certain conditions. The Honourable Mr. Nugent, however, minuted that it would be useless to address the Government of India, who would not abandon the power vested in them by law, and that it was absolutely certain that they would not confer that power on Commissioners or permit it to be delegated to them. In reply to a demi-official letter, dated 23rd July 1899, from this Government inquiring whether there was any chance of the Government of India agreeing to a proposal to dispense with the previous sanction of the Governor-General in Council and to allow the Local Government to delegate their powers to the Commissioners of Divisions and the Commissioner in Sind under certain conditions, the Secretary to the Government of India, Revenue and Agriculture Department, intimated that it was very unlikely that any modification of the procedure prescribed in Section 26 of the Indian Forest Act would be agreed to, that the matter had been under the consideration of the Government of India on several occasions and this view had always been maintained, that decentralization in the matter was no doubt inviting and the authority which would thereby be delegated to Local Governments would in the majority of cases be rightly exercised, but that cases had occurred which led to the belief that the only safe position was that secured by section 26 as it stood. When the question of delegation of powers to Commissioners was discussed in 1906 (R. I. No. 1606-E., the Honourable Mr. Muir Mackenzie minuted that although the Government of India might not regard it favourably, he was in favour of allowing the Local Government to sanction disforestation. Accordingly a proposal to grant powers to Commissioners under section 26 was embodied in the schedule which was prepared for submission to the Government of India, it being observed that not a single recommendation of this Government in the matter had ever been rejected by the Government of India, and that any supervision which the Government of India desired to exercise over forest work of the Local Government could be perfectly well attained by executive instructions without making it necessary under the law to obtain the sanction of the Government of India to every exclusion from reserved forest, however petty and insignificant, and this is the present opinion of Government.
34	Modification of rules under sections 31 and 41 of the Indian Forest Act, 1878.	Section 77 of the Indian Forest Act, 1878.	Under the proviso to section 77 of the Indian Forest Act all rules made by the Local Government under sections 27, 31 and 41 require the sanction of the Governor General in Council before they are finally published in the local *Official Gazette*. During the last five years five references were made to the Government of India. The amendments proposed in three cases were accepted, and in two cases modified, by that Government. In his note dated 16th January 1902 on the curtailment of reports and returns, Mr. Jackson observed that there seemed to be no reason why Local Governments should not have full power to make rules under sections 31 and 41. In dealing with this suggestion it was pointed out that in complying with the provisions of section 77 Government had experienced no serious inconvenience, although they had addressed the Government of India more than fifteen times between 1879 and 1900 in connection with the rules under sections 31 and 41. It was observed that the Government of India also did not deem it necessary to repeal or modify section 77 at the time of the amendment of the Act in 1889-1890 and in 1901, although the Burma Forest Act (India Act No. XIX of 1881 as amended by Act V of 1890) and the Madras Forest Act (V of 1882) gave unrestricted powers to the respective Local Governments to make rules to regulate similar matters, that the requisite rules under sections 31 and 41 had already been made for this Presidency, and that the need for modifying them or making fresh sets or rules for specified tracts would seldom arise. It was therefore suggested that Mr. Jackson's suggestion might be noted for consideration whenever the Government of India proposed to further amend the Act, and this course was approved by Government Resolution, Revenue Department, No. 21, dated 6th January 1903. Government consider that Mr. Jackson's suggestions should be carried out at once.
35	Transfer, revenue-free, of land— (*a*) to District Local Boards, municipalities, etc., for public purposes; (*b*) for religious, charitable and educational purposes.	Resolution of the Government of India, Revenue Department, No. 1—142, dated 6th February 1872.	Paragraph 9 of the Resolution mentioned in column 3 states that as regards the gift or grant of lands, the previous sanction of the Government of India should be obtained in cases (i) where the value of the grant exceeds Rs. 3,000, when given as a site for the construction of Government schools, hospitals, dispensaries, or other public works, at the cost of recognized local funds, (ii) where the value exceeds Rs. 500, when the grant is made for any other public purpose, or to a private individual for services to be performed to the State, (iii) where the value exceeds Rs. 100, when the services are to be performed to the community, and (iv) where grants are made to individuals for their private benefit irrespective of any services to be performed. Twelve cases were referred to the Government of India during five years, in all of which the proposals of this Government were accepted. Of these, four cases related to the grant of land to the Municipalities of Bombay (value Rs. 24,000 each in three cases) and Sholápur (value Rs. 4,000) for road purposes. In the other eight cases land was required for an orphanage at Sanjan in the Thána District (value

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			Rs. 1,500), for a mosque and *musafarkhâna* at Mâtherân (value Rs. 1,500), for Hindu temples at Mâtherân (value Rs. 2,000 and Rs. 2,400), for the extension of the Sir Dinsha Mânekji Petit Gymnasium in Bombay (value Rs. 11,000), for quarters for students of the Medical School at Hyderabad (value Rs. 40,000), for the extension of the Ranchhodlal and Victoria Jubilee Dispensaries at Ahmedabad (value Rs. 63,000), and for a hostel for the St. Xavier's College in Bombay (value Rs. 1,25,000). Whether the purpose for which a revenue-free grant of land is applied for is such as deserves liberal treatment from Government is best estimated by the Local Government and the sanction of the Government of India practically follows the recommendation of the Local Government. Moreover, all alienations of lands are reported to the Government of India in annual statements. The principles are now well understood and restrictions on the discretion of Local Governments ought to be removed particularly if the receipts under Land Revenue are wholly provincial.
36	Relaxation of No. 20 of the Mining Rules, which requires that the length of a block in respect of which a mining lease is granted should not exceed four times its breadth.	No. 20 of the Mining Rules prescribed in the Resolution of the Government of India, Revenue and Agriculture Department, No. 18—17-2, dated 20th May 1899.	The reasons for which a restriction has been imposed on the Local Government in the matter of relaxing Rule No. 20 are not apparent. Only one case (length 227 chains, breadth 40 chains) occurred during 5 years, and the proposal was sanctioned by the Government of India. This restriction might be abolished.
37	Additions to, and alterations in, the table of fees, payable under the Registration Act.	Section 78 of the Indian Registration Act, 1877.	Section 78 of the Registration Act states that, subject to the approval of the Governor General in Council, the Local Government shall prepare a table of fees payable— (*a*) for registration of documents, (*b*) for searching the registers, (*c*) for making or granting copies of reasons, entries or documents, before, on or after registration; and of extra or additional fees payable— (*a*) for every registration under section 30, (*b*) for the issue of commissions, (*c*) for filing translations, (*d*) for attending at private residences, (*e*) for the safe custody and return of documents, (*f*) and for such other matters as appear to the Local Government necessary to effect the purpose of the Act. The section also states that the Local Government may, from time to time, subject to like approval, alter such table. During five years three references were made to, and accepted by, the Government of India. Registration revenue is now wholly provincial as it was when the Act of 1877 was passed, although between 1882-83 and 1904-05 it was shared between provincial and imperial equally. The discretion in this matter should rest with the Local Government.
38	Limit up to which advances can be made to Co-operative Credit Societies in the Bombay Presidency.	Letters from the Government of India, Department of Revenue and Agriculture, No. 548—63-6, dated 29th April 1904 (Government Resolution, Revenue Department, No. 4073, dated 30th May 1904) and No. 291—70-2, dated 12th February 1907 (Government Resolution, Revenue Department, No. 2289, dated 4th March 1907).	In paragraph 5 of their letter dated 29th April 1904, the Government of India stated that it was not intended that advances to Co-operative Credit Societies should be made indefinitely, and that the total amount of such advances should not exceed, without further reference and sanction, the amounts shown in the margin. The advances to be made to each individual society are regulated by the amount contributed by the members to the working capital of the society, and are subject to a maximum of Rs. 2,000 in any case. No interest is charged during the first three years after registration of a society. In 1907, on a suggestion made by the Registrar, Co-operative Credit Societies, Government recommended to the Government of India that the limit of Rs. 50,000 for this Presidency be raised to one lákh. The recommendation was sanctioned by that Government. The transactions are included in the Provincial Loan and Advance Account, for which funds are provided by the Government of India on submission of annual estimates by the Local Government, interest being payable from provincial revenues to the Government of India as in the case of other transactions in the account, except during the first three years after registration of a society. The limit of advances in the case of each society may be maintained. The Local Government should determine the limits up to which advances should be made to their societies.

	Rs.
Burma	50,000
Bengal	
Bombay	
Punjab	
Other Provinces	30,000

39	Grant of scholarships for the study of agriculture in England.	*Vide* column 4 ...	In 1902 the Government of India started a scheme for ten State technical scholarships (two of these being assigned to the Bombay Presidency) to enable Natives of India to pursue a course of study in Great Britain or other western countries. They also intended that such men should in future be trained in the higher branches of agriculture at the Research Institute and College at Pusa. As this institute was not expected to be open for some two years for more than a special training in a single branch, and as agriculture was excluded from the scheme of State technical scholarships, the sanction of the Government of India was obtained in 1905 and 1906 to two graduates, who had been awarded scholarships by the Bombay University for the study of agriculture in England, being awarded scholarships of £100 each (and free passage in

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			one case) by Government for the same purpose, both the graduates having agreed to serve Government, if so required, on reasonable remuneration for a specified term after obtaining the diploma for higher proficiency. The State technical scholarships are an imperial charge, but the agricultural scholarships in the two cases mentioned above are payable from provincial revenues. The Local Government should be empowered to grant such scholarships from provincial revenues.
40	Appointment of a person other than a native of India to an office carrying a salary of Rs. 200 a month or upwards outside specified departments.	Article 773 (*a*), Civil Account Code.	Three cases in five years, which were accepted by the Government of India, whose sanction has been prescribed by the rule since 1892 instead of that of the Secretary of State required by Lord Cranbrook's despatch to this Government, No. 7 (Public), dated 10th July 1879. The three cases related to officers in the A'bkári Department, which is not one of the departments mentioned in Article 773 (*a*) to which Europeans on pay of Rs. 200 or more can be appointed without the previous sanction of the Government of India. In the case of one officer sanction was obtained when he was promoted in the department to be Chief Inspector on Rs. 300—20—300 and again when he was promoted to be Assistant Collector of A'bkári, the latter appointment being treated as a fresh appointment and the promotion being in a branch of the department which the officer had not joined before 1879. For the purposes of exchange compensation allowance the Government of India have since recognized the A'bkári Department as one in which a certain proportion of appointments should be held by Europeans. In two recent cases (one in the General Department in 1906 and the other in the Revenue Department in 1907) they have pointed out that their previous sanction should be obtained, except in very urgent cases, to the appointment of a person not a native of India to a post carrying a salary of Rs. 200 or upwards, as they attach great importance to the rule in Article 773 (*a*) of the Civil Account Code. Similar cases have occurred in other departments (*vide*, for instance, entry No. 53 *post*). The Local Government should have discretionary power to make such appointments, if not generally, at least (i) in the departments in which the necessity of having a proportion of European employés has been recognised by the Government of India for other purposes, and (ii) in cases in which a fresh appointment is made of an officer whose appointment to a post of Rs. 200 or upwards in another branch of the department has once been approved by the Government of India.
41	Appointment of a person other than a native of India to an office carrying a salary of Rs. 200 a month or upwards outside specified departments.	Article 773 (*a*), Civil Account Code.	In the Financial Department one case occurred in five years, and it was sanctioned by the Government of India. In this case the officer concerned was transferred from a department in which the employment of Europeans on pay of Rs. 200 or more without the sanction of the Government of India was permissible.
42	Transfer of certain Scholarship Funds to the custody of the Treasurer of Charitable Endowments in another province.	Section 12 of the Charitable Endowments Act, VI of 1890.	One case in five years. Section 12 of the Act says that if by reason of any alteration in the limits of the territories subject to a Local Government, or for any other reason, it appears to the Governor-General in Council that any property vested in a Treasurer of Charitable Endowments should be vested in another such treasurer, he may direct that the property shall be so vested. Such matters can be settled between the Local Governments themselves without interference by the Government of India except in case of disagreement. Decentralization in this direction would involve amendment of the law.
43	Relaxation of No. 11 of the Government Servants' Conduct Rules in the case of the Collector of Income Tax, Bombay.	No. 11 of the Government Servants' Conduct Rules, 1904.	One case in five years. The Government of India were unable to sanction the relaxation of the rule in respect of shares held in certain mills in Bombay City, but allowed it in respect of shares of the Bank of Bombay. Discretion should be allowed to the Local Government.
44	(*a*) Proposal to fix Whit-Monday as a holiday under the Negotiable Instruments Act, 1881.	Letter from the Government of India, Home Department, No. 2354, dated 28th July 1902.	Whit-Monday used to be locally notified in this Presidency as a Bank Holiday until 1902, when the Government of India in their letter quoted in column 3 considered that it was not necessary to give the holiday in Bombay as it had not been applied for or been considered necessary in the large majority of the other provinces, and as the number of Christian holidays in the different provinces required to be assimilated. Against this decision the Bombay Chamber of Commerce made a representation to the Government of India, who, however, rejected it.
	(*b*) Declaration of holidays under the Negotiable Instruments Act in connexion with the visit of Their Royal Highnesses the Prince and Princess of Wales to Karáchi.	*Vide* column 4	The Local Government's power of declaring Bank Holidays in Sind has been delegated to the Commissioner in Sind. In assenting to the delegation, the Government of India directed that the Commissioner should adhere strictly to the general principles regarding the grant of holidays prescribed in Home Department letters No. 5253, dated 16th September 1901, and No. 2354, dated 28th July 1902. It was doubtful whether the Local Government could sanction the holidays applied for by the Commissioner in Sind on the occasion of the Royal Visit. The Government of India on being asked if they had any objection approved of the holidays.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			The regulation of the number of holidays in a province is not a matter of such vital importance as to call for interference on the part of the Government of India and should be left to the discretion of the Local Government, especially as in the matter of Bank Holidays this Government usually proceed on the recommendations of a small committee which is annually appointed by Government and includes representatives of mercantile interests.
45	Acceptance by Government officers of a fee or honorarium for doing work which is special and outside the ordinary course of their duties.	Article 70, 72 or 74, Civil Service Regulations.	A recurring honorarium or fee requires the same sanction as an increase of salary. There were nine such cases sanctioned by the Government of India during five years. The references related to the— (*a*) acceptance by certain Gazetted Officers of the Railway Department of an allowance of Rs. 150 per mensem from the Cutch Darbar for performing the duties of Consulting Engineer to the Darbar in connection with the Bhuj-Anjar-Tuna Railway in addition to their own duties; (*b*) appointment of the Assistant Civil Surgeon, Poona, as Consulting Officer of Health to the Poona City Municipality, in addition to his own duties, on an allowance of Rs. 200 per mensem payable by the municipality; (*c*) appointment of Mr. C. L. Burns and Mr. Brett as Curator, Victoria and Albert Museum, Bombay, in addition to their own duties at the Sir J. J. School of Art, on an allowance of Rs. 200 per mensem payable by the Bombay Municipal Corporation; (*d*) appointment of Mr. F. M. Dastur, Professor of Mathematics, Elphinstone College, as Registrar, Bombay University, in addition to his own duties, on a salary of Rs. 360 per mensem *plus* an honorarium of Rs. 500 per annum payable by the University. In two more cases the sanction of higher authorities was recently obtained for the grant of an honorarium of Rs. 1,500 per annum (for 100 visits at Rs. 15 per visit) to Mr. G. Wittet, temporary Assistant Architect (pay Rs. 400 per mensem) and of Rs. 180 per annum to Mr. S. D. Bharucha, Demonstrator in Anatomy, Grant Medical College (pay Rs. 200 + local allowance Rs. 50 per mensem), for giving lectures at the School of Art in addition to their own duties. In both these cases the sanction is limited in time. In five years there were seven cases relating to non-recurring honoraria, four of which were sanctioned by the Government of India and three (involving expenditure exceeding Rs. 1,000 in each case) by the Secretary of State. In the recent case of Mr. D. R. Bhandarkar, Assistant Archæological Surveyor, Bombay Circle, an honorarium of Rs. 656 for editing "Tarkabhasha" for the Bombay Sanskrit Series has been proposed to the Government of India. The editors of books for the Bombay Sanskrit Series receive honoraria at the rate of Rs. 30 per forme of 16 pages octavo when the books are printed. They have to defray the expenses of buying, copying or collating MSS. The books become the property of the Government Central Book Depôt, which has just been abolished, its funds (formerly dealt with as a Local Fund) being absorbed in the provincial accounts. The Local Government have the power to sanction an honorarium up to any amount calculated at the rate mentioned above when the editor is a private person, and up to Rs. 500 when the editor is a Government officer. The Director of Public Instruction has been recently empowered to sanction, within the limits of budget provision, honoraria to persons who are not in Government service up to a limit of Rs. 500 in each case. It is difficult to calculate accurately the space a MS. will take in print, and the amount of the honorarium in such cases can only be roughly estimated for the purpose of obtaining the sanction of competent authority. Although the scale of remuneration has been communicated to the Government of India, their sanction is necessary when the expenditure exceeds Rs. 500. The Director of Public Instruction has recently suggested that the limit up to which he may sanction honoraria to Government officers may be raised from Rs. 100 to Rs. 500 in any one case. Any such increase of power will presumably be applicable to Heads of Departments generally. In May 1906 the Government of India proposed to prescribe certain rules and principles for regulating the receipt by Government officers of fees for extraneous work. They proposed *inter alia* that no fee should be payable to an officer for work done for Government or any local authority, and that in the case of work done for any other person or body the Local Government should prescribe the scale of fees to be levied and the proportion (not exceeding one-half, except in the case of examination papers) of such fees payable to the officer doing the work. The Local Government in submitting their opinion on the subject in Financial Department letter No. 4056, dated 17th October 1907, have expressed their doubts as to the expediency of prescribing general rules as proposed by the Government of India, and have suggested *inter alia* that if the rules are framed, the Local Government may have power to allow District Officers to sanction the taking of a fee up to Rs. 100, and Heads of Departments up to Rs. 500, the sanction of the Local Government being required only in cases in which the fee exceeds Rs. 500.
46	Sanction to temporary appointments and deputation involving payment of more than Rs. 250 a month for a period exceeding 6 months.	Articles 79 and 80, Civil Service Regulations.	Thirteen cases in five years, out of which eight were sanctioned by the Secretary of State and five by the Government of India. About one-half of the total number involved payments exceeding Rs. 500 per mensem in each case. In two cases the expenditure was recoverable from public bodies and in the remaining cases it was chargeable wholly or partly to provincial revenues. The Local Government can sanction expenditure chargeable wholly or partly to provincial revenues for any specified period when the salary, or salary and deputation allowance, does not exceed Rs. 250 per mensem, and for six months if this money limit is exceeded. They can also sanction expenditure chargeable to imperial revenues in the Public Works Department when the payment does not exceed Rs. 250 per mensem. Other cases require the sanction of the Government of India, who, under recent orders of the Secretary of State, have enlarged powers to sanction temporary appointments or deputation for any specified period if the payment does not exceed Rs. 500 per mensem (the former limit was Rs. 250 per mensem), or for two years (the former limit

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			was one year) if the limit of Rs. 500 per mensem is exceeded. The sanction of the Secretary of State is necessary in all other cases. In a recent case (R. I. No. 1633 F.) it was decided to ask for (i) the extension from six months to one year of the period up to which the Local Government have power to sanction temporary appointments and deputation costing more than Rs. 250 per mensem, and (ii) similar powers in regard to appointments in Imperial Departments under their administrative control. The submission of an application to the Government of India on the subject has however been held over in view of the formation of the Decentralization Commission. The powers of the Government of India have since been enlarged as stated above, and the Local Government should be authorised to exercise the powers of the Government of India in the matter of expenditure chargeable to provincial (wholly or in part) or local revenues, or recoverable from public or private bodies. Indeed it is questionable whether any limit should be placed on the powers of the Local Government in these matters.
47	Grant of a deputation allowance of Rs. 15 per diem to the Sanitary Engineer to Government on special duty in connection with the improvement of the sanitation of Aden.	Article 81, Civil Service Regulations.	The allowance which was payable by the Aden Settlement Fund and was not to be paid beyond one month was sanctioned by the Government of India. The rate of the allowance exceeded the limit (one-fifth of salary or Rs. 10 per diem, whichever is less) up to which the Local Government could sanction under Article 81. The Local Government should be allowed discretion in these matters. They will not exceed the limit without sufficient reason.
48	Grant of salary (including allowance in excess of the limit of one-fifth of salary admissible for deputation allowance under Article 81, Civil Service Regulations) to officers on special duty or holding temporary appointments carrying emoluments exceeding Rs. 250 per mensem.	Government of India, Home Department letter No. 1747 (Sanitary—Plague), dated 22nd May 1899.	In Home Department letter mentioned in column 3 the Government of India observed that the Local Government should not create special appointments with emoluments largely in excess of what the holder would have drawn if placed on deputation under Article 81, Civil Service Regulations. In Home Department letter No. 57, dated 31st March 1902, it was ruled that temporary appointments which are of the nature of deputation and are filled by officers in Government Service should not carry, without the sanction of the Government of India, remuneration in excess of the limit prescribed in Article 81, if the total emoluments exceed Rs. 250 per mensem or if any special orders of that Government in respect of the remuneration to be allowed to a particular class of officers on a particular class of duties are infringed. There were three references during 1902–1906 which were accepted by the Government of India. In none of these cases did the expenditure exceed Rs. 500 per mensem, and in two the difference between the limit of emoluments admissible under the rules and that proposed by the Local Government was not large. The Local Government should be allowed unfettered discretion.
49	(*a*) Grant of allowance to two non-gazetted officers deputed on duty in connection with the revision of vernacular text books.	Article 81, Civil Service Regulations, and Articles 283, Rule 4 (3) (*b*), and 287, Civil Account Code.	In case (*a*) mentioned in column 2 the pay (Rs. 200) and deputation allowance (Rs. 40) being insufficient for expenses in Bombay City, to which the officers in question were transferred from Sind and Ahmedabad, the grant to each of them of a house-rent allowance of Rs. 50 per mensem was proposed by the Local Government. The Government of India, however, preferred to give an increased deputation allowance, which was proposed by the Local Government at Rs. 75 and sanctioned by the Government of India. The Local Government should have been allowed to decide the case.
	(*b*) Grant of daily allowances at certain rates to European constables and Native head constables and constables of the District Police deputed to Bombay in connection with the Royal Visit.	Article 81, Civil Service Regulations, and Article 278A (*a*) (3), Civil Account Code.	In case (*b*) the Accountant-General held that the allowances were of the nature of a deputation allowance, that the rates fixed were in excess of the limit of one-fifth of salary admissible under Article 81 of the Civil Service Regulations, and that the total amount exceeded the limit of Rs. 1,000 up to which only the Local Government could authorise the expenditure under Article 278A, Civil Account Code. The Government of India sanctioned the grant of the allowances. The Local Government should have been allowed to decide the case without reference.
50	Payment to certain Government and municipal employés of an allowance of Re. 1 per diem for extra enumeration work in connection with the last census of Bombay City, the total expenditure amounting to Rs. 443-14-8.	In the opinion of the Accountant-General the sanction of the Government of India was required as (i) the grant of such honoraria was not admissible under Article 72 (*a*) of the Civil Service Regulations, (ii) in some cases the additional remuneration exceeded the rate of one-fifth of pay admissible under Article 81, and (iii) the principle of granting remuneration for the work in question had not been recognized by the Government of India.	The expenditure in question was incurred in fulfilment of a promise made by the head of the office at a time of urgent need and was sanctioned by the Government of India as a special case, census expenditure being imperial and being shared with the Municipality in Bombay City. Apparently the case did not fall within the power of the Local Government to dispose of under Article 278A, Civil Account Code. Although the expenditure was imperial, sanction in such petty cases should rest with the Local Government.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
51	Payment of more than half the pay of an appointment carrying not less than Rs. 100 per mensem to officers not holding any substantive appointment.	Article 144, Civil Service Regulations.	Three references during 1902—06, which were sanctioned by the Government of India. In one of these cases sanction was obtained to the payment of the minimum pay of the appointment, *viz.*, Rs. 100 per mensem, to an outsider appointed to act as steward in the Cama Hospital during a leave vacancy. In another case, an assistant teacher in the Poona High School (pay Rs. 100 per mensem) having, in consequence of a vacancy in the higher grade, been appointed to act as first assistant in the school, an outsider was appointed to act for him on a salary of Rs. 60 per mensem, the allowance of half the pay, *viz.*, Rs. 50, admissible under rule being considered insufficient for a man of his qualifications. In a third case the instructor in the sub-overseers' class in the College of Science, Poona, having been appointed to act as lecturer in engineering in that college during a privilege leave vacancy for one month, an outsider was appointed to act on Rs. 100 per mensem (the full pay of the appointment), as the services of a suitable graduate could not be obtained for less than that amount and as he had to go over the studies of different classes. Government deprecated the references to the Government of India in such small matters, and requested the Director of Public Instruction to arrange temporary appointments in such a way as to avoid objections under Articles 144 and 145, Civil Service Regulations. In the case of certain appointments in the Bombay Veterinary College and the Cama Hospital, the general sanction of the Government of India was obtained some years ago to give full pay to outsiders appointed to act in those appointments. In General Department letter to the Government of India, No. 5883, dated 30th September 1907, it has been proposed that in dealing with acting appointments in cases where the pay of the permanent holder does not exceed Rs. 50 per mensem, it may be left to the discretion of the Local Government to allow full pay to the substitute without interfering with the leave allowances of the substantive holder when they are satisfied that the post cannot be filled by a competent man for less. The Local Government should be allowed discretion to fix the pay of the appointment without limit.
52	Grant of an acting allowance of Rs. 500 a month to Lieutenant-Colonel G. B. O'Donnell, Political Agent, Mahi Kántha, for holding charge of the Idar State, in addition to his own duties, during the absence of His Highness the Mahárája in Europe.	The Accountant-General considered the case to be one of so exceptional a nature as to require a report to the Government of India.	The Government of India ordered the allowance to be regarded as local, and an appropriate entry to be made in the annual return of officers on foreign service in Native States under the Bombay Government. The Local Government should have been allowed to decide this case.
53	Extension by five days of the joining time admissible to an Hospital Assistant who went off the direct route and was unable, owing to washing away of the railway line by heavy floods, to take up his appointment as arranged by him within the joining time permissible under rule.	Article 181, Civil Service Regulations.	The extension was sanctioned by this Government. The Accountant-General was, however, of opinion that the case did not fall within the conditions mentioned in Article 180 of the Civil Service Regulations, and requested that it might be reported to the Government of India under Article 181. The case was reported and the Government of India sanctioned the extension. The Local Government should have been allowed to sanction.
54	Grant of privilege leave allowance for one month to a lady doctor in temporary employ on the Bombay Port Health Staff.	As a substitute was engaged during absence on privilege leave, the allowance was not admissible under Article 242 (*a*), Civil Service Regulations.	The lady doctor had been in temporary employ for some eight years and it was hard for her to forego the leave allowance during her short absence on privilege leave caused by illness. The Local Government's recommendation to grant the allowance was sanctioned by the Government of India, but the reference ought not to have been necessary.
55	Applications for counting service with an inferior designation as superior service.	Article 402 (*a*), Civil Service Regulations.	Seven cases in five years, which were sanctioned by the Government of India. Article 402 (*a*) requires that when the regular duties of an officer whose pay exceeds Rs. 10 but who bears an inferior designation are really such as are ordinarily performed by a superior servant, his claim to pension on the superior scale should be specially referred to the Government of India. The reference however appears quite unnecessary.
56	Proposals to treat head constables sent to the Police Training School as on deputation, drawing only the pay of their grade and counting time for pension, and to allow probationers not in Government service to count their period of training in the school as service, if confirmed at the end of the period.	Article 411, Civil Service Regulations.	The proposals were sanctioned by the Government of India, but the reference was really unnecessary. Local Governments are perfectly competent to decide a point of this kind.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
57	Condonation of interruptions or deficiency in qualifying service.	Articles 422 and 423, Civil Service Regulations.	Three cases in five years concerning condonation of interruptions in service, two of which were sanctioned by the Secretary of State and the third by the Government of India. Two cases related to retired *mukhtyarkars* whose pension amounted to about Rs. 100 per mensem, and in the third case there was a break of 3½ years in the service of a head interpreter of Arabic in the Aden Residency who had put in a long period of service before the break and had not retired. During five years there were six cases of condonation of deficiency in service, which were sanctioned by the Government of India. In all these cases the pensions granted varied between Rs. 3 and Rs. 10 per mensem. Service pension charges paid in this Presidency are debitable to provincial revenues. Under Article 422, the Local Government (in the case of provincial pensions whatever the duration of interruption, and otherwise up to 12 months in all) and the Government of India (in all cases) can condone interruptions in service if the proposed pension does not exceed Rs. 50 per mensem. When this money limit is exceeded, the Government of India may condone interruptions up to 12 months and the Local Government up to 3 months. When the pension is a provincial charge, the Local Government can under Article 423 condone a deficiency of three months in an officer's qualifying service, and also a deficiency not exceeding one-half of non-qualifying service, or of inferior service when pension for superior service is claimed, and not exceeding twelve months in all. The decision on all questions of condonation should be left to the Local Government.
58	Grant of pension on the scale admissible before the pension rules of 1887 in lieu of the pension admissible under the rules now in force.	Resolutions of the Government of India, Finance and Commerce Department, No. 2568–P., dated 12th May 1903, and No. 6333–P., dated 22nd October 1903.	Between the date of the orders mentioned in column 3 and June 1907, twenty-seven cases were sanctioned by the Government of India. These cases are routine matter and involve invariably small additional expenditure chargeable to provincial revenues, and should be left to the Local Government to decide.
59	Grant of compassionate gratuities to the families of deceased Government servants left in indigent circumstances.	Letter from the Government of India, Finance and Commerce Department, No. 754–P., dated 10th February 1902.	Ten cases in five years, out of which nine were sanctioned by the Government of India in full and one with certain modifications. The conditions under which the grants are made have been prescribed in the orders issued on the subject, the grant being limited to a maximum of Rs. 5,000 and being permissible in the case of officers whose salary did not exceed Rs. 750 per mensem. The powers of the Government of India are limited to an annual expenditure of Rs. 22,500, or, when the unspent balance of one year is carried forward, to Rs. 45,000. There is no reason why Local Governments should not be invested with these powers within a limit of annual expenditure say Rs. 2,500.
60	Re-employment of a pensioner (receiving a superannuation pension of Rs. 6 per mensem) by the District Local Board, Hyderabad, to look after roadside trees on a salary of Rs. 8 per mensem.	Article 520, Civil Service Regulations.	Under Article 520 the Local Government can grant sanction *on strong public grounds* to the re-employment of pensioners in service paid from local funds. In this case there were no strong public grounds, but Government considered it hard that a man in the pensioner's position should be precluded from earning a trifling sum as a labourer merely because he was a pensioner. His re-employment was sanctioned by the Government of India. Local Governments should be allowed to sanction these cases on public grounds.
61	Grant of extraordinary pensions or gratuity to families of officers who were killed in the execution of duty or whose death was due to devotion to duty.	Articles 740 and 743, Civil Service Regulations.	Fourteen cases in five years, which were sanctioned by the Government of India with the reduction of pension from Rs. 15 to Rs. 10 per mensem in one case. The Local Government have power to grant a pension up to Rs. 10 per mensem, and the Government of India up to Rs. 25 per mensem, to the family of an officer killed in the execution of duty. The Government of India can also grant in any case not covered by the rules a gratuity not exceeding Rs. 1,000, or when injury or death is due to devotion to duty, a pension up to Rs. 25 per mensem or a gratuity of equivalent amount. In the case of death due to plague duty, the Local Government has no power to sanction any gratuity or pension to families of officers other than policemen, howsoever petty the charge, whether it falls on provincial or local funds. The Local Government should be invested with at least the powers of the Government of India.
62	Transfer of extraordinary pensions granted for the support of the family of a deceased officer from one member of the family to another.	Article 742, Civil Service Regulations, and letter from the Government of India, Finance and Commerce Department, No. P.–325, dated 22nd January 1897 (Government Resolution, Financial Department, No. 880, dated 24th February 1897).	Eight cases in five years, which were sanctioned by the Government of India. Under the rules each pension is granted, for the support of the family, to the eldest surviving member in the prescribed order of relationship to the deceased and when such recipient dies before the term of pension expires, or ceases to receive the pension, *e.g.*, on re-marriage, the object of supporting the family is frustrated. In such cases the Government of India have to be asked for sanction to the continuance of the grant till the end of the original term. In two cases the sanction of the Government of India was obtained in view of a departure from the prescribed order of relationship, which was necessary as the persons strictly eligible under the rule were not well disposed towards the rest of the family.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			In 1897 the Government of India informed the Government of Madras of their decision, after full consideration, not to alter Article 742 so as to permit the transfer, without reference to the Government of India, of a pension from one member of the family to another on the death of the original grantee. The grants are usually of small amounts, and are charged to provincial revenues. The pension to a female is for life or until marriage. If a male is under six years of age, he is eligible for the grant till he is 18 years old; if he is above six and under 50 years, the grant is made for 12 years; if he is not under 50 years, the grant is made for life. The decision might be safely left to Local Governments.
63	(*a*) Creation, abolition or continuance of appointments of officers on pay and allowances exceeding Rs. 250 per mensem in foreign service of the third kind. (*b*) Proposal to treat the appointment of Medical Officer at Sávantvádi as an appointment in foreign service of the first kind with a salary of Rs. 350—20—450 per mensem.	Article 750, Civil Service Regulations, and Article 283, Rule 4 (3) and (4), and Article 287, Civil Account Code. The terms of the appointment fixed by the Resolution of the Government of India, Foreign Department, No. 974, dated 8th June 1868, required to be modified.	In case (*a*) mentioned in column 2 there were seven references during 1902—1906 which related to employment of officers in Political Agencies. The proposals were sanctioned by the Government of India in six cases, and in one case sanction was given as a temporary measure. Reference in such cases is quite unnecessary. In case (*b*) the proposed salary was accepted by the Government of India, who, however, classed the appointment as one in foreign service of the third kind instead of first kind. The reference in such cases is unnecessary.
64	(*a*) Transfer of services of Mr. G. M. Mirza clerk on Rs. 25 per mensem in the Revenue Department, to the Lárkána Madressah on foreign service of the first kind with effect from the date of his appointment to the institution, and recovery of arrears of his pension contribution. (*b*) Exemption from leave and pension contribution of a subordinate officer transferred to foreign service of the first kind. (*c*) Retention of increments of pay received from time to time by an assistant master of the Shikárpur High School (pay Rs. 45 per mensem) on foreign service of the first kind (pay Rs. 50, subsequently increased to Rs. 65 per mensem.	Article 753 (*iii*) (*a*), Civil Service Regulations. The contribution due under Article 755 (*a*) (ii), Civil Service Regulations, could not be foregone without reference to the Government of India. Article 753 (*iv*) (*c*) (2), Civil Service Regulations.	In case (*a*) the sanction of the Government of India was obtained as Mr. Mirza was allowed, without sanction of competent authority, to join the Madressah while on long leave without pay and had put in six years' qualifying service before transfer to the Madressah instead of ten years' service as required by Article 753 (*iii*) (*a*). In case (*b*) an officer of the Karáchi Municipality (pay Rs. 80) was transferred temporarily to British Service for employment in the Government Experimental Farm in Sind on pay of Rs. 125. In return the services of a Government servant on Rs. 75 were lent to the Municipality, who declined to pay his leave and pension contribution in addition to the pay of Rs. 80. The transfer was made purely in Government interests, and exemption from the contribution was recommended to, and sanctioned by, the Government of India. In case (*c*) the increments were received in advance of the period of three years specified in the rule quoted in column 3, and the Government of India sanctioned the proposal of this Government. All these cases might with safety have been left to the decision of the Local Government.
65	Proposal to allow certain officers to reckon their foreign service as counting towards increments of pay in British Service.	Article 787, Civil Service Regulations.	Two cases in five years, which were sanctioned by the Government of India. Reference is quite unnecessary.
66	Remission of pension contribution of a non-gazetted officer for the period he was paid from the Indian Famine Charitable Relief Fund whilst employed on duty under the Special Famine Officer in Káthiáwár.	Article 795, Civil Service Regulations.	The remission was sanctioned by the Government of India. The case might have been decided by the Local Government.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
67	Grant of Rs. 350 in excess of the annual contract allowance of Rs. 2,000 sanctioned for the entertainment of a temporary survey establishment under the Superintendent. Marátha States Survey.	As the limit of Rs. 2,000 fixed by the Government of India in Foreign Department letter No. 4651-A, dated 7th October 1903, was exceeded, the Accountant-General considered that their sanction was necessary to the increased expenditure.	The annual contract allowance of Rs. 2,000 was fixed on the recommendation of the Local Government as the strength, scale of pay, and period of employment of temporary hands entertained as required could not be fixed beforehand, and depended on the amount of work to be done at a time. The expenditure is wholly recoverable, the establishment in question being treated as in foreign service of the third kind. The application for the excess charge of Rs. 350 was sanctioned by the Government of India, but the sanction of the Local Government ought to have been sufficient.
68	Application of the Rule of Proportions to service partly under an Excluded Local Fund. [For a definition of the Rule of Proportions, *vide* Article 45, Civil Service Regulations.]	Article 801. Rule 1, Civil Service Regulations.	Fifteen cases in five years, which were sanctioned by the Government of India. References in such cases is quite unnecessary.
69	Grant of special pensions up to a limit of Rs. 10 per mensem.	Article 924 (*b*), Civil Service Regulations.	Three cases in five years, out of which two were sanctioned by the Government of India in full. In the third case a warder had rendered inferior qualifying service of 23 years, and Government recommended the full pension of Rs. 4 per mensem admissible for 30 years' service, as he had been permanently invalided owing to hardship of sentry duty in the open in a convict gang. The Government of India sanctioned a pension of Rs. 3-8-0 per mensem, which was admissible for a qualifying superior service of 23 years. The Local Government ought to have power to sanction.
70	(*a*) Payment to Mr. C. V. Vernon, I.C.S., of a sum of Rs. 75-12-0 on account of travelling expenses incurred by him in connection with the settlement of a dispute with the Limbdi Darbár.	The case was not covered by Article 1000, Civil Service Regulations, as Mr. Vernon drew permanent travelling allowance as Assistant Collector, of which duty he had not been relieved.	In case (*a*) the Government of India sanctioned the payment as a special case as requested by the Local Government. In case (*b*) the journey to Delhi was a long one, it was essential that officers should take tents and horses, and the occasion was exceptional. The proposal of the Local Government was sanctioned by the Government of India, subject to certain limitations. In case (*c*) the occasion was exceptional, and the grant was sanctioned by the Government of India. The Local Government ought to have power to deal with special cases in such a way as to enable officers to be recouped their expenses.
	(*b*) Grant of certain concessions regarding travelling allowances to certain Gazetted Officers drawing permanent travelling allowances who proceeded to Delhi on duty in connection with the Coronation Darbár.	The concessions were not covered by Article 1000, Civil Service Regulations.	
	(*c*) Grant of special daily allowances to the Political Officers who were summoned to Bombay on duty in connection with the Royal Visit in 1905.	As special rates of daily allowance were proposed, sanction of the Government of India was necessary.	
71	Classification of First Inspector of Factories (pay Rs. 400-20-500) and Second Inspector of Factories (pay Rs. 300-20-400) as First Class Officers for the purposes of travelling allowance regulations.	The proposal involved an amendment of Article 1002, Civil Service Regulations.	The Government of India assented to the Local Government's proposal in favour of the First Inspector only, and considered that sufficient grounds had not been shown in support of the proposal for the Second Inspector. The Local Government ought to have been allowed to decide this case.
72	Proposal to allow constables and head constables of all grades travelling on transfer or on escort duty the	The Accountant-General asked for a reference to the Government of India for decision whether in the case of policemen it was intended that the actual	The Local Government recommended that constables and head constables of all grades travelling on transfer might be allowed the actual cost of conveying their baggage and their families, if they have one, up to a limit equal to the ordinary rate per mile for cart-hire in the districts in which the journeys are performed. The recommendation was sanctioned by the Government of India. Reference was unnecessary.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	actual cost of conveying their baggage and their families up to a certain limit.	charges of conveyance of baggage should be allowed without any restriction, or whether the maximum limit should be held to be subject to the mileage rate laid down in Article 1034, Civil Service Regulations.	
73	(*a*) Grant of travelling allowance at Rs. 25 per mensem for about 14 months to the 3rd Interpreter, Arabic Branch, Aden Residency. (*b*) Grant of permanent travelling allowance to an Assistant Deputy Inspector of Schools. (*c*) Grant or alteration of permanent travelling allowances. (*d*) Payment in excess of the permanent travelling allowance admissible under rule.	Article 1048, Civil Service Regulations.	The proposals in cases (*a*) and (*b*) were sanctioned by the Government of India. Out of ten references in five years in case (*c*), eight were sanctioned in full and two with modifications. In case (*d*) the permanent travelling allowance of Rs. 10 per mensem was quite insufficient for a chief constable who had been deputed on special duty which required him to move rapidly from place to place. The payment of the travelling expenses (Rs. 40) claimed by him was recommended to, and sanctioned by, the Government of India. Under Article 1048 permanent monthly allowances can be sanctioned only by the Government of India. Case (*b*) involved the amendment of an entry in Appendix No. 22 to the Civil Service Regulations owing to change in designation of appointment without involving any change in duties, and the reference to the Government of India was purely formal. All these references were unnecessary subject to the prescribed general principles. Local Governments should be allowed to decide cases in which permanent travelling allowances shall be given, when excess over the prescribed scale is necessary in case of all classes of travelling and conveyance allowance, etc.
74	Increase by 25 per cent. of the permanent travelling allowance admissible to the Extra - Assistant Conservator of Forests in charge of the Kolába Division.	Article 1049, Civil Service Regulations.	One case in five years, which was sanctioned by the Government of India. See No. 73.
75	(*a*) Increase in the daily travelling allowance of the Deputy Sanitary Commissioners from Rs. 6 to Rs. 7-8-0. (*b*) Grant to the Chaplain of Mount Abu of actual travelling expenses for visiting Abu Road Station on duty. (*c*) Grant to the Inspector of Boilers in Sind of actual conveyance expenses incurred by him in inspecting boilers at Karáchi. (*d*) Grant of daily allowance to village officers.	The proposed allowances exceeded the daily allowance admissible under Article 1063 (i), Civil Service Regulations. The case was not covered by Articles 1080-1082, Civil Service Regulations. *Vide* Col. 4.	In case (*a*) the Government of India declined to sanction the increase, as in their opinion the halting allowance of Rs. 6 per diem plus tentage allowance of Rs. 20 per mensem for the whole year was sufficient to cover travelling expenses. In case (*b*) the travelling allowance admissible under the rule was Rs. 10 for the double journey on the occasion of each visit. The actual cost was, however, Rs. 20, and travelling allowance up to this limit, but not exceeding the actual expenditure, was sanctioned by the Government of India. See No. 73. In case (*c*) the Government of India sanctioned the proposal. Similar authority was obtained from them in 1899 for the grant of actual conveyance expenses to the junior Inspector of Boilers in Bombay City. In case (*d*) the Revenue Department letter No. 10781, dated 2nd November 1907, the grant of a daily allowance of two annas a head has been recommended to the Government of India in the case of hereditary village accountants who are required to undergo a course of training in survey work for a short period at places outside their *tálukas*, as the Accountant General held that Article 1063 (iv), Civil Service Regulations, did not apply to these officers who were not in receipt of pay but of cash allowances. Under Article 1056 a daily allowance may not be drawn for more than ten days' halt at one place, and a general exemption from the operation of this rule has also been recommended in the case of these officers, as well as members of establishments of the district survey offices in certain districts, circle inspectors, Probationary Deputy Collectors, and Junior Civilians who are required to undergo a few weeks' instruction in survey at the headquarters of the division in which they are serving. These cases should be within the competence of the Local Government to decide.
76	Grant of new, or alteration of existing, conveyance allowances.	Article 1075, Civil Service Regulations.	Twenty-nine cases in five years, which were sanctioned by the Government of India with reduction of the proposed allowance from Rs. 50 to Rs. 35 in one case. Some of these cases related to Gazetted Officers and officers serving in Imperial Departments. The principles regarding the grant of conveyance allowances and suitable scales of allowances for ordinary, special and occasional cases have been prescribed in the Resolution of the Government of India, Finance and Commerce Department, No. 1705, dated 30th March 1888. The Local Government have been empowered to grant conveyance allowances up to Rs. 50 per mensem to officers on plague duty. In a

Revenue and Financial Departments—cont.

No.	Nature of case,	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			recent case (R. I. No. 1633-F.) it was decided to ask the Government of India to delegate to the Local Government power to sanction conveyance allowances to subordinate officers up to a limit to be defined, but the application to the Government of India has been kept back owing to the formation of the Decentralization Commission. All such questions ought to be left to the Local Government.
77	(*a*) Grant to the Cutch Darbár Medical Officer of a fee of Rs. 5 per visit, as conveyance allowance, for attendance on the Political Agent, Cutch, when no Medical Officer attached to the troops in Bhuj is available. (*b*) Payment of travelling allowance (Rs. 4½) and fee for professional visits (Rs. 9) to an Hospital Assistant (on military establishment) sent on duty to treat an Arab Chief.	There is no rule under which a Medical Officer who is not in Government service can receive conveyance allowance for attending on a Government officer at Government expense. There is no rule under which the travelling allowance of a Military Hospital Assistant can be debited to the Civil Department.	The orders of the Local Government were approved by the Government of India in case (*a*) mentioned in column 2, Case (*b*) was sanctioned by the Government of India. Presumably action can be taken by the Local Government under Article 278A, Civil Account Code, in similar cases in future. Local Governments should be allowed to decide unimportant cases which do not fall within any rule.
78	Increase in the scale of mileage or daily allowance in any specified district or locality in which travelling is specially expensive.	Article 1139, Civil Service Regulations.	There were six cases in five years, which related to subordinate revenue, judicial and police establishments in Sind, to inspectors and other subordinate officers of the Salt Department stationed along the Goa Frontier, and to the Dangs Diwan (a third class officer). Five of these cases were sanctioned by the Government of India, and in the sixth case they pointed out that the recent amalgamation of the Bombay Forest Survey Party (for which enhanced rates were recommended by the Local Government) with the rest of the Forest Survey Branch rendered the party eligible for the liberal concession admissible under Article 1070, and that the provisions of that Article were sufficient. Article 1139 prescribes certain limitations to the increase by the Local Government of the ordinary rates of daily allowance or mileage, and requires also the previous sanction of the Government of India to the increase. *See* Case No. 77.
79	Sanction to hotel charges preferred by Dr. (Miss) Graham while in transit from Perim to Bombay.	Hotel charges are not included in travelling expenses permissible under Part XI of the Civil Service Regulations.	Miss Graham (salary Rs. 400 per mensem) was entitled to free passage for herself and servant. While returning from Perim she had to wait for two days at Aden for a steamer to bring her to Bombay and consequently she incurred an expenditure of Rs. 8-4-0 on account of hotel charges for herself and servant. The Government of India sanctioned the charge. *See* Case No. 77.
80	Proposals for the delegation of powers to certain Heads of offices in the following matters:— (*a*) Commissioners, and other Heads of Departments whom the Local Government may select, to entertain temporary establishments on pay not exceeding Rs. 50 per mensem for not more than three months in each year and subject to the limit of budget provisions; (*b*) Collectors to fix the headquarters of officers serving under them (Article 55, Civil Service Regulations); (*c*) Commissioners and Surgeon-General with the Government of Bombay (in the case of Hospital Assistants, Inspectors of Sanitation and Vaccination, Vaccinators and clerical establishments) to suspend under Article 89, Civil Service Regulations, the lien of an officer transferred to other duty when he retains no connection with his own appointment and the duty is not likely to terminate within three years;	The proposals required to be authorised by the Government of India. *Vide* also rules mentioned in column 2 in the cases concerned.	With reference to case (*a*) it is observed that a few Heads of Departments had been already authorized in past years to entertain temporary establishments in specified circumstances. In October 1905 the Accountant-General raised the question of the confirmation by the Government of India of these orders of the Local Government, and it was accorded by the Government of India in Finance Department letter No. 6671-Ex., dated 29th November 1906. Proposal (*b*) is a departure from Article 55, Civil Service Regulations, under which the headquarters of an officer can be declared by the authority which appoints him. The sanction of Government in such cases is formal. Proposal (*c*) is a corollary to the power (already delegated) of sanctioning the transfer of certain non-gazetted officers to foreign service. Delegation of power in cases (*a*) to (*c*) is calculated to secure, in the aggregate, an appreciable saving of routine correspondence. Heads of Departments may be trusted to exercise their discretion properly within the prescribed limitations. When proposals (*a*) to (*c*) were submitted in Financial Department letter No. 1734, dated 16th May 1903, for the approval of the Government of India, they considered it undesirable to sanction (*c*), and regretted their inability to sanction (*a*) to (*d*), observing that the proposals are generally applicable to all Local Governments, and the Government of India thought it inadvisable to relax them in the case of Bombay only. The reasons for the rejection of these proposals do not appear adequate. If relaxation is considered advisable on general grounds, the concession may

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	(*d*) Commissioners, and other Heads of Departments whom the Local Government may select, to exercise, in the case of non-gazetted officers, the powers of the Local Government in the matter of— (i) joining time within the limitations regarding period and circumstances prescribed in Article 180 (*a*), Civil Service Regulations; (ii) exemption from loss of appointment caused by overstaying leave and grant of allowances due during subsidiary leave if there had been no absence after the end of the leave (Article 230, Civil Service Regulations); (iii) exemption from interruption of duty caused by absence at the end of privilege or examination leave, or by suspension from office (Articles 253, 254 and 258, Civil Service Regulations); (iv) grant to an officer holding charge of two separate appointments of permanent travelling allowances subject to the conditions stated in Article 1009, Civil Service Regulations; (v) grant to inferior servants accompanying an officer whose jurisdiction extends beyond a single district of a daily allowance of two annas (Article 1063, Exception (*c*), Civil Service Regulations); (vi) grant to an officer (on pay less than Rs. 200 per mensem), on transfer, of passage money for any members of his family who are prevented by good cause from travelling with him (Article 1097 (*b*), Civil Service Regulations); (*e*) Commissioners, and other officers authorized to sanction pensions, to have also the power to commute absence without leave into leave without allowance (Article 421, Civil Service Regulations).		be allowed in other provinces, as well as in this Presidency. Accordingly it was recently decided (R. I. No. 1633–F.) to press again for the devolution of the powers in question, but the application to the Government of India on the subject has been held over in view of the formation of the Decentralization Commission. It is generally on the retirement of low paid servants, such as policemen, that the occasion arises for the exercise of the power mentioned in proposal (*e*). Such power is exercised by the Board of Revenue and the Inspector-General of Police, Madras, in the case of their subordinates drawing Rs. 20 a month and less. The devolution of all these powers is desirable.
81	Grant to mounted policemen of grain compensation allowance in excess of the prescribed limit of Re. 1 per mensem for the extra cost of feeding their horse or camel.	Article 72 (III), Civil Account Code.	Two references in five years, which were sanctioned by the Government of India. High prices of fodder prevailed in certain districts in 1906 and rendered necessary the grant, for a limited period, of extra allowance beyond the scale of Re. 1 per mensem authorized in Article 72 (III). *See* No. 77.
82	Revision of establishments involving additional expenditure of more than Rs. 25,000 a year.	Article 277 (4), Civil Account Code.	Under Article 277 (4), revisions of establishments costing more than Rs. 25,000 a year required till recently the sanction of the Secretary of State, the limit being applied to net extra expenditure in the case of establishments, such as process-serving establishments, the scale and remuneration of which are determined by Courts of Law under rules having the force of law. Accordingly, such sanction was applied for since 1902 in the case of (i) excise establishments in the Presidency proper, (ii) graded Political Service, (iii) kanungo establishments in Sind, (iv) the division of Khándesh, (v) the Sadar Court in Sind, (vi) the Administrator-General and Official Trustee, (vii) the subordinate veterinary service, (viii) police reorganization and reforms, (ix) schemes for expenditure on account of primary education and technical instruction, (x) subordinate revenue establishments in the Presidency proper, and (xi) revenue and magisterial establishments in Sind. In all these cases except (i) to (iii) funds were provided more or less from imperial grants-in-aid, and in four cases the expenditure was less than Rs. 50,000 a year. In two more cases of expenditure less than Rs. 25,000 a year the sanction of the Secretary of State was obtained as the proposals formed a sequel to schemes previously sanctioned by him in connection with the constitution of the Lárkána Collectorate and the revision of establishments in Sind. Correspondence is still going on with the Government of India in connection with the scheme for the revision of the Subordinate Forest Service. The Secretary of State has recently raised the limit of Rs. 25,000 to Rs. 50,000 a year, up to which the Government of India can dispose of such cases. The Local Government's power of sanctioning such cases involving provincial expenditure up to Rs. 25,000 a year remains unchanged.
83	Grant of house-rent allowances to certain officers of the Indian Educational Service.	Article 277, exception (*c*), and Article 283, Rule 4 (3) (*a*), Civil Account Code.	Three cases in five years, which were sanctioned by the Government of India. The references to that Government related to officers serving in Bombay and were necessary because their emoluments exceeded the limit of Rs. 250 per mensem. The Secretary of State has recently approved of (i) the grant to certain Gazetted Officers stationed in Calcutta of house-rent allowances on a scale varying with the rate of salary

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			and with the period of the year for which it is drawn, and (ii) the provision of official residences by which the house-rent allowances will be gradually superseded. A similar problem in respect of Gazetted Officers in Bombay City has been referred by Government to a local committee, whose report is awaited. When a scale is eventually sanctioned for Bombay City, it will presumably govern cases of the kind mentioned in this entry. Local Governments should be allowed to decide all questions relating to house-rent allowance.
84	(*a*) Creation of permanent appointments on pay exceeding Rs. 250 a month, and increases or decreases in the pay of such appointments.	Articles 277 (1) and 283, Rule 4 (3) and (4), Civil Account Code.	In case (*a*) mentioned in column 2 there were twenty-five references in five years, which were sanctioned in full, except in two cases, one of which was partly sanctioned and the other disallowed.
	(*b*) Grant of allowances to holders of appointments the pay and allowances of which would, after the addition, exceed Rs. 250 a month.	Articles 277 (2) and 283, Rule 4 (3) (*a*), Civil Account Code.	In case (*b*) there were twenty-one references in five years, which were all sanctioned by the Government of India, except that (i) in one case the incremental personal allowance of Rs. 20-20-100 proposed by the Local Government for the superintendent of the Yeravda reformatory (pay Rs. 200-10-250) appeared to the Government of India an unusual scale and was reduced to a fixed allowance of Rs. 50 ; (ii) in another case the Government of India declined to sanction the grant of house-rent allowance to Civil Assistant Surgeons placed on general duty in Bombay as no such allowance was given to similar officers in Madras and Calcutta ; and (iii) in a third case of overtime allowance to the Superintendent of the Commissioner in Sind's press for printing examination papers, final orders have been held over by the Government of India until the Controller of Printing visited the press and examined the question on the spot. The Government of India have recently been authorized by the Secretary of State to create new permanent appointments (other than those ordinarily held by a gazetted officer recruited in England) of which the salary or maximum salary does not exceed Rs. 500 per mensem, and to raise the salary of such an appointment to an amount not exceeding Rs. 750 per mensem. The Local Government's power to incur such expenditure from provincial or local revenues up to Rs. 250 per mensem remains unchanged for the present. Occasionally it has happened that the Local Government are unable to sanction new or revised salaries within the limit of Rs. 250 per mensem when even one item exceeding this limit is involved and has to be submitted for approval of higher authorities. In such cases the existing procedure seems to hamper the Local Government a good deal, and it is for consideration whether it should not be relaxed so as to avoid interference with their discretion in minor matters and to restrict control only to specific items which are beyond their powers of sanction.
85	Applications for foregoing the recovery of leave allowances overdrawn but checked in audit within six months of payment.	Article 279A, Civil Account Code.	Two cases in five years, which were sanctioned by the Government of India. In both cases privilege leave allowances were overdrawn by non-gazetted officers (a forester, and a District Judge's head clerk) who were retired by orders of their superiors at the end of the leave. The amounts overdrawn were small and reference to the Government of India could not be avoided by action under Article 278A, Civil Account Code, which has been held to be inapplicable in cases falling under Article 279A. In all unimportant cases the Local Government should have full discretion. *See* No. 77.
86	(*a*) Revision (including increase or decrease of pay and allowances) of a class or grade of officers.	Article 283, Rule 4 (5), Civil Account Code.	In case (*a*) mentioned in column 2 there were eleven references in five years, which were sanctioned by the Government of India. Two of these cases related to the provincial Educational Service, in which the salaries range from Rs. 200 to 700 per mensem ; in one no additional expenditure was involved by the revision of salaries, and in the other, two appointments were removed from the cadre and replaced by two appointments on higher pay which existed outside the cadre. The remaining nine cases involved revision of rates of pay or allowances in graded services of non-gazetted officers, such as sub-registrars, *thánadárs* in Káthiáwár (with a saving of expenditure as the net result), circle inspectors, police *sowars*, and ábkári inspectors. The circle inspectors' grades have since been merged in the district and *táluka* establishments.
	(*b*) Grant of an allowance of Rs. 20 per mensem to the Hospital Assistant attached to the Civil Hospital, Ahmedabad, for performing the duties of teacher of materia medica and pharmacy at the medical school in that city.	The Accountant-General held that the performance of teachers' duties did not come under the category of "special important charges" for which the orders of the Government of India (Home Department, No. 16-1-17 of 9th January 1878) permitted the grant of allowances to Hospital Assistants.	In case (*b*) mentioned in column 2 the allowance was sanctioned by the Government of India. In a recent case the Local Government have proposed to the Government of India the grant of a special allowance of Rs. 45 per mensem in addition to free quarters to the Hospital Assistant attached to the Bombay Bacteriological Laboratory for performing the duties of a tutor at the laboratory. The orders of the Government of India are awaited. The maximum allowance permissible by the Local Government to Hospital Assistants is Rs. 25 per mensem and any increase of this allowance requires the sanction of the Government of India. *See* No. 77.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
87	(*a*) Proposal to credit to Cantonment Funds fines levied under the Bombay Public Conveyance Act, VI of 1863, in connection with offences committed in Cantonments. (*b*) Proposal to credit to Municipalities which are willing to pay the cost of the establishment of Honorary Magistrates fines levied in municipal cases. (*c*) Proposal to credit a moiety or the whole of the fines levied under the Prevention of Cruelty to Animals Act, 1890, to societies for the prevention of cruelty to animals.	Article 283, Rule (4) (9), Civil Account Code. *Vide* also Government of India, Home Department, letter No. 67, dated 4th May 1895. (Bombay Government Resolution, Judicial Department, No. 3784, dated 7th June 1895.)	Five references in five years. In case (*a*) mentioned in column 2 the Deputy Adjutant-General, Western Command, asked for the credit of the fines in question to Cantonment Funds. The Local Government made no definite recommendation on the subject, and the Government of India did not sanction the proposal in the absence of valid reasons. In case (*b*) general sanction, and in case (*c*) sanction for a limited term, was given by the Government of India. In the Home Department letter mentioned in the preceding column the Government of India observed that under standing orders any alienation of general revenues requires their sanction. The fines in question concern provincial revenues, a portion being credited to public bodies in consideration of their co-operation in the matter. In all these cases the Local Government should decide.
88	Scheme for the establishment of Government grain depôts at selected centres in the Thána District for the sale of grain at fixed prices to selected cultivators.	Article 283, Rule 4 (11), Civil Account Code.	The scheme contemplated the protection of ignorant and improvident cultivators against oppressive practices of local grain-dealers, and involved an advance of Rs. 2,400 for the purchase and storage of grain, the amount being recoverable by credit to advances and debit to the provincial Loan and Advance Account as *takávi* when the cultivators were supplied with grain from the stores. Any profit or return in excess of the usual interest charge on *takávi* was to go to a separate fund for each depôt, from which the Government advance for the continuance of the experiment was repayable by degrees. The Accountant-General held that the business was not a recognised duty of Government and that the constitution of a separate fund for each depot required sanction of the Comptroller General. The Government of India cordially approved of the scheme and confirmed the action of the Local Government, but the sanction of the Government of India should not have been necessary.
89	(*a*) Application for a temporary withdrawal of Rs. 1,500 from the Police Officers' Provident Fund.	The case did not fulfil the conditions prescribed in the rules of the fund.	Under (*a*) there was one case in five years, which was specially sanctioned by the Government of India, the withdrawal of deposit being due to the unexpected bankruptcy of the officer's bankers. Withdrawals are at present permissible, under the orders of the Local Government, to provide for passage money of the depositor or a member of his family. An additional rule should be framed enabling the Local Government to authorise withdrawals up to a specified limit in exceptional cases due to causes beyond the control of a depositor.
	(*b*) Permission to pay arrears of subscription to the Police Officers' Provident Fund.	The rules of the fund do not provide for the acceptance of such arrears.	In case (*b*) the officer in question was temporarily exempted by the Local Government from the payment of his subscriptions while absent on long leave as he could not afford to pay them. His request to pay up the arrears subsequently was sanctioned by the Government of India. If the Local Government can temporarily exempt an officer from payment, they should also have the power to vary such order and allow the receipt of subscriptions in arrears.
90	Grant of permission to pay arrears of subscription to the Bombay City Police Superannuation Fund so as to enable a police constable to count service on the superior instead of the inferior scale.	Letter from the Government of India, Department of Finance and Commerce, No. 3717, dated 2nd October 1884 (Government Resolution, Judicial Department, No. 7244, dated 15th October 1884).	One reference in five years. The letter from the Government of India quoted in the preceding column permitted certain employés in the cattle pound at Bombay to count their service for pension on paying up arrears of subscription to the Bombay City Police Superannuation Fund. In the case in question failure to pay the arrears resulted in the grant of a smaller pension, the service having been counted on the inferior scale. The amount involved was Rs. 32 and the Government of India sanctioned as a special case the acceptance of this sum so as to allow the grant of an enhanced pension.
91	(*a*) Writing-off of irrecoverable forest revenue in excess of Rs. 10,000.	Section 108 (iii), Forest Department Code.	One case was reported to the Government of India in five years under section 108 (iii) of the Forest Department Code, which requires that when the amount of irrecoverable forest revenue written off by the Local Government exceeds Rs. 10,000, it should be reported to the Government of India. This seems quite unnecessary, especially if forest revenue is made provincial.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	(*b*) Reports to the Government of India regarding additional forest expenditure sanctioned by the Local Government in order to earn a corresponding increase of revenue.	Section 130 (i), Forest Department Code.	Under (*b*), three cases in five years involving expenditure of Rs. 63,000, Rs. 37,000 and Rs. 2,000 were reported to the Government of India. The rule quoted in the preceding column is an exception to the account rule under which additional expenditure not provided for in the budget is met from additional grants or re-appropriations, of existing grants, and not from additional revenue resulting from the expenditure. Forest expenditure and revenue are now shared equally between imperial and provincial. But if they are provincialised, and even though they may not be, the reference seems unnecessary.
92	Permission to raise loans in the open market for the purpose of repaying previous loans.	Some doubt was entertained whether the raising of the loans in question could be sanctioned by the Local Government under the Local Authorities Loans Act, 1879.	Out of two references made to the Government of India during five years, one involved repayment of a previous loan which carried a higher interest charge than the loan intended to pay off the former loan, and was sanctioned by that Government. The other application was refused on the ground that the provisions of the Local Authorities Loans Act, XI of 1879, do not authorize the borrowing of money by a local body for the purposes of relief from financial embarrassment consequent on its failure to meet interest and repayment of instalments to a private loan. Under the rules in force up to 1st November 1907 sanction of the Local Government was ordinarily sufficient for the raising by district municipalities and local boards of loans under Act XI of 1879 in the open market, but under recent orders (Government of India Resolution, Finance Department, No. 6564-A, dated 24th October 1907) this power has been taken away from Local Governments, as the Government of India desire to be informed beforehand of all proposals by local authorities for the flotations of loans so as to prevent them from clashing with the operations of State loans which must have precedence in the demands upon the money market in India. Under the existing law, all loans raised by the Bombay Municipality, the City Improvement Trust and the Port Trusts require the assent of the Government of India. Some city municipalities in the *mufassil* have in the past raised loans exceeding one lákh of rupees at a time in the open market under Act XI of 1879. In a few cases district municipalities have raised smaller loans. The sanction of the Government of India seems unnecessary to small loans. Nothing under 20 lákhs or it might be safe to say 50 lákhs would affect the demands of the Secretary of State. Conversion operations ought to be legalised.
93	Grant of loans under the Local Authorities (Emergency) Loans Act (XII of 1897).	Section 2 of Act XII of 1897.	Four cases in five years. In three cases the loans asked for were sanctioned by the Government of India, and in the fourth case one-fifth of the loan asked for was converted by them into a grant-in-aid, the amounts of the sanctioned loans varying between Rs. 8,000 and Rs. 800 in the four cases. Under Act XII of 1897 a local body cannot borrow money for plague or famine expenditure without the previous sanction of the Government of India. The principles on which borrowing should be allowed for plague purposes at least are well understood and loans are no longer very frequently required. An amendment of the law enabling the Local Government to dispose of such applications was therefore recommended by this Government, but refused by the Government of India in Finance Department letter No. 4022-A, dated 24th July 1906, on the grounds that the loans are no longer of frequent occurrence and questions of policy may arise in some cases in respect of which they should have an opportunity of expressing their views. The loans in question fall under the provincial Advance and Loan Account, for which the Government of India provide the necessary capital, and charge interest at 3½ per cent. on the mean balance outstanding at the commencement and at the end of the financial year. So long as the amount of the loan can be found from the allotments under the provincial Advance and Loan Account there is no justification for the reference to the Government of India.
94	Grant of advances to certain Kolis of Vesava for rebuilding houses which had been destroyed by fire.	The Kolis not being agriculturists, no advances can be made to them under the rules under the Agriculturists' Loans Act, 1884.	One case in five years, which was sanctioned by the Government of India. The question of delegating to the Local Government authority to make advances to poorer classes of non-agriculturists in the case of serious calamity was raised by the Government of India in Finance Department letter No. 4496-A, dated 10th August 1906. This Government replied in Financial Department letter No. 3762, dated 3rd October 1906, that the power to grant such loans would be found of great use in this Presidency, and as an instance in point referred to the case mentioned in column 2. The final orders of the Government of India have not yet been received. The authority in question ought certainly to be delegated.

Public Works Department.

Serial No.	Nature of case.	Existing rule or order under which reference is now made to the Government of India.	Particulars and number of references in five years.
95	Construction or purchase of a residential building when it is not obligatory on Government to construct or purchase it, and, when the cost involved, though within 8 per cent. limit, is chargeable to imperial funds and is in excess of Rs. 10,000, exclusive of charges on account of Establishment and Tools and Plant.	Public Works Department Code, clause (iv) under paragraph 1063.	2. In one out of these two cases the Government of India negatived the proposal of the Local Government. In the 7th Edition of Public Works Department Code, Vol. I, issued in 1894, clause (iv) of paragraph 1063 was not in existence, and it is evident from this that till some time after 1894 this Government was at liberty to construct residential buildings from imperial funds up to any limit within their power of sanction to the construction of any other buildings, provided the 8 per cent. limit was not exceeded.
96	Construction or purchase of a building for the occupation of a Government official, at a cost exceeding Rs. 5,000 when the proposed expenditure will be met from provincial funds, or Rs. 2,500 when it will be met from Imperial funds, and when the rental calculated under the rules in paragraph 1068 of Public Works Department Code, Vol. I, exceeds 8 per cent. of the salary and local allowance, if any, of the official who will usually occupy it.	Public Works Department Code, clause II, and note under clause IV of paragraph 1066.	20. In five out of these twenty references the Government of India negatived the proposals of the Local Government.
97	Additions to, or improvements of, the existing residential buildings (the cost of which is properly chargeable to the capital account of the buildings concerned) where the capital cost is beyond the 8 per cent. limit and where the amount involved is in excess of Rs. 200 and the total capital cost with the additions, &c., proposed also exceeds Rs. 5,000 in the case of provincial buildings, or Rs. 2,500 in the case of imperial buildings.	Public Works Department Code, clause IV of paragraph 1066 and the note thereunder.	31. In two cases the proposals of the Local Government were negatived by the Government of India.
98	Write-off of a portion of the capital cost of a residential building when it is considered to be greatly in excess of its real value, so as to involve the assessment of a rental far above the accommodation provided.	Public Works Department Code, paragraph 1068 I (*g*).	2. In one out of these two cases the Government of India negatived the proposal of the Local Government.
99	Reduction of rent for a residential building provided for a public servant whose salary exceeds Rs. 50 a month and who is not entitled to the concession under any general or special order of the Government of India, for whom cannot be granted by the Local Government any concession beyond that laid down in paragraph 1068 IV (*b*) of Public Works Department Code, Volume I.	Public Works Department Code, paragraph 1068 VI.	42. Only in six cases the proposals of this Government were negatived by the Government of India.
100	Grant of rent-free quarters to a public servant whose salary exceeds Rs. 50 a month and who is not entitled to this concession under any general or special order of the Government of India.	Public Works Department Code, paragraph 1068 VI.	10. In one out of these ten cases the Government of India negatived the proposal of the Local Government.

Public Works Department—cont.

Serial No.	Nature of case.	Existing rule or order under which reference is now made to the Government of India.	Particulars and number of references in five years.
101	Permitting public officers and others to occupy Government buildings rent-free on condition of keeping them in repair.	Public Works Department Code, paragraph 1068, Rule XII.	1.
102	Purchase of articles of foreign manufacture, which are not actually in the country at the time of order, from local agents or firms in India.	Public Works Department Code, Appendix 30, Rule 2 (i).	7. In one out of these seven cases the Government of India negatived the proposal of the Local Government.
103	Sanction to estimates for Provincial Civil Works estimated to cost over Rs. 10,00,000 exclusive of Establishment and Tools and Plant charges.	Public Works Department Code, paragraph 2167.	
104	Sanction to estimates for Imperial Civil Works estimated to cost over Rs. 2,00,000 exclusive of Establishment and Tools and Plant charges.	Public Works Department Code, paragraph 2167.	2.
105	Proposals for expenditure on buildings occupied by the Head of the Local Government over Rs. 15,000 annually.	Public Works Department Code, paragraph 2174.	4.
106	Acceptance of tenders over Rs. 10,00,000 in the case of Provincial Works and Rs. 2,00,000 in the case of Imperial Works.	Public Works Department Code, paragraph 900.	4.
107	Sanction to estimates under "33—Famine Relief."	Public Works Department Code, paragraph 2167.	9. The present power to sanction estimates is limited to Rs. 10,00,000.
108	Appointments of temporary officers and subordinates on rates of pay above certain limits of pay.	Articles 79 and 80 of the Civil Service Regulations.	16.
109	Permanent conveyance allowance to officers who have a large amount of travelling at or within a short distance from headquarters.	Articles 1074 and 1075 of the Civil Service Regulations.	6. In all cases except one the Government of India have refused to sanction the allowance *vide* No. 88.
110	Grant of charge allowance to temporary Engineers (drawing pay less than that of Assistant Engineers, 1st Grade) in the shape of an increase to their pay when they are placed in charge of districts.	Article 163 and Appendix 6, Civil Service Regulations.	3. The rules (*viz.*, those mentioned in column 3) regarding the grant of charge allowance to permanent Engineers are not applicable in the case of temporary Engineers and hence the sanction of the Government of India is necessary in such cases.

Public Works Department—cont.

Serial No.	Nature of case.	Existing rule or order under which reference is now made to the Government of India.	Particulars and number of references in five years.
111	Grant of certain concessions* to subordinates employed on Famine Relief Works.	Government of India, Public Works Department, letter No. 94-E., dated 21st January 1907.	1. The concessions mentioned in column 2 were sanctioned by the Government of India in the famines of 1900 and 1905-06.
112	Presidency allowance, &c., to temporary Engineers under yearly sanctions granted in the shape of an increase to their pay.	Public Works Department Code, paragraphs 33 and 36, and letters of the Government of India laying down the terms of appointments of temporary Engineers.	1. The rules regarding the grant of Presidency allowance and house-rent to permanent Engineers are not applicable in the case of temporary Engineers, and hence the sanction of the Government of India is necessary to grant the allowance to them in the shape of an increase to their pay. The Government of India were requested in paragraph 2 of this Government letter No. E.-81, dated 15th January 1907, to empower this Government to grant a suitable increase in pay, not exceeding the Presidency allowance and house-rent admissible to permanent officers, to any temporary Engineer under the yearly sanction whom it may be found necessary to employ at the Presidency town. In reply to this the Government of India stated that they considered it undesirable to ask the Secretary of State to place temporary Engineers engaged locally on the same footing as permanent Engineers in regard to local allowances, and added as under :— "Each case in which it is proposed to grant a temporary Engineer, transferred to a Presidency town, a temporary increase of pay, must therefore continue to be submitted for sanction and report to the Secretary of State as at present."

* *Viz.*—(i) Increased sub-divisional allowance at the rate of 50 per cent. above the ordinary rates to Upper Subordinates below the rank of Sub-Engineer, 1st Grade.
(ii) Local allowance of Rs. 5 a month to Lower Subordinates not drawing subdivisional allowance.
(iii) Increased horse allowance at the rate of 50 per cent. over the ordinary rates to Upper and Lower Subordinates.

Public Works (Irrigation).

113	Revised or Supplementary Estimates in connection with Irrigation Projects classified as Productive Public Works.	Public Works Department Code, paragraphs 2132, 2134, 2138.	5. Sanction is required from the Government of India, thus encouraging over-estimates.
114	Revised estimates for works classed under Protective Irrigation.	.....	*See* 113.
115	The classification of Irrigation Works costing over Rs. 50,000 under the head "Works for which only Revenue Accounts are kept" or "Works for which neither Capital nor Revenue Accounts are kept."	Public Works Department Code, paragraph 2207.	10.
116	Extension of dates for the completion of works sanctioned by the Government of India or the Secretary of State under the Open Capital Account rules for irrigation works.	Public Works Department Code, paragraphs 2155-VI and 2209-VI.	7.

APPENDIX IV.

Proposals for decentralization of 1895.

1. The sanction of the Government of India was asked in August 1895 to the introduction in the Local Legislative Council of a Bill for the purpose of delegating to the Divisional Commissioners powers exercised by the Local Government under certain Acts in the same manner and to the same extent as has been done in the case of the Commissioner in Sind under Act V of 1868. In March 1896 the Government of India refused the sanction, observing that the position of the Commissioner in Sind was quite exceptional and that there were strong objections to taking by legislation wider powers of delegation than were needed and could be used, and that, as in 1868, legislation should be undertaken in the Supreme Council specifying the powers which should be delegated. A schedule of such powers was at the same time invited from the Local Government.

Proposal to start a Civil Medical Service.

2. In their letter No. 196-Public, dated the 15th February 1899, the Government of Madras drew the attention of the Government of India to the defects in the arrangements made for providing officers to meet the Civil Medical Administration in that Presidency. They remarked that, so far as the Madras Government was concerned, the practical result of the unification of the Indian Medical Service was to seriously embarrass the medical organization in that Presidency; that although the responsibility for the efficiency of Medical Administration remained unaltered, yet in regard to the chief factor in the maintenance of efficiency, namely the provision of a sufficient staff of officers, that Government had been left practically no voice; that not only had the service in Madras been almost consistently undetermined, but that medical work had been hampered by the inability of that Government to estimate with any degree of certainty the probability at any given time of additions to or reductions in the number of officers available for duty; that vacancies caused by the retirements or absence on leave of Medical Officers remained unfilled, and that although officers reverted to military duty no corresponding transfer to the Civil Department was effected. In order to remedy this state of affairs they proposed that they should have at their disposal not only an establishment of officers corresponding in number to the sanctioned posts, but also a sufficient reserve from which officers could be drawn to fill leave vacancies. The whole of the officers forming this staff should, they considered, be definitely set apart for service in the Civil Medical Department in that Presidency, and they should not be liable to be transferred to military duty, or to be removed for service elsewhere without reference to that Government or, in the case of permanent removal from the Presidency, until arrangements had been made for the transferring instead to the Madras list the number of officers sufficient to raise it to its full strength. They were also of opinion that the whole of the officers forming this list should be under their orders in regard to leave and duty and that the individual officer returning from leave or from temporary military duty for which his services had been lent should, as a matter of course, revert to service under them. They remarked that by the acceptance of these proposals they would have at their disposal a medical staff which would ordinarily be fixed and sufficient in place of one which was fluctuating and inadequate, and that the maintenance of a definite policy in Medical Administration, which of late it had been found necessary to abandon in many important details, would be again possible.

The Government of India did not approve of these proposals. They said :

"The Governor-General in Council regrets that he is unable to entertain the suggestion which was considered and negatived before the orders for the amalgamation of the Indian Medical Service were issued, that a separate reserve of officers should be set apart for service in the Madras Presidency. It is not possible to treat the Madras Presidency differently from the rest of India in this matter, and to split up the reserve into small portions at the disposal of the different Local Governments would be inconsistent with the scheme of a unified medical service for military and civil duty throughout India. Not only would considerable extra expenditure be involved, but the proposal would lead to grave difficulty and inconvenience in the administration of the Indian Medical Service, and in the supply of Medical Officers to meet military or civil emergencies.

In communicating a copy of this letter to the Bombay Government, the Government of India stated that the position of the Government of Bombay in the matter of the administration of the India Medical Service was similar to that of the Government of Madras, and that the following general principles laid down in their letter to the Madras Government applied also to this Presidency :

(1) The present system, under which there is one Indian Medical Service reserve for leave and casualities for the whole of India, must be maintained; separate reserves cannot be allotted to each Local Government.

(2) It follows that the procedure prescribed in Article 935 of the Civil Service Regulations, under which the Director-General of the Indian Medical Service countersigns applications for leave from officers of the Indian Medical Service, is necessary.

(3) The orders of 1884, requiring Local Governments to report the occurrence of a vacancy, leaving the Government of India to select a suitable officer, and to abstain from confirming an officiating officer without first obtaining the orders of the Government of India permanently transferring him, must regulate appointments to civil employ throughout India, including the Madras and Bombay Presidencies. The Governor-General in Council will, however, have no objection to the Government of Bombay nominating any officer for civil employ who served in Bombay Presidency before the 1st April 1895.

(4) When special departments are formed in the Civil Medical Service with a view to secure officers of special qualifications and training for specialised work, the orders of June 1896 regarding appointments to the Jail Department will apply to such departments. They therefore apply to appointments in the Chemical Examiner's Department.

(5) With the exception of correspondence which relates to professional matters, to statistics, or to the operation of departmental rules or orders, all communications regarding the Civil Medical Department will be addressed by the Government of India to the Government of Bombay and not by the Director-General, Indian Medical Service, to the Surgeon-General with the Government of Bombay."

Home Department Circular No. 8-Jails 343—351, dated the 22nd June 1896

In 1903 the Government of India were addressed by the Government on the subject of the supply of Medical Officers for Civil appointments in this Presidency. It was represented that during the past seven years the cadre of officers of the Indian Medical Service had been at various times under strength and that there was uncertainty as to the supply of officers in the future, and suggestions were made as to the best means of any deficiency that might take place in the number of officers required to fill the reserved posts. One of the suggestions was that some of the doctors on plague duty might be re-engaged for general service or that one or two men might be specially chosen and sent out from England. In the concluding paragraph of the letter this Government remarked as follows :

"Although in the earlier part of this letter this Government have made various suggestions based on the suppositions that the existing system is to remain in force, or be but slightly modified, the Governor in Council feels bound to record his opinion that none of the changes he has suggested adequately meet the requirements of the situation. In the opinion of this Government certain posts should, for the sake of efficiency, be held by officers of the class recruited for by the Indian Medical Service. The basis of that service is, at present, a military one, and civil needs are subordinated to military exigencies to the inevitable detriment of the former. Experience has shown that the estimated civil requirements are not, in practice, met; and the Governor in Council would ask the Government of India to consider the possibility of separating the Civil from the Military Service."

In reply the Government of India explained the causes why the Indian Medical Service was at various times under strength and remarked that the position of Bombay as regards Commissioned Medical Officers had been in no respect worse than that of the other Local Governments. With regard to the question of the Employment of English practitioners for general duty, the Government of India stated that should this Government find it necessary to re-engage some of the medical men employed on plague duty or to requisition others from England they would be prepared to deal with each proposal on its merits. They remarked that although the power of sanctioning renewed engagements for plague duty had been delegated to this Government, any proposals to re-engage medical men for any other purpose should be referred to them when the occasion arose. They added that they were not disposed to reopen the question of separating the Civil from the Military Service, on grounds both of policy and of the greatly increased expenditure which the arrangements would entail.

Improvement of the position of Jail Warders.

3. The Inspector-General of Prisons submitted a scheme for improving the position of the Warder

Establishment of the Bombay Prisons. The reforms advocated were—

(*a*) that service as a warder in any grade should be regarded as qualifying for pension on the superior scale;

(*b*) that good conduct pay should be granted in accordance with the certain rules proposed by the Inspector-General of Prisons;

(*c*) that the pay of chief warders and head warders should be increased;

(*d*) that further accommodation should be provided for jail warders.

The Bombay Government undertook to deal with the last proposal and submitted the remaining three for the favourable consideration of the Government of India.

The Government of India rejected (*a*) giving it as their opinion that the first measure of reform to be undertaken was to increase the number of the warder establishments so as to reduce the hours of duty of each individual. They accordingly requested that the subject might be further considered and the conclusions reported for their orders, and they postponed the consideration of the other proposals put forward, *viz.*, (*b*) and (*c*) pending the reply of this Government.

This Government then pointed out that the suggestion that the preferable course would be to improve the conditions of service by rendering them less onerous instead of making the service as warder qualify for pension on the superior scale, had been fully considered before the Government of India was addressed and that it was not regarded as feasible owing to the cost and also because it would probably fail to accomplish the chief object of the proposals, *i.e.*, to secure an improvement in the quality of the warder establishment. The Government of India replied that they were unable to withdraw their objections to the service of all warders being regarded as superior, as the proposal was wrong in principle, and they thought that the remedy lay in a complete revision of the staff. They therefore requested that matured proposals for an increase of the staff may be submitted together with such modified proposals with regard to the grant of good conduct pay and the pay of chief and head warders as may be thought necessary.

The Inspector-General of Prisons has accordingly submitted a revised scheme which is now under the consideration of this Government.

Bombay Municipal loan for housing subordinates.

4. In 1893 the Municipal Commissioner for the City of Bombay submitted an application to raise a loan of Rs. 25¼ lákhs for the construction of drainage and water-works and roads, and stables and *chawls* costing Rs. 2 lákhs. The application was sent to the Government of India, who sanctioned the raising of a loan of 23¼ lákhs and stated that they were unable to sanction the raising of the two lákhs required for the construction of stables and *chawls*. The Municipal Commissioner was accordingly informed by Government Resolution No. 809, dated 3rd March 1894. The ground on which the Government of India refused to sanction the two lákhs was that clause (*a*) of section 190 of the City of Bombay Municipal Act, 1888, prescribed that money should not be borrowed for the execution of any work other than a permanent work, including under this expression any work of which the cost ought in the opinion of Government to be spread over a term of years. The Municipal Commissioner and the President of the Municipal Corporation, Bombay, requested that for the reasons stated by them the Government of India might be moved to reconsider their decision. The Corporation denied that the works were of a recurrent nature or formed an ordinary incident of municipal expenditure. They were works of a permanent character, quite as much so, for instance, as water mains or markets, and the Corporation protested against their being compelled to throw them upon revenues or rates of one or two years. The Municipal Commissioner stated that it was an object of importance to erect *chawls* and stables for scavengers, *halálkhors* and bullocks of the Health Department because (1) it was economical, (2) the human beings and animals were better housed, (3) the buildings were of great value as models, and (4) because the result of it was an improvement and economy of work by the establishments being located more conveniently than otherwise with reference to their sphere of operations. This Government concurred in the views set forth by the Municipal Corporation and the Municipal Commissioner, and the Government of India were informed that the necessity for the construction of *chawls* and stables was undoubted, that the total expenditure required was greater than the municipality could meet out of its current revenue within any reasonable time, and that the difficulty of obtaining suitable sites prevented the Municipality from undertaking the construction of all the necessary buildings at one time. In reply the Government of India stated that they had given full consideration to the arguments urged in support of the proposal and in doing so had examined the principles and practice applicable to similar cases in England, that they were not prepared to admit that works of this class should be reckoned, as regards the burden of payment thrown upon future years, in the same category as works connected with water-supply or drainage, and that if they were casual requirements only, would consider that they should be regarded as fair charges upon the revenue of the years in which they were undertaken. As, however, it was brought to their notice that the proposals in question were only part of a scheme for general construction of chawls and stables in connection with the Municipal establishments, the Government of India admitted that it was reasonable to throw forward on future years part of the expenditure on them, and on this ground they were prepared to sanction short term loans (say for ten or fifteen years) if they had before them the full proposals of the municipality in respect of such buildings, but they were of opinion that unremunerative expenditure of this kind should not be undertaken unless the present generation of rate-payers was willing to that extent to meet the burden of it (letter No. A-5351, dated 23rd October 1894).

The Municipal Corporation have recently submitted a representation on the subject of raising a long term loan to enable them to provide dwelling accommodation for their scavengers.

Police Re-organization.

5. In their letter No. 288, dated 31st March 1905, the Government of India requested that duly verified proposition statements for the revision of the police establishments in Bombay on the general lines approved by the Government of India in their decision upon the recommendations of the Police Commission, may be submitted. Such statements were accordingly prepared for the districts in the Presidency proper and in Sind and for the railways and submitted for the sanction of the Government of India. These have all been returned by the Government of India for revision of details in accordance with their views which involve considerable modifications in the proposed strength of the forces, both for regular police duties and for clerical work.

In the case of the police training-school the Government of India declined to sanction the full number of head constables and constables proposed by this Government as orderlies for the principal and the probationary assistant superintendents, and cut down the number of head constables from 5 to 4 and of constables from 9 to 3.

Re-organization of Subordinate Forest Establishment.

6. The question of the re-organization of the subordinate forest establishments in the Bombay Presidency has been under the consideration of the Local Government since 1888. On the recommendation of a local committee a scheme costing additional Rs. 2 lákhs a year was submitted in May 1890 to the Government of India, at whose desire it was discussed in a Forest Conference, (including the Inspector-General of Forests) in March 1891. In July 1891 the Local Government intimated their inability to adopt the proposals of the conference. In August 1892 the Government of India forwarded a scheme by the Inspector-General of Forests, and in December 1892 the Local Government expressed their inability to adopt it. Meanwhile certain forest matters, including tripartite classification of forests, came under inquiry, and proposals for reorganisation of establishments submitted by each Conservator in 1896 were returned by the Local Government in January 1897 for consideration on a uniform plan. In May 1897 the Government of India invited proposals in the matter. Plague and famine intervened, and it was not until 1902 when the

tripartite classification business had sufficiently advanced that fresh proposals were invited by the Local Government through the Senior Conservator, who submitted them in November 1902. After further inquiries, the scheme involving an extra annual cost of Rs. 1,69,000 as modified by the Local Government went up to the Government of India in June 1905. In March 1906 the Government of India suggested certain modifications, and intimated their readiness, if this Government so desired, to submit such modified proposals for the Secretary of State's approval pending collection of further information desired by that Government on certain other points. The Local Government's reply on the subject (on consideration of further reports of Conservators) together with proposition statements will shortly go to the Government of India.

Substitution of Police for Military Guards over Treasuries, &c.

7. The Government of India made considerable reductions in the strength of the police force proposed by this Government for the relief of military guards and asked for revised proposals, which have now been submitted. In the similar scheme for Aden which was submitted to the Government of India separately they sanctioned only 4 *havâldârs* and 24 constables in lieu of 4 *havâldârs* and 40 men proposed by this Government.

House accommodation for officers.

8. In April 1905 the Local Government communicated their remarks to the Government of India on the report (received in November 1904) of a committee appointed by that Government to inquire into the question of house accommodation for officers stationed at Calcutta and Bombay. In August 1906 the Government of India submitted for the Secretary of State's approval a scheme for the provision of house accommodation and for the extended grant of house-rent allowances to Government officers in Calcutta only. After receipt of sanction to the Calcutta scheme, the Government of India informed this Government in January 1907 that it was open to the Local Government to proceed with a similar scheme for Bombay. The question was entrusted by this Government in May 1907 to a local committee for report, which is awaited. Meanwhile the Local Government's recommendations (submitted in January 1907) for the grant of a house-rent allowance of Rs. 50 per mensem to Assistant Collectors of Customs in Bombay who have not been admitted into the Imperial Customs Service have been held over by the Government of India for consideration along with the general question instead of being sanctioned, to the relief of a class of officers badly in want of it, provisionally and subject to such modification as might afterwards have been found necessary.

Revision of pay of low-paid subordinates.

9. In May 1907 certain proposals for raising to Rs. 15 per mensem the minimum pay of clerical appointments in all branches of the Public Service (Imperial as well as Provincial) in this Presidency at an annual cost of Rs. 20,800 were submitted for the sanction of the Government of India as required by Article 283, Rule 4 (8), of the Civil Account Code. In June 1907 the Government of India invited an abridged proposition statement in Account Code Form No. 5-A and a statement of the reasons necessitating the revision in the whole Presidency. Proposition statements invited by Government in August 1907 from all Heads of Departments for the purpose of preparing an abridged statement are still awaited by the Accountant-General.

Vaccination Establishment.

10. Under the orders of the Secretary of State passed in 1876 vaccinators employed by Municipalities and Cantonment Committees were classed as servants of the State admitted to the benefits of pensions and gratuities from general revenues. Subsequently this concession was extended to vaccinators paid from all local funds. In Home Department Resolution No. 190-202, dated the 27th November 1906, the Government of India stated that the system under which vaccinators, though paid from local funds, were nevertheless held to be pensionable from general revenues was open to objection, that there was no reason why any distinction should be made between them and any other class of local fund employés, and that the time had come to place vaccinators on the same footing as other local fund employés. They accordingly directed (1) that for the future vaccinators should not be enrolled as servants of Government nor be employed as a provincial establishment, (2) that vaccinators hereafter employed by local bodies should be wholly under their administrative control and should be on the same footing as other local employés, and (3) that existing incumbents should retain their present rights to pension from Government.

Remuneration of Medical Officers for attendance on ruling Chiefs and their families and dependents and on Indian gentlemen of high position in a Native State or in British India.

11. With Home Department letter No. 618-619, dated the 1st July 1907, the Government of India forwarded for information a copy of their notification No. 607, dated the 1st July 1907, in which they have prescribed in supersession of all existing rules the regulations regarding the receipt by Medical Officers of Government of fees for professional services rendered to ruling Chiefs and their families or dependents, Indian gentlemen of high position in a Native State or Indian gentlemen of high position in British India. The revised regulation is as follows :—

> Fees calculated on the scale of Rs. 16 a visit or in certain cases, Rs. 32 according to recognised custom, unless the total exceeds Rs. 160 during any one month may be accepted without permission. Higher fees require the permission of the Director-General, Indian Medical Service.

With reference to this notification the Government of India have addressed a confidential letter to this Government in which with the object of elucidating their intentions they explain *inter alia* that they have determined—

> (*i*) that it shall be the duty of the Local Administrative Medical Officer to consult the Local Government (without disclosing professional details) before forwarding the case to the Director-General, Indian Medical Service, and to communicate the views of the Local Government thereon ;
>
> (*ii*) that the decision of the Director-General, who will consult the Government of India when he differs from the opinion of the Local Government, shall be final.

In their letter No. 6989-54-Confidential, dated the 23rd November 1907, this Government have protested against these orders which were issued without first affording this Government an opportunity of expressing their opinion.

Position of the Sanitary Commissioner with the Government of India regarding the local Sanitary Commissioner.

12. By their Resolution No. 1273-1290, dated the 8th September 1904, the Government of India created an appointment of a separate Sanitary Commissioner with that Government. It was stated (paragraph 12 of Resolution) that his main functions would be to advise the Government of India upon sanitary and bacteriological questions, that he would not be permitted to encroach in any respect upon the authority of Local Governments over the officers under their control, but that he would consult and confer with them informally upon matters connected with sanitation and would in this respect occupy a position closely analogous to that of the Director-General of Education. He was empowered to correspond *unofficially* with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics and purely technical questions. In their letter No. 1573, dated the 21st September last, the Government of India stated that experience had shown that the restriction to *unofficial* correspondence had produced considerable inconvenience and that such references would in future be made officially. In General Department letter No. 6226, dated the 17th October last, the Government of India have been requested to reconsider their recent orders which has been issued without first affording this Government an opportunity of expressing their opinion and for definition of their scope.

The disposal of retail licenses for the sale of liquor.

13. In the year 1899 this Government first considered the question whether any change should be made in the district monopoly country spirit system in force in the Bombay Presidency, under which the monopoly of the manufacture and sale of country spirit in a district or a specified area is leased to a contractor or a farmer. In view, however, of losses suffered by some A'bkári contractors owing to famine and plague, Government decided in June 1899 not to pursue the subject further. Having regard to the frequent remissions of minimum guaranteed revenue granted by the Government of Bombay to A'bkári contractors, the Government of India were in 1901 inclined to think that the Bombay A'bkári system was in need of some modification, and they asked this Government to consider the matter when times were more auspicious. After consideration of the subject this Government decided to introduce in the Belgaum district from 1st August 1902 the contract distillery system of Madras. Under this system the exclusive privilege of manufacture and supply of country spirits throughout a district or other specified area is disposed of by tender. The successful tenderer has the monopoly of the supply of liquor to the retail vendors within the area of his contract. The privilege of retail vend either for single shops or for groups of shops in a *táluka* is sold by auction to the highest bidder. The system has since been extended to the East Khándesh, West Khándesh, Násik, Poona, Sátára and Ahmednagar districts, with the difference that in the first three districts the shops for retail vend were given to those whose tenders guaranteeing a minimum revenue were accepted. The results were favourable in the case of the Khándesh system, and Government have been from time to time considering whether that system or the auction shop system in Belgaum, Poona, etc., should be introduced into other districts. It will be seen from the following paragraph that the Government of India, in passing orders on the Excise Committee's report, have directed that the right of retail vend should be disposed of by auction.

The Government of India have accepted the recommendation of the Excise Committee that the existing systems for the regulation of country liquor should be replaced, as soon as circumstances permit, by the contract distillery system of Madras. In accordance with the instructions of the Government of India, the Committee have also discussed the subject of the method of disposal of licenses for retail vend. The Commissioners of Customs, Salt, Opium and A'bkári, Bombay, who was consulted by the Committee, expressed his opinion against the method of auctioning licenses for retail vend. If the separate shop system were introduced generally into this Presidency, the Commissioner suggested that in the difficult districts the shops should be disposed of on a minimum guarantee, as was the case in Khándesh and Násik, and that in the other districts they should be given to selected individuals on fees calculated on sales. In their report the Committee observed that, though in accordance with the policy of the Government of India the general method of the disposal of the right of retail vend was that of sale by auction, they did not consider that the system should be looked to as the best ultimate method of raising supplementary revenue on articles which pay direct duty. The Committee were in favour of a policy of reducing the proportion of the taxation realized in the form of vend fees so that the fluctuating part might eventually become shop license fees. In paragraphs 194 and 196 of their report the Committee enumerated the objections which had been raised against the auction system, and in paragraphs 200 to 211 of the report they suggested alternatives to the system. The Government of India, however, in their Resolution, Finance Department, No. 2997-Ex., dated 16th May, 1907, considered that the arguments advanced by the Committee against the auction system were not valid, and that the alternative proposals made by them were open to far graver objections. The Government of India then decided that the best method is an auction system worked on the lines laid down by them and directed that it should be adopted. They have, however, left it to the Local Governments to decide whether the shops should be sold by auction annually or for a longer term not exceeding 3 years.

Conscience clause for European schools.

14. With their letter No. 532, dated the 14th August 1905, the Government of India forwarded copies of the Code for European schools as revised by them and asked that the Code might be brought into effect in Bombay. The Director of Public Instruction, who was asked to report with what explanations and modifications the code should be introduced into this Presidency, recommended, *inter alia*, the omission of clauses (*a*) and (*b*) of Article 6 of the Code for the reasons that they were strongly objected to by the managers of European schools whom he had consulted and that they were not required in this Presidency where they could not be applied in mission and other similar institutions, and if retained would cause friction and dispute. This Government approved of the modification proposed by the Director and informed the Government of India of it (letter No. 102, dated 17th January 1907). The Government of India, however, insisted upon a re-instatement of the clauses referred to. They stated: "The Government of India are not prepared to accept the proposed omission of clauses (*a*) and (*b*) since they regard it as essential that the principle of religious neutrality should be maintained. They are inclined to doubt the force of the contention that the insertion of these clauses in the European Code will lead to a demand for the insertion of similar clauses in the Grant-in-aid Code for native schools, and would point out that this effect has not been produced in other provinces where the European Code has been for a long time in force. It is also noted that there is no apparent reason to apprehend, from the circumstances of European schools in the Bombay Presidency, that the insertion of these clauses will lead to undesirable friction. I am to request therefore that, with the permission of His Excellency the Governor in Council, the decision to omit clauses (*a*) and (*b*) from Article 6 of Chapter I of the Code may be reconsidered. The Government of India trust that, in this important matter, the Bombay Government will be able to place itself in line with other Local Governments in India by whom Article 6 has been fully accepted." In letter No. 1905, dated the 31st October last, Educational Department, this Government explained the reasons why these clauses should not be forced on European schools in this Presidency, and the Government of India ultimately accepted the proposals of this Government.

Investment by Government Officers in Agricultural Banks.

15. In Home Department letter No. 1439, dated the 17th June 1907, the Government of India requested to be favoured with an expression of opinion of this Government on the proposals made by the United Provinces regarding the questions whether Government servants should be permitted to invest money in Co-operative Credit Societies and whether a new rule should be made to provide for the investment of money by subordinate Government servants, such as clerks, in societies specially constituted for their benefit. This Government, after consulting their officers, informed the Government of India that the majority of opinions expressed on this subject required any permission to be given to Government officers to invest money in Co-operative Credit Societies to be subject to restrictions, and that since such restrictions were generally held to be desirable it would be best that such investments should be prohibited, and that in any case no alteration should be made in Rule 11 of the Government Servants' Conduct Rules, 1904 (letter No. 6695, dated the 9th November 1907). No case for any such restrictions has so far arisen in this province, and the discussion of the subject seemed premature.

Proposed appointment of an Inspector-General for Museums.

16. In their letter No. 6879—6815-15-3, dated 27th November 1905, the Government of India stated that in connection with certain proposals for the reorganization of the Indian Museum, Calcutta, a suggestion had been made that an Inspector-General of Museums in India should be appointed who would not only be the administrative Head of the Indian Museum, Calcutta, but the responsible adviser of that Government and also of the Local Government in respect of all

questions connected with the organization and management of museums. In paragraph 5 of the letter the hope was expressed that this Government might be able to approve this proposal and it was requested that in that case the Government of India might be furnished with the views of this Government as to the manner in which the services of such an officer could be turned to the best advantage and as to the amount of control which he should be authorized to exercise (*vide* Government Resolution No. 2420, dated 12th January 1906). This Government thought that the proposed appointment was likely to lead to centralization and suggested as an alternative to the proposal of the Government of India that there should be an annual meeting of the curators of the museums at a different centre each year. The Government of India were informed accordingly in this Government letter No. 5021–A, dated 24th August 1906. In view of the objections to their proposal put forward by the majority of the Local Governments consulted the Government of India decided not to proceed further with it.

Salt Administration in Sind.

17. In view of the recommendations made by an expert Committee appointed by the Government of India in August 1903 to report on the system of salt administration in India, the Government of India in July 1904 expressed a provisional opinion in favour of the Commissioner, Northern India Salt Revenue Department, being constituted the controlling authority of the salt administration in Sind, and condemned a scheme for the joint supervision of the salt, opium and excise administration in that province. The Local Government regretted that they had not been consulted before the Government of India formed their views, and intimated their inability to acquiesce in the proposals of the Government of India. The Government of India in reply observed that they deemed it right to indicate the *provisional* opinion which they had themselves formed on reading the committee's report, and that this course was in no way open to objection or inconsistent with the relation in which they stood to the Local Government. The Government of India at the same time expressed their readiness to consider any representation which the Local Government desired to make against the recommendations of the majority of the committee. After inviting the opinions of the Commissioner, Northern India Salt Revenue Department, the Commissioner in Sind, and the Commissioner of Customs, Salt, Opium and Abkári on the subject of several alternative schemes for the administration of the Salt Department in Sind, the Local Government in June 1905 submitted their views to the Government of India, and respectfully contended against their announcement of a provisional, and in one respect absolute, conclusion regarding questions pertaining to the Local Government's administration before the facts within their knowledge were taken into consideration by the Government of India. In September 1905 the Government of India, after considering three alternative schemes put forward by this Government, accepted the Local Government's views in favour of the control of the department being continued to be vested in the Commissioner in Sind. They observed however that they could "not allow the Government of Bombay to question their right to express an opinion, whether provisional or otherwise, on any matter, more especially on one which had been exhaustively considered by an expert committee and which vitally concerns a branch of revenue which is wholly imperial." In September 1906, detailed proposals were submitted to the Government of India for a combined establishment of salt, excise and opium in Sind. They were approved by the Secretary of State in June 1907 subject to certain minor modifications proposed by the Government of India and subject to an alternative proposal of the Local Government for the pay of the Assistant Commissioner being adopted if further inquiries already made by the Government of India proved the desirability of these courses.

Surat Octroi Taxation.

18. Under the Government of India's Orders of 1868 the levy of octroi duties on articles liable to sea customs duty and imported into India by sea was prohibited. These orders became inoperative when the sea customs duties were abolished. When these duties were re-imposed in 1894, the question of dealing with the existing local octroi schedules, which contained numerous articles since made liable to imperial taxation, was taken up by the Government of India, and in 1899 they prescribed certain maximum rates up to which the levy of octroi upon articles liable to customs duties should be permitted. This Government was asked to examine the circumstances of each municipality in order to ascertain whether the rates levied on articles for which sea customs were paid and the corresponding indigenous articles were higher than the prescribed rates, and to report to them for consideration any exceptions concerning rates. The examination commenced in 1900. In the Northern Division it was found that the Ahmedabad and Surat municipalities transgressed the limits prescribed by the Government of India in three items, viz., sugar, *ghi* and oils, and the municipality of Broach those in *ghi* and butter. With reference to Surat the Commissioner, Northern Division, stated that compliance with the orders of the Government of India would mean a loss to the municipality of nearly half a lákh of rupees per annum, and would place the municipality in an embarrassing position. He recommended that the municipality should be given two months' time to amend their schedule. The Commissioner's recommendation was approved in Government Resolution No. 6043, dated 23rd October 1901. In 1903 the Government of India modified their orders of 1899, and prescribed more liberal maximum rates. The Surat municipality revised their schedule in 1905, and while they reduced the duty on *ghi* and sugar in order to conform to the rates prescribed by the Government of India, they increased the duty on grain of all sorts and flour. Government felt that the incidence of the tax on grain would be proportionately heaviest on the classes which consumed the cheapest grains, and desired the Commissioner to reconsider the point and, after consulting the Collector, make such recommendation as he might think fit. The Managing Committee of the municipality reported that they did feel that poor people who consume the cheapest grain would proportionately pay a higher rate of octroi than the well-to-do, but that they did not see their way to make equitable adjustments. The schedule was eventually sanctioned by Government. The Broach municipality also met the deficit caused by a reduction of the duty on *ghi* and butter by increasing the rates on sesamum and grain of all sorts. The Ahmedabad municipality levied a duty on sugar at the rate of 8¼ per cent. *ad valorem*, whereas the maximum prescribed by the Government of India was Rs. 4–11–0 per cent. The municipality reduced tentatively the duty on sugar to Rs. 5–8–11 per cent., and in order to meet the loss of over Rs. 30,000 resulting from this revision it enhanced the rates of toll and the duties of wheat, oils of sorts, piece goods, and timber and building materials. The decrease in the rate of sugar was accepted by the Government of India on condition that within a year the rate would be brought down to the level prescribed by them.

From these instances it will be seen that pressure was put on municipalities to alter their octroi schedules in consequence of changes in the customs tariff, and in asking them peremptorily to reduce their rates to certain arbitrary maxima much heed was not paid to the fact that they had raised loans on the security of their income from octroi and other rates and could not afford to forego a portion of their revenues. The result was that the Surat and Broach municipalities were compelled to tax the food of the poorest people, and at Ahmedabad the cloth merchants went on strike for a few days to show their disapprobation of the change.

APPENDIX V.

Judicial Department.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1	Forms of proceedings in Courts subject to the Appellate Jurisdiction of the High Court under sections 24 and 25 Vic., Chapter 104, *i.e.*, all such forms in the Civil Circulars for the use of Civil Courts, as the High Court cannot sanction of its own authority under section 652 of the Code of Civil Procedure.	From Government to High Court.	Section 15 of 24 and 25 Vic., Chapter 104.	Section 15 of 24 and 25 Vic., Chapter 104, may be amended so as to empower the High Court to prescribe all forms for the use of both the Civil and Criminal Courts subordinate to the High Court. At present for all such forms as do not come under section 652 (*1*) of the Civil Procedure Code (Act XIV of 1882) or section 28 (*1*) (*a*) of Act IX of 1887, sanction of Government has to be obtained by the High Court. Perhaps the same object may be attained by amending section 652 of the Civil Procedure Code so as to empower the High Court to prescribe forms for the use of the Civil Subordinate Courts in all cases. As regards forms for the use of the High Court, section 639 of the Civil Procedure Code gives absolute power to the High Court. This subject may appropriately be considered in connection with the Civil Procedure Code Bill.
2	Rules and forms for the guidance and use of the Criminal Courts (*i.e.*, all circulars issued for the guidance of Criminal Courts, subordinate to the High Court).	Ditto ...	Ditto and section 554 of Act V of 1898.	There being no provision in the Code of Criminal Procedure empowering the High Court to make rules of procedure for the Subordinate Criminal Courts corresponding to section 652 of the Code of Civil Procedure, or section 28 (*1*) (*a*) of Act IX of 1887, sanction of Government has to be obtained under section 15 of 24 and 25 Vic., Chapter 104, or section 554 of the Criminal Procedure Code to every circular framed by the High Court for being embodied in the High Court Criminal Circular Order Book. This entails unnecessary correspondence. Provision may, therefore, be made in the Criminal Procedure Code to empower the High Court to make rules and prescribe forms, etc., for the use of the Criminal Courts subordinate to it without submitting them to Government for sanction.
3	Applications for privilege leave to High Court Judges when no *locum tenens* is necessary.	From Government to the Honourable the Chief Justice.	Rule 21 of the rules made under Statute, 24 and 25 Vic., Chapter 104, section 6, by the Secretary of State in Council of India (*vide* Article 543 of the Civil Service Regulations).	The Honourable the Chief Justice might be authorized to grant leave to the Judges of the High Court when it is certified by the Accountant-General to be due and when no *locum tenens* is required during the absence of the Judge on such leave. Rule 21 requires that applications for leave shall, in all cases, be submitted in such manner as the Government shall, from time to time, prescribe. Government can therefore direct that such applications may be submitted to the Honourable the Chief Justice for sanction along with the Accountant-General's certificate.
4	Appointment of Magistrates to exercise the powers vested by the Workmen's Breach of Contract Act, 1859, in a Magistrate of Police.	From Government to District Magistrate.	Act XIII of 1859, section 5.	To appoint Police Magistrates under the Act.
5	Proposals for the appointment of Delegates to the Parsi Matrimonial Court, Bombay, to aid in the adjudication of cases arising under Act XV of 1865.	From Government to High Court.	Section 21 of the Parsi Marriage and Divorce Act, 1865 (XV of 1865).	.....
6	Power to make rules for the regulation of public conveyances.	From Government to Divisional Commissioners.	Public Conveyances Act, VI of 1863, as modified by Bom. Act V of 1887, section 14.	Powers of Local Government.
7	Application of the Public Conveyance Act to certain local areas.	Ditto ...	Ditto, section 34.	Ditto.
8	Alterations in the rates of fares under the Public Conveyances Act.	Ditto ...	Ditto ...	Ditto.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
9	Appointment of Magistrates to exercise the powers vested by the Public Conveyance Act of 1863 in a Magistrate of Police.	From Government to Divisional Commissioners.	Public Conveyances Act, VI of 1863, as modified by Bom. Act V of 1887, section 34.	.....
10	Approval of the Commissioner to the appointment of a police *pátil*.	From Commissioners to District Magistrate.	Section 5 of the Village Police Act VIII of 1867.	Full powers.
11	Dismissal of a police *pátil*	Ditto ...	Section 9 (2) ditto	.....
12	Authorizing the issue of commissions to police *pátils*.	Ditto ...	Section 15 ditto	Power of Commissioner.
13	To cancel such commissions	Ditto ...	Section 18 ditto	Ditto.
14	Infliction of fines on police *pátils* and *shetsanadis*.	From Magistrate of First Class to *Mámlatdár*.	Section 9 ditto	Up to Rs. 2. (The power at present exercised in the case of revenue *pátils* and *kulkarnis*.)
15	Appellate powers to Assistant Judges.	From Government to High Court.	Section 17 of Bombay Act XIV of 1869. Government letter in the Judicial Department, No. 4379, dated 28th July 1886.	The High Court may be empowered to pass orders in such cases without submission to Government and notify the grant of such powers in the *Government Gazette*.
16	Investiture of Assistant Judges with District Judge's Powers.	Ditto ...	Bombay Civil Courts Act XIV of 1869, section 19.	Powers of Government under Act XIV of 1869.
17	Deputation of Subordinate Judges in one district to assist Subordinate Courts in another district.	Ditto ...	Ditto, section 23.	In regard to the deputation of Second Class Subordinate Judges from one district to another district.
18	Appellate powers to Subordinate Judges and Small Cause Court Judges.	Ditto ...	Ditto, section 27.	The High Court may be empowered to pass orders granting such powers and to notify them in the *Gazette*.
19	Small Cause Court powers to Subordinate Judges of the First and Second Classes.	Ditto ...	Ditto, section 28. Government Circular, Judicial Department, No. 7683, dated 19th December 1879, also Government Resolution, Judicial Department, No. 1600-A., dated 13th March 1893.	The section of the Act mentioned in column 4 may be so amended (*i.e.*, by substituting "High Court" for "Governor of Bombay-in Council") as to empower the High Court to pass orders on such applications without submitting them to Government and to notify the grant of such powers in the *Gazette*.
20	Proposals for regulating fees to be taken for any process issued by the Civil Courts (under Bombay Act XIV of 1869) or by any officers of such Courts.	Ditto ...	Ditto, section 42.	The sanction of the Local Government may be dispensed with.
21	Appointment, promotion and transfer of Subordinate Judges of the First and Second Classes and Small Cause Court Judges.	Ditto ...	Ditto, section 22. Government Resolution in the Judicial Department, No. 3939, dated 21st July 1873.	Under Government Resolution No. 3939, dated 21st July 1873, in respect of promotion, Government accept in all cases the nomination of the High Court to all appointments of which the salaries do not exceed Rs. 400 a month, *i.e.*, promotions of Second Class Subordinate Judges. They also accept all recommendations of the High Court for transfers of Subordinate Judges in the Second Class.
22	Applications for holding Subordinate Civil Courts outside the local limits of their jurisdictions or at a place within the jurisdiction, but not in the appointed court-house.	From Government to District Judge.	Ditto, section 23.	Sanction of Government is required in such cases. Section 23 may be so amended as to give this power to the District Judge. Sometimes on account of plague or other reasons, it is thought desirable to hold Courts at places other than those ordinarily appointed by Government. Similar power has been given to the High Court by section 6 as regards the holding of District Courts within the district.
23	Power to allow transfer on exchange or otherwise of a clerk of the Court or ministerial officer from one Civil Court to another beyond jurisdiction.	Ditto ...	Bombay Civil Courts Act XIV of 1869, section 40-A.	The District Judge may be empowered to transfer any clerk of the Court or ministerial officer from another district to his district and *vice versâ*.
24	Power to allow an Assistant Judge to hold his Court at a place different from the one where the District Judge holds his Court.	From High Court to District Judge.	Ditto, section 15.	District Judges may be empowered to exercise this power without consulting the High Court.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
25	Deputation of Subordinate Judges in one district to assist Subordinate Courts in the same district.	From High Court to District Judge.	Bombay Civil Courts Act XIV of 1862, section 23.	In regard to the deputation of a Subordinate Judge to assist another Subordinate Judge within the same district.
26	Apportionment of days of holding Courts at two places.	Ditto ...	Ditto, section 23	The District Judge may be empowered to apportion days without consulting the High Court.
27	Apportionment of days of sitting in linked Courts.	Ditto ...	Ditto, section 23 (*3*) and (*4*).	Ditto ditto.
28	Investiture of Magistrates other than First Class Magistrates with powers to try cases under section 3 of the Opium Act, 1878.	From Government to Commissioner in Sind and Divisional Commissioners.	The Opium Act I of 1878, section 3.	.....
29	Seizure and detention of arms under section 26.	From Government to District Magistrate.	Section 26 of the Indian Arms Act, XI of 1878.	Full powers.
30	Power to issue warrants for search of hidden arms.	From District Magistrate to District Superintendent of Police.	Ditto, section 29	Ditto.
31	Arms licenses extending to more than one district.	From Commissioner to District Magistrate and Deputy Commissioner.	Under Rule 13 of the rules under the Arms Act countersignature of the Commissioner is necessary.	When they are for the first time countersigned by the Commissioner they may be countersigned by the District Magistrate in succeeding years.
32	Power to grant licenses under Rule 14 of the Rules under the Arms Act for the transportation of arms outside the district and within the Presidency.	From District Magistrate to Sub-Divisional Magistrate.	Rule 14 of the Arms Act Rules.	.....
33	Search in the case of offence against section 19 (*f*) of the Indian Arms Act.	To District Magistrate.	Section 30 of the Indian Arms Act, XI of 1878.	Full powers. The section prescribes that officers should be oppointed for the purpose. The District Magistrate is the most suitable officer to whom such powers might be delegated.
34	Officers other than Magistrates to be empowered to search for arms.	Officers not below the rank of Sub-Inspector.	Section 25 ditto...	Full powers. In the absence of Magistrates some officers should have this power.
35	Appointment of Subordinate Judges to aid the District Judges in inspecting and supervising the proceedings under the Dekkhan Agriculturists' Relief Act.	From Government to High Court.	Section 52 of Act XVII of 1879.	This section was first made use of this year and the First Class Subordinate Judges in five districts were empowered under it. The number of references under it will increase as the provisions of the Dekkhan Agriculturists' Relief Act regarding Conciliators, etc., become known.
36	Special power to a Conciliator to direct the defendant to appear in person.	From Government to District Judge.	Section 40 (*3*), ditto	The District Judge may be empowered.
37	Appointment of Conciliators and Village Munsiffs under the Dekkhan Agriculturists' Relief Act.	From Government to Collector when the District Judge agrees; otherwise Commissioner.	Sections 34 and 38, ditto.	All cases.
38	Appointment, suspension or removal of *Kázis*.	From Government to Divisional Commissioner.	Section 2 of the *Kázi's* Act, XII of 1880.	

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
39	Execution of Civil Courts' decrees.	From Collector to Assistant Collector and Mámlatdár.	Rules under section 320, Civil Procedure Code.	At present the Sub-Judges send decrees for execution to the Collector, who, in his turn, sends them to the Mámlatdárs. The Mámlatdárs, after executing the decrees, send them to the Collector and the Collector sends them back to the Sub-Judges. This roundabout procedure entails much unnecessary trouble and increase of work both in the Collectors' and Mámlatdárs' offices. Sub-Judges should, it is suggested, send decrees direct to the Mámlatdárs who should observe the preliminary procedure as at present and hold auctions. Mámlatdárs should be empowered to sanction sales up to Rs. 50. If the final bid is above Rs. 50 they should send the papers to the Assistant Collector who should be empowered to sanction the sales up to Rs. 200. If the final bid is above Rs. 200 the Mámlatdárs should send the papers direct to the Collector who should sanction the sales.
40	Extension of the Gambling Act.	From Government to Divisional Commissioner.	Section 1 of Bombay Act IV of 1887.	Powers of the Local Government.
41	Signing of warrants under the Gambling Act, IV of 1887.	From Commissioner of Police to Deputy Commissioner of Police, Bombay.	The Gambling Act, IV of 1887, section 6.	.....
42	Appointment of Registrar of Small Cause Court, Karáchi.	From Government to Judicial Commissioner of Sind.	Act IX of 1887, section 12.	.....
43	Proposals for the grant of Small Cause Court powers to the Registrar, Small Cause Court, Karáchi.	Ditto ...	Ditto, section 12 (*3*).	All the powers of a Local Government
44	Proposals for extending section 41 of the Bombay District Police Act to towns, villages, etc.	From Government to Divisional Commissioner.	Bombay District Police Act IV of 1890, section 41.	.....
45	Power to authorise the District Magistrate to levy reasonable fees on persons assembled in large numbers at a place on account of a fair, pilgrimage, &c.	Ditto ...	Ditto, section 45 (*2*).	.....
46	Extension of section 61 of the District Police Act to specific areas.	Ditto ...	Ditto, section 61.	.....
47	Employment of additional Police near large works.	From Government to Inspector-General of Police.	Ditto, section 23.	To sanction employment.
48	Additions to and alterations in Mounted Police Fund and Litter Fund Rules.	Ditto ...	Ditto, section 27.	Full, subject to the approval of the Accountant General, Bombay, if the alteration refers to accounts.
49	Additions to and alterations in Line Fund Rules.	Ditto ...	Ditto, section 27 (*d*).	To the extent of minor alterations not inconsistent with the general spirit of the rules and to interpretation of the rules.
50	Alterations in Dress Regulations for subordinate grades of Police from Inspectors downwards.	Ditto ...	Ditto, section 27. See also Rule (8) on page 160, Police Manual.	To the extent of authorizing minor alterations and departure from the Dress Regulations.
51	Change in the armament of the Police or the scale of ammunition or the issue of additional arms.	Ditto ...	Ditto, section 27.	So far as the armament of non-gazetted officers is concerned (fire-arms excluded).
52	Additions, alterations, etc., in the Ball Practice and Musketry Rules.	Ditto ...	Section 27, Bombay District Police Act, IV of 1890.	Up to the limit of the sanctioned scale of ammunition. Any change that involves increase to the scale of ammunition to go to Government for sanction.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
53	Punishment of police officers below the rank of Inspector in cases where the Superintendent of Police considers no punishment called for, in other words power to award punishment without reference to a Superintendent of Police and even when the Inspector-General of Police differs from a Superintendent of Police on the merits of any particular case.	From Government to Inspector-General of Police and Deputy Inspectors-General of Police.	Section 29, Bombay District Police Act, IV of 1890. Under sub-section 3 the Inspector-General of Police has power to punish an Inspector but not an officer of lower grade. *Vide* paragraph 2 of Government letter No. 2925, dated 16th May 1907. (Shivrao Durgappa's case.)	Full powers even to dismissal. To Inspector-General of Police in respect to all non-gazetted police officers. To Deputy Inspector-General of Police in respect to head constables and constables.
54	Issue of certificates to police officers below the grade of Inspectors on enrolment.	From District Magistrate to District Superintendent of Police.	Section 11 of the Bombay District Police Act IV of 1890.	To sign *for* District Magistrate with the District Magistrate's general permission.
55	Jurisdiction to try cases regarding cruelty to animals.	To Second Class Magistrates.	Section 62 ditto.	Full powers. At present 2nd Class Magistrates are required to be specially empowered in this behalf, which is not necessary.
56	Power to issue Search Warrants under section 35, District Police Act IV of 1890.	From Magistrate or District Superintendent of Police, to Assistant Superintendent of Police and Deputy Superintendent of Police.	Section 35, clause 2, ditto.	In respect to all subordinate police officers.
57	Direct communication with officers or persons in the United Kingdom or outside British India on matters other than criminal.	From Government to Inspector-General of Police.	Rules 43 and 44-E., page 525, Police Manual; and Government Resolution, Judicial Department, No. 1978, dated 7th April 1906.	There should be no restriction to Inspector-General of Police as Head of the Department corresponding direct on any official matter connected with the administration of his department.
58	Exemption of police officers from passing the departmental examinations and treatment of special cases.	Ditto ...	Rule XXII, page 49, Police Manual. Rule XXV, page 49, Police Manual. Government Resolution, Judicial Department, No. 1611, dated 3rd December 1896.	In respect to all grades from inspectors downwards.
59	Alterations in rules regarding police escorts and guards.	Ditto ...	Local Government orders, some of which are embodied in the Police Manual, Chapter V. Anything requiring change necessitates a reference to Government.	Full, subject to the limitation that no increase to establishment can be sanctioned and no change in respect to complimentary guards, personal escorts and rules regarding the payment of fares of police escorts proceeding to other provinces shall be made without the sanction of Government and that in other matters the authorities concerned shall be consulted.
60	Distribution of District Police Force.	From Commissioner to Inspector-General of Police.	Item No. 12 at page 6 of the Police Manual.	Any alterations necessary should be made in consultation with the Commissioner of the Division.
61	Complaints against the police.	Ditto ...	Rule (17) on page 6, Police Manual.	Full.
62	Transfer of policemen from one district to another for suppression of riots, etc.	Ditto ...	Item No. 15, page 7, Police Manual. (Section 17, Bombay District Police Act, 1890).	Ditto.
63	Recruitment	Ditto ...	Rule 2 (*a*), Police Manual, on page 119.	Power to sanction enlistment of *average* recruits.
64	Inter-District transfers of head constables and constables.	From Commissioner to Deputy Inspectors-General of Police.	Item No. 30 at page 7, Police Manual.	When absolutely necessary in the public interests; subject to the general control of the Inspector-General of Police.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
65	Appeals from Sub-Inspectors—district and railways.	From Inspector-General of Police to Deputy Inspectors-General of Police—Range and Railways.	Rule 26 (*b*) i on page 12 of Police Manual.	With regard to all punishments, except dismissal.
66	Revisionary power in respect to punishments inflicted by Superintendents on head constables and constables.	Ditto ...	Rule 22, page 13 of Police Manual.	Full.
67	(*a*) Indents for arms and component parts of arms. (*b*) Returning indent. (*c*) Indents for ammunition.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule 2 (3) (*b*) on page 139, Police Manual. Rule 7 (1-A) on page 145, Police Manual. Rule 5A on page 143, Police Manual.	Authority to countersign indents within budget provision and sanctioned scale.
68	Purchase of remounts ...	Ditto ...	Rule 2 on page 194, Police Manual.	When not available locally, to the extent of vacancies and subject to budget provision, and the Inspector-General of Police's general control and standing orders regarding cost of remounts.
69	Sanction to purchase horse equipments.	Ditto ...	Rule (7) on page 196, Police Manual.	To sanction expenditure to the limit required and subject to budget provision and orders of the Inspector-General of Police condemning existing equipments.
70	Line Fund	Ditto ...	Rule 17 (2), page 198, Police Manual.	In all matters connected with funds in their jurisdiction except the power to create new funds or abolish old ones and the power to frame new or alter existing rules.
71	Power to pass orders regarding unserviceable articles of clothing and accoutrements.	Ditto ...	Rule 5 A (1), page 259, Police Manual and Government letter No. 3951, dated 8th July 1907, Judicial Department.	Full, subject to standing orders.
72	Deputation of men to learn armourer's work.	Ditto ...	Item 43, page 9, Police Manual, and Inspector-General of Police's Circular No. 6325 of 21st July 1906.	To the extent of one for each district when there is no qualified armourer.
73	Applications for plague police.	Ditto ...	Inspector-General of Police's Circular No. A.—1109, dated 28th March 1907, and Government Resolution, Judicial Department, No. 6838, dated 20th December 1906.	To sanction entertainment or retention within budget provision.
74	Ordering of supply of clothing from contractors.	From Inspector-General of Police to Superintendent of Police.	Rule 16 (15) on page 166 of Police Manual.	Full, from authorized contractors and according to sealed sample and authorized rates.
75	Sanction to expenditure on accoutrements.	Ditto ...	Rule 9 on page 148, Police Manual.	Power to incur expenditure up to Rs. 20.
76	Power to spend from Litter Fund.	Ditto ...	Page 201, Police Manual.	Full, subject to general control by Deputy Inspector-General of Police.
77	Ordering of supply of accoutrements from contractors.	Ditto ...	Rule 9 on page 148, Police Manual.	To order supplies from authorized contractors and according to sealed sample and authorized rates.
78	Sanction to the appointment of persons not already in the police as head constables.	From District Magistrate to Deputy Inspectors-General of Police—Range and Railways.	Rule 43, page 10, clause 21, Police Manual.	Full.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
79	Appeals from head constables and constables of all grades.	From District Magistrate to Deputy Inspectors-General of Police.	Rule 26 (ii), page 12, Police Manual.	Subject to the proviso that no appeal shall lie against a fine of a week's pay or extra drill.
80	Power of suspending officers below the rank of sub-inspectors.	From Superintendent of Police to Assistant Superintendent of Police.	Page 12, Rule 26, of the Police Manual and section 29 (*3*) of the Bombay District Police Act IV of 1890.	.....
81	Punishment of officers of and below the grade of head constables.	Ditto ...	Rule (26), page 12, Police Manual.	Fine up to one week's pay. } To constables. Extra guard duty and warning. } To head constables and constables.
82	Grant of casual leave ...	Ditto ...	Page 477, Police Manual, Rule 6.	Seven days' casual leave at a time to all officers of and below the rank of Inspectors in their divisions.
83	Punishments...	From Superintendent of Police to Deputy Superintendent of Police.	Page 12, Rule (26), Police Manual.	Extra drill, extra guard and warning to constables, and extra guard and warning to head constables.
84	Punishment	From Superintendent of Police to Inspector.	Rule 26, page 12 ...	Drill punishment and extra guard to constables, and warning to head constables and constables. Punishments to be entered in Service Sheets only when the Superintendent is satisfied that they have been properly ordered. For this purpose a monthly statement of such punishments should be submitted by inspectors. Superintendents should have the power of revising inspectors' punishments and of suspending the Inspectors' power to punish if he sees that it is not properly exercised.
85	Punishment of officers of and below sub-inspector's grade.	.....	Rule (26), page 12 of Police Manual.	No change in present rules required except that dismissal of a sub-inspector should be subject to confirmation by the Deputy Inspector-General (Range or Railway).
86	Transfer of policemen in Assistant Superintendent of Police's charge.	From Superintendent of Police to Assistant Superintendent of Police.	General power under the Police Act.	Men below the grade of Sub-Inspectors.
87	Investiture of Magistrates with powers contemplated in section 8 (*2*) of the Reformatory Schools Act VIII of 1897.	From Government to Commissioner in Sind and Divisional Commissioners.	The Reformatory Scoools Act VIII of 1897, section 8 (*2*).	
88	Fixing the places at which the Sessions Judges shall hold their Courts.	From Government to High Court.	Criminal Procedure Code, section 9 (*2*).	All the powers now exercised by the Local Government in this respect may be delegated to the High Court.
89	Additional Sessions Judges and Assistant Sessions Judges to be placed in charge of more than one Court and their periods of sittings at the two places to be fixed.	Ditto ...	Ditto, section 9 (*3*).	All the powers now exercised by the Local Government in this respect should be delegated to the High Court.
90	Sessions Judge of one division to be appointed also as Additional Sessions Judge of another division and his periods of sittings at the two places to be fixed.	Ditto ...	Ditto, section 9 (*4*), High Court Criminal Circular No. 49 and Government Circular, Judicial Department, No. 3233, dated 29th May 1893.	All the powers now exercised by the Local Government in this respect should be delegated to the High Court.
91	Grant of Second Class Magisterial powers to persons holding offices of *mámlatdárs*, *mahálkaris*, head *kárkúns* and special head *kárkúns*.	From Government to Divisional Commissioner.	Criminal Procedure Code 1898, Section 12.	Powers exercised by Local Government.
92	Investiture with whipping powers.	Ditto ...	Ditto, section 32 (*b*).	

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
93	Power to withdraw all or any of the powers conferred on any person under the Code of Criminal Procedure, 1898.	From Government to Divisional Commissioner.	Criminal Procedure Code 1898, Section 41 (*1*).	.....
94	Power to sanction any general or special order under which the District Magistrate directs the village officers to communicate information regarding any matter likely to affect the maintenance of order or the prevention of crime or the safety of person and property.	Ditto ...	Do. section 45 (*1*) (*f*).	.....
95	Power to make rules for the guidance of the District Magistrate in making appointments of village head-men in certain cases for the purposes of section 45 of the Code of Criminal Procedure, 1898.	Ditto ...	Do. section 45 (*3*).	.....
96	Power to proclaim any person to be an offender.	Ditto ...	Do. section 54 (*1*) (clause III).	.....
97	Power to authorize a Subordinate Magistrate of the First Class to demand security for good behaviour from habitual offenders.	Ditto ...	Do. section 110...	.....
98	Power to empower a Subordinate Magistrate of the First Class to make orders for removal of local nuisances.	Ditto ...	Do. section 133 (*1*).	.....
99	Power to specially empower a Subordinate Magistrate of the First Class to issue a summons or warrant against any person within his local jurisdiction for an offence committed beyond his local jurisdiction.	Ditto ...	Do. section 186...	.....
100	Power to specially empower— (i) any Subordinate Magistrate to take cognizance under sub-section (*1*), clause (*a*) or clause (*b*), and (ii) any Magistrate of the First Class or Second Class to take cognizance under sub-section (*1*), clause (*c*), of offences for which he may try or commit for trial.	Ditto ...	Do. section 190...	.....
101	Power to empower any Magistrate of the Second or Third Class to commit any person for trial to the Court of Sessions.	Ditto ...	Do. section 206 (*1*).	.....
102	Power to empower any Sub-Divisional Magistrate to call for and examine the records of inferior Courts.	Ditto ...	Do. section 435 (*1*).	.....
103	Power to direct any Medical Officer other than the Civil Surgeon of the District to examine an accused person suspected of being of unsound mind.	Ditto ...	Do. section 464 (*1*).	.....
104	Power to make an order for the confinement in a lunatic asylum or jail or other suitable place of an accused person reported by the trying Magistrate or Court to be of unsound mind.	Ditto ...	Do. sections 466 (*2*) and 471 (*2*).	.....

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
105	Half-yearly returns and special reports of criminal lunatics confined in the lunatic asylums of the Bombay Presidency (submitted by the Surgeon-General with the Government of Bombay).	From Government to Divisional Commissioner.	Section 472 of the Code of Criminal Procedure, 1898, and Government Resolution No. 4388, dated 29th July 1887.	.....
106	Power to authorize the District Magistrate to withdraw from any Magistrate subordinate to him either such classes of cases as he thinks proper or particular classes of cases.	Ditto ...	Section 528 (*2*) of the Code of Criminal Procedure, 1898.	.....
107	Power to authorize a Magistrate of the Second or Third Class to dispose of cases regarding first offenders.	Ditto ...	Section 562 do.	.....
108	Orders as to what cases shall be tried by an Additional Sessions Judge.	From Government to Sessions Judge.	Section 193 (2), do.	All powers now exercised by Government in this respect should be delegated to Sessions Judges.
109	Power to invest Magistrates of the 1st, 2nd and 3rd Classes with the additional powers specified in Schedule IV of the Criminal Procedure Code.	From Government to District Magistrate.	Sections 12 and 37 do.	.....
110	Reference to High Courts in cases of conviction when no appeal is made.	To District Magistrate.	Section 438 do.	If the District Magistrate has power to dispose of appeals and call for papers it is unnecessary to refer such cases to the High Court.
111	Sale of ownerless property under sections 523 and 524 of the Code of Criminal Procedure, 1898. Now ordered by the District or Sub-Divisional Magistrates.	To *Táluka* Magistrate. *Note.*—Under the sections referred to in column 4 the property can be sold by the District Magistrate or Sub-Divisional Magistrate or Sub-Divisional Magistrate or a Magistrate of the First Class.	Sections 523 and 524 do.	In cases coming before their notice.
112	Power of the Commissioner of Police to reserve street or public place for public purposes subject to the orders of the Governor in Council.	From Government to Commissioner of Police, Bombay.	The City of Bombay Police Act, 1902, section 23 (*4*).	At times it becomes necessary to issue an order reserving a street, &c., and there is no time to refer to Government for orders. The Commissioner can be safely given this authority.
113	Sanction to sell intestate property.	From High Court to District Judge.	Section 10 of Regulation VIII of 1827.	Full powers of the High Court.
114	Investiture of Mámlatdárs' head *kárkuns* with powers of Mámlatdár under the Mámlatdárs' Courts Act.	From Government to Divisional Commissioner.	Mámlatdárs' Courts Act II of 1906, section 4.	Entirely.
115	Sanction for the transfer of prisoners to and from Aden.	From Government to Inspector-General of Prisons.	Rule 422 of the Jail Manual.	Full.
116	Quarterly Returns and Progress Reports in connection with the recovery of costs due to Government in pauper cases.	From Remembrancer of Legal Affairs to Collector.	Rules 144 and 145 of the Law Officers' Rules.	Full authority.
117	Report to the High Court of the appointment of officers to declare oaths.	From High Court to District Judge.	High Court Civil Circular No. 36, paragraph 2.	It is not necessary to make a report to the High Court. The publication of appointments in the *Government Gazette* by the District Judge is sufficient.
118	Appointment of a dismissed officer on pay of Rs. 20 and under, peon or bailiff.	Ditto ...	High Court Civil Circular No. 155 (iii).	Without special orders from the High Court.
119	Closing Courts for the annual vacation.	Ditto ...	High Court Civil Circular No. 171.	Full powers of the High Court.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	5	5
120	Report to the High Court of the absence of Subordinate Judge from station except on duty.	From High Court to District Judge.	High Court Civil Circular No. 180.	A District Judge might allow a Subordinate Judge's absence on casual leave from the district without reporting to the High Court.
121	Service of orders by Criminal Courts in other districts requiring the attendance of prisoners to give evidence before them.	.....	Under section 38 of the Prisoners' Act III of 1900, these orders have to be sent to the District Magistrate of the district within the limits of which the prisoner is confined.	Orders need not be sent through the District Magistrates of the districts within whose jurisdiction the prisoner is confined.
122	Petitions to Government seeking a reversal or revision of departmental punishment inflicted on members of the police force.	.....	These are submitted under the Petition Rules of the Local Government—*vide* Rule 30 on page 517, Police Manual.	Punishments should be subject to one appeal and the appelate authority having passing orders in appeal, no further representation in the matter should receive consideration and such petitions should be filed.
123	Water connections for police lines.	From Government to Inspector-General of Police.	Paragraph 70 of the Accountant General's Contingent Circular of 1895.	.....
124	Printing of new forms as Standard Judicial Forms.	From Government to High Court.	Government Resolution, General Department, No. 2229, dated 26th July 1875 and Government Resolution, General Department, No. 1630, dated 26th June 1879.	Under the orders of Government noted in column 4 no new form can be printed by the Government Central Press (now Yeravda Press) as a Standard Form till sanctioned by Government. The High Court may be authorized to direct the press to print or alter any Standard Judicial Form for the use of the Courts or to expunge from the indent or schedule of forms any form that may not be required.
125	Expunging of Standard Judicial Forms.	Ditto ...	Government Resolution, Judicial Department, No. 4485, dated 18th August 1906.	Under the existing orders sanction of Government is necessary for expunging any Standard Judicial Form from the indent or schedule of forms. This power may also be delegated to the High Court.
126	Reports regarding the despatch of policemen to the Pasteur Institute for treatment.	From Government to Commissioner in Sind and Divisional Commissioners.	Bombay Government Resolution. Financial Department, No. 336, dated the 29th January 1903.	Rule III of the rules laid down in Home Department letter No. 3847, dated the 18th December 1902 (quoted in the preamble of Government Resolution No. 336, dated 29th January 1903, Financial Department), is as follows :— "The power of sanction should vest in the principal District Officer in the department concerned, who should subsequently report his action to the Commissioner in the Civil Department * * * for confirmation and communication to the Local Government." Government Resolution No. 1464, dated 23rd March 1905, Judicial Department, lays down that in the case of policemen the principal District Officer should be understood to be the District Superintendent of Police. The confirmation of the principal District Officer's sanction by the Commissioner may be held to be sufficient for the purpose of the rules and the communication to the Local Government may be dispensed with.
127	Entertainment of temporary police for famine purposes in places other than on railways.	From Government to Divisional Commissioner.	Bombay Government Resolution, Judicial Department, No. 1207, dated the 15th February 1897.	.....
128	Sanctioning new Standard Forms for the Police Department and alterations therein.	From Government to Inspector-General of Police.	Government Resolutions, General Department, No. 2229, dated 26th July 1875, and No. 1630, dated 26th June 1879.	To forms as are not prescribed by law and as are not general or laid down by the Accountant-General and Government. Changes in magisterial forms, if called for, to be authorised only after consultation with the Commissioners of Divisions.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
129	Obtaining any information for criminal investigation purposes from the records of post offices in the Bombay Presidency.	From Government to Inspector-General of Police.	Government of India Resolution in the Finance and Commerce Department, No. 4110, dated 31st October 1884.	On application to chief postal authority to whom the post office is immediately subordinate.
130	Entertainment of temporary police for famine purposes on railways.	Ditto ...	Bombay Government Resolution, Judicial Department, No. 1207, dated the 15th February 1897.	.....
131	Additions to, and alterations in, the list of registers to be kept at a police station, etc.	Ditto ...	Government Resolution, Judicial Department, No. 4526, dated 15th July 1901.	Full, except in respect to registers prescribed by Law and Government.
132	Alterations in, and additions to, the Police Manual.	Ditto ...	Government Resolution, Judicial Department, No. 8110, dated 22nd December 1902.	Full.
133	Correspondence dealing with drill and equitation certificates obtained by Assistant Superintendents of Police.	Ditto ...	Government Resolution, Judicial Department, No. 3608, dated 13th July 1904.	Power to authorise the Accountant-General to enter the letter D or E against an officer's name in the Civil List on production of a certificate.
134	Employment of Plague Police.	From Government to Inspector-General of Police and Deputy Inspectors-General of Police.	Government Resolution, Judicial Department, No. 6838, dated 20th December 1906.	Provisional sanction to be accorded by Deputy Inspectors-General of Police. Power to confirm to be vested in the Inspector-General of Police to the limit of financial provision.
135	List of district jails classified for the purposes of charge allowance for the financial year.	From Government to Inspector-General of Prisons.	Under the orders of the Government of India, Home Department, No. 7—582—594, dated the 28th August 1889, communicated with Bombay Government Resolution No. 5032, dated the 21st September 1889, Judicial Department.	.....
136	Printing of forms at the Government Press.	From Government to Commissioner of Police, Bombay.	Government Resolution, General Department, No. 412 of 7th February 1888.	The Commissioner may be authorised to indent on the press.
137	Gradation lists of Sub-Inspectors.	From Inspector-General of Police to Deputy Inspectors-General of Ranges.	Government Resolution, Judicial Department, No. 5770, dated 29th October 1906.	Wholly
138	Power to depute men to the Finger Print Bureau to learn the Finger Print System.	From Inspector-General of Police to Deputy Inspector-General of Police for Railways and Criminal Investigation.	Inspector-General of Police's Circular No. 3503, dated 2nd May 1906.	Wholly.
139	Selection of Sub-Inspectors for Criminal Investigation Branch.	From Inspector-General of Police to Deputy Inspector-General of Police for Railways and Criminal Investigation.	Government Resolution, Judicial Department, No. 4361, dated 13th August 1906.	Subject to approval of the Inspector-General of Police.
140	Transfers of Criminal Investigation Department sub-inspectors.	Ditto ...	Ditto ...	With the approval of the Inspector-General of Police.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	3	3	4	5
141	Transfers of sub-inspectors on railways.	From Inspector-General of Police to Deputy-Inspector-General of Police for Railways and Criminal Investigation, subject to the general control of the Inspector-General.	Government Resolution, Judicial Department, No. 4361, dated 13th August, 1906.	Within his railway jurisdiction.
142	Inter-district transfers of sub-inspectors.	From Inspector-General of Police to Range Deputy Inspectors-General of Police, subject to the general control of the Inspector-General of Police.	Ditto ...	Within range only so far as District Sub-Inspectors are concerned. Transfers from districts in one range to another or from railway to districts with the approval of the Inspector-General of Police in whom should vest the power of transferring any non-gazetted officer within the limits of the Presidency, in the public interests.
143	Transfers and promotions of sub-inspectors on railways.	From Inspector-General of Police to Range Deputy Inspectors-General of Police.	Ditto ...	Subject to the selection and recommendation by the railway deputy from the Range List; any disagreement between the railway and range deputy to be referred to the Inspector-General of Police.
144	Promotions of sub-inspectors.	Ditto ...	Ditto ...	Subject to the general control of the Inspector-General of Police and the proviso that in cases involving the claims of Railway and Criminal Investigation Department Officers the Railway Deputy is to be consulted. In the event of a difference of opinion the Inspector-General's orders to be taken. In cases of special promotion recommended or proposed by either range or railway deputies, the approval of the Inspector-General of Police to be obtained.
145	According sanction to write off certain useless books borne on the police registers.	From Commissioner to District Superintendent of Police and District Magistrate.	Government Resolution No. 6083 of 4th September 1896, Judicial Department, page 485 of Police Manual.	Each for the office of himself and his subordinates.
146	Leave to students of the police training school.	From Inspector-General of Police to Principal, Police Training School.	Government Resolution No. 1479, Judicial Department, dated 16th March 1906, Rule 6 of the rules.	Power to grant sick leave on medical certificates.
147	Appointments, promotions, punishments and leave to clerical establishments of Superintendents and Assistant Superintendents of Police.	From Inspector-General of Police to Superintendent of Police.	Government Resolution No. 5165, dated 16th September 1907, Judicial Department.	Subject to the following proviso :— The Inspector-General of Police's approval to the appointment of head clerk and head accountant should be necessary.
148	Acting appointments of sub-inspectors from among head constables in leave vacancy.	From Inspector-General of Police to Superintendent of Police.	Government Resolution, Judicial Department, No. 4361, dated 13th August 1906.	Subject to the confirmation by the Deputy Inspector-General of Police.
149	Transfers of inspectors ...	From Inspector-General of Police to Superintendent of Police and Deputy Inspectors-General of Police.	Ditto ...	In respect to transfers in the district or on the railway. In respect to transfers within his range or from one railway to another. In both cases subject to the control of the Inspector-General of Police.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
150	Final reports in cases investigated by the police when offence does not appear to have been committed. Now decided by the First Class Magistrates.	To *Tálukа* Magistrates of any class.	Government Resolution No. 6272, dated 19th November 1888, Judicial Department.	As regards cases within their jurisdiction.
151	Quarterly return of extra policemen for treasure-guard only.	.....	Government Resolution, Judicial Department, No. 1857 of 14th March 1902.	This is unnecessary.
152	(*a*) Changes in the distribution lists of the Indian Law Reports. (*b*) Supply of extra copies of the Indian Law Reports.	.....	(*d*) Memorandum from the Government of India, Department of Finance and Commerce, No. 4764, dated 6th October 1890, embodied in Bombay Government Resolution, General Department, No. 4224, dated 21st October 1890.	As regards both (*a*) and (*b*) applications are at present received from other Governments or Administrations, from the Commissioners on behalf of, District Magistrates or other officers under them or from District Judges on behalf of themselves or officers subordinate to them. By Government Resolution No. 1206, dated 6th July 1905 (Educational Department), the Curator, Government Central Book Depôt, was authorized to comply with the requisitions of Heads of Departments and offices under the several departments of the Secretariat, for the free supply of copies of Acts and other Government publications kept for sale at the depôt. On this analogy the Superintendent, Government Central Press, who stocks the Indian Law Reports, might be authorized to comply with requisitions for copies of the reports received direct from all Heads of Departments. Copies required by other Governments and Administrations might continue to come to Government, who would pass them on to the Superintendent, Government Central Press, for compliance.
153	Appeals against punishments and orders from clerical establishments of Superintendents and Assistant Superintendents.	From Government to (1) Inspector-General of Police ; (2) Deputy Inspectors-General.	None.	Fully, in the case of members drawing Rs. 50 and upwards. The rest.
154	Application for sanction to expenditure incurred in the removal of European vagrants from British India under the European Vagrancy Act.	From Government to Commissioner of Police, Bombay.	.....	The Commissioner of Police reports compliance with the orders of Government, directing the removal of the vagrants and applies for sanction to the expenditure incurred by him in connection with the removal. As the sanction is quite a formal matter it might be dispensed with and the Accountant-General authorized to pay the charge on receipt of a bill from the Commissioners of Police direct.
155	Punishment of police officers serving in the Criminal Investigation Department.	From Inspector-General of Police to Deputy Inspector-General of Police for Railways and Criminal Investigation.	None	Full, with respect to officers of and below the grade of sub-inspectors.
156	Ordering supply from contractors.	From Inspector-General of Police to District Superintendent of Police.	.....	To order from recognized contractors and according to sealed samples.
157	Signing of different licenses granted by the Commissioner's office under the various Acts which empower the Commissioner of Police only to do so.	From Commissioner of Police to Deputy Commissioner of Police, Bombay.	.....	.....

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
158	Calling for papers of punishments awarded by the District Superintendents of Police to the members of the police force.	From Inspector-General of Police to District Magistrate.	.....	To have check over indiscriminate punishments it is desirable that such powers should be delegated to District Magistrates.
159	Supply of copies of the High Court Civil and Criminal Circular Order Books.	From Government to Commissioner in Sind, and Divisional Commissioner.	By practice ...	The officers named in column 3 may be authorized to ask the High Court direct for copies of the circulars.
160	Supply of copies of the *Police Gazette* to officers outside the Presidency and in Native States.	From Government to Inspector-General of Police.	Ditto ...	Full.
161	Supply of Confidential Supplement to the *Bombay Police Gazette* printed on one side only in addition to the ordinary copy.	Ditto ...	Ditto ...	Do.

General Department.

162	Determining the number of Municipal Councillors.	From Government to Commissioner.	Bombay District Municipal Act, III of 1901, section 11.	.....
163	Sanctioning election rules framed by municipalities.	Ditto ...	Ditto ...	.....
164	Deciding whether a vacancy of Councillor has occurred in City and Town Municipalities.	From Government to Collector.*	Ditto, section 15 (3)	* Two Collectors recommend Commissioner in the case of City Municipalities and Collector in the case of Town Municipalities.
165	Removal of a Municipal Councillor whether elected or appointed.	From Government to Commissioner.	Ditto, section 16...	.....
166	Appointment of Presidents and Vice-Presidents of municipalities.	From Government to Collector.	Ditto, section 23 (2) and (3)	.....
167	Grant of leave of absence to Presidents and Vice-Presidents of City and Town Municipalities.	Ditto ...	Ditto, section 23 (5)	.....
168	Authorising the adoption of procedure by circular.	From Government to Commissioner.	Ditto section 35 (5)	.....
169	Sanctioning rules and by-laws of City Municipalities and alteration or recission thereof.	Ditto ...	Ditto, sections 46 and 48	.....
170	Sanctioning alterations in the pay of establishments in City Municipalities.	Ditto ...	Ditto, section 46...	.....
171	Sanctioning expenditure beyond municipal limits.	From Government to Collector.	Ditto, section 52...	.....
172	Conferring powers on municipalities for the prevention of dangerous diseases.	From Government to Commissioner.	Ditto, sections 144 and 145	.....
173	Closing of places for the disposal of the dead in municipal areas.	Ditto ...	Ditto, section 150 (1)	.....
174	Constitution of notified areas.	Ditto ...	Ditto, section 187	.....
175	Grant of gratuity to municipal employés.	From Government to Commissioners of Divisions.	Rules of some municipalities.	The power vested in Local Government.
176	Prohibiting houses in municipal districts being used as brothels.	From Government to Municipality.	Bombay District Municipal Act, III of 1901, section 153.	Full powers.
177	Nomination of Councillors to vacancies due to failure to elect the full number of elected Councillors.	From Commissioner to Collector.	Ditto, section 10 (*b*).	Two Collectors recommend that power may be given to the Collector only in the case of those municipalities of which he is not President.
178	Extending the term of municipalities from 3 to 4 years.	Ditto ...	Ditto, section 17.	.....
179	Sanctioning leases of immovable property for a term not exceeding 7 years and sales or transfers of such property and exchanges of land between municipality and private individuals.	Ditto ...	Ditto, section 40 (*2*).	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
180	Sanctioning rules and by-laws of Town Municipalities and alteration or rescission thereof.	From Commissioner to Collector.	Bombay District Municipal Act, III of 1901, sections 46 and 48.	.....
181	Sanctioning alterations in the pay of establishment of Town Municipalities.	Ditto ...	Ditto, section 46.	.....
182	Sanctioning expenditure on public reception, ceremony or entertainment in the case of City Municipalities.	Ditto ...	Ditto, section 56 (*m*)	.....
183	Sanctioning in the case of Town Municipalities arrangements purporting to be binding permanently or for a term of years.	Ditto ...	Ditto, section 57.	.....
184	Imposition of taxes in Town Municipalities.	Ditto ...	Ditto, section 59.	.....
185	Consideration of objections to imposition of taxes in Town Municipalities.	Ditto ...	Ditto, section 60 (*c*).	.....
186	Sanctioning, modifying and imposing conditions as regards taxes in Town Municipalities.	Ditto ...	Ditto, section 61.	.....
187	Sanctioning the establishment of slaughter-houses beyond municipal limits.	Ditto ...	Ditto, section 141.	.....
188	Power to hear appeals against a municipality's order prohibiting the erection of any building exceeding such dimensions as may be specified.	Ditto ...	Ditto, section 149 (2) (c).	.....
189	Grant of rewards, gratuities, bonuses and compassionate allowances to municipal servants.	From Commissioner in Sind to Collector.	.....	Extent as provided by rules.
190	Remission of arrears of municipal revenue and writing-off of irrecoverable outstandings in case of Kotri and Manjhand municipalities.	Ditto ...	In the absence of rules framed under section 46 (*j*) of the Municipal Act III of 1901.	Extent unlimited.
191	Refunds of municipal dues in case of Tatta, Keti, Kotri and Manjhand municipalities.	Ditto ...	In the absence of rules under section 46 (*j*) of Municipal Act III of 1901.	Extent unlimited.
192	(*a*) Forfeiture of Provident Fund of municipal employés in case of dismissal, (*b*) payment to dismissed persons of amount of contribution, (*c*) payment of amount of contribution to heirs of person who has died intestate.	From Commissioner in Sind to Karáchi Municipality.	No. 113 of the Karáchi Municipal Rules.	Extent as regards (*a*) and (*b*) they are competent to dism unlimited.
193	Application of plague surveillance measures to municipal and other towns.	From Commissioner to Collector.	Government Resolution No. 1948-P., dated 6th May 1901.	.....
194	Prohibition of holding of fairs, &c., owing to plague.	Ditto ...	No. 20 of the Mofussil Plague Rules—Government Notification No. 1948-P., dated 6th May 1901.	.....
	.....			
195	Extension of the period of the term of office of members of Local Boards.	From Government to Commissioner.	Bombay Local Boards Act I of 1884, section 14.	.....
196	Approving the appointment of a member of a Local Board when no qualified person is elected.	From Government to Collector.	Ditto, section 24.	.....
197	Appointment of President of *Táluka* Local Board.	From Government to Commissioner.	Ditto, section 27.	.....
198	Deciding difference of opinion between local bodies.	Ditto ...	Ditto, section 36.	.....
199	Sanctioning regulations made by Local Boards.	From Government to Collector.	Ditto, section 39.	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
200	Apportioning ferry proceeds between two or more Local Boards when a ferry is partly in one district and partly in another.	From Government to Commissioner.	Bombay Local Boards Act I of 1884, section 44.	.....
201	Sanctioning expenditure by Local Boards without the district.	Ditto ...	Ditto, section 45.	.....
202	Sanctioning expenditure by Local Boards outside their area but within the district.	From Government to Collector.	Ditto, section 45.	.....
203	Nomination of members of District and *Táluka* Local Boards.	From Commissioner to Collector and Assistant Collector.	Ditto, section 5 (*b*).	.....
204	Leases of immovable property for a term exceeding three years and sale and transfer of such property.	From Commissioner to Collector.	Ditto, section 9.	.....
205	Approval to the election of Vice-President of Local Boards.	Ditto ...	Ditto, section 27.	.....
206	Requiring a District Local Board to reduce the number of officers and servants employed by it or to reduce the pay of any such officer or servant.	Ditto ...	Ditto, section 63.	.....
207	Purchase by Local Boards of articles of European manufacture costing more than Rs. 50.	From Commissioner in Sind to District Local Board.	Government Resolution No. 1249, dated 28th February 1906.	Extent of budget limit.
208	Sanctioning re-appropriation and supplementary statements of *Táluka* Local Boards.	From President, District Local Board, to President, *Táluka* Local Board.	Bombay Local Boards Act I of 1884, section 56.	.....
209	Appointment of members of *Táluka* Local Board Committees.	From Collector to Assistant and Deputy Collector.	Practice	.....
210	Power to appoint the school panch.	From Assistant Collector to Mámlatdár.	Ditto	.....
211	Bringing a factory under the Factories Act.	From Government to Collector and District Magistrate.	Indian Factories Act, 1881, sections 2 and 20.	When the number of operatives simultaneously employed on any day is not less than 50, other conditions in section 2 being fulfilled.
212	Notice of accidents in factories in the *mufassil*.	From District Magistrate to Sub-Divisional Magistrate.	No. 20 of rules under the Indian Factories Act, 1881.	Report should be made by the Sub-Divisional Magistrate to the District Magistrate in case of fatal accidents.
213	Notice of holidays in factories.	Ditto ...	Rule under the Indian Factories Act, 1881, re-published in Government Notification No. 3537, dated 8th July 1903.	.....
214	Appointments of examiners for engineers' certificates.	From Government to Collectors of Bombay and Karáchi as regards Boards of Examiners for Bombay and Karáchi, and to Political Resident, Aden, as regards the Board for Aden.	Bombay Boiler Inspection Act II of 1891, section 20.	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
215	Grant of duplicate certificates.	From Government to Collectors of Bombay and Karáchi and Political Resident, Aden.	Bombay Boiler Inspection Act II of 1891, section 26.	.....
216	All financial matters connected with Boiler Inspection Department in Karáchi.	From Collector of Bombay to Collector of of Karáchi.	Practice	.....
217	Reference of technical questions by the Boiler Inspector, Karáchi, to Senior Inspector of Boilers, Bombay.	From Collector of Karáchi to Inspector of Boilers, Karáchi.	Ditto	In matters of doubt the Karáchi Inspector should consult the Sind Boiler Commission through the Collector.
218	Power to abolish Sanitary Committees.	From Government to Commissioner.	Village Sanitation Act, I of 1889, section 5 (1).	.....
219	Appointment of a Sanitary Inspector.	From Government to Collector.	Ditto, section 21 ...	Full powers.
220	Removal of members of Sanitary Boards from office.	From Government to Commissioner.	Ditto, section 32...	Ditto.
221	Delegation by Collector of his powers to the Assistant Collector.	From Government to Collector.	Ditto, section 44...	.....
222	Nomination and appointment of members of Sanitary Boards.	Ditto ...	Ditto, section 19...	.....
223	Proposals for the utilization of Government grant-in-aid together with local fund and popular contribution for village sanitation and village water supply.	From Commissioner in Sind to Collector.	Practice	Within allotment.
224	Transfer of allotments from village sanitation to village water-supply and *vice versâ*.	Ditto ...	Ditto	Ditto.
225	Villages in which village sanitation books may be maintained.	Ditto ...	Ditto	.....
226	(*a*) Confirming rules for the protection of wild birds made by a municipality under section 3. (*b*) Applying the provisions of the Wild Birds' Protection Act, XX of 1887.	From Government to Commissioner.	Wild Birds' Protection Act, XX of 1887, section 3.	.....
227	Publication of notification under the Indian Treasure Trove Act.	From Collector to Mámlatdár.	Indian Treasure Trove Act, VI of 1878, section 5.	Full powers.
228	Grant of rewards to finders of treasure trove.	From Government to Commissioner.	Practice	.....
229	Applications to import dangerous petroleum accompanied by draft licenses.	From Commissioner in Sind to Chief Collector of Customs and Salt Revenue in Sind.	No. 15 of the Rules under the Petroleum Act VIII of 1899, section 5.	Such applications are now submitted to Government through the Commissioner in Sind. It is proposed that the applications be submitted direct to Government.
230	Grant of petroleum licenses	From Government to Commissioner.	Rule 4 (1) under the Petroleum Act.	.....
231	Re-appropriations from the credit balance of Cantonment Funds.	From Government to General Officer commanding Division.	Cantonment Code, 1899, section 30 (*b*).	.....
232	Re-appropriation from one major head of the cantonment budget to another.	Ditto ...	Ditto, section 33 (1)	.....
233	Appointment of visitors to lunatic asylums.	From Government to Commissioner.	Lunatic Asylums Act XXXVI of 1858, section 2.	In all cases.
234	Examination of lunatics and order for their admission into a lunatic asylum.	From Commissioner of Police, Bombay, to Deputy Commissioner.	.....	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
235	Granting of permission for the emigration of artizans and coolies for the Uganda Railway, *via* Bombay, when Karáchi is plague infected.	From Commissioner in Sind to Collector of Karáchi.	Indian Emigration Act, XXI of 1883, section 108.	.....
236	Power to vary fees to be charged at hospitals and dispensaries.	From Government to Commissioner.	No. 28 of the Grant-in-aid Dispensary Rules.	.....
237	Sanction to the acceptance of small amounts as gift or reward by Government servants.	Ditto ...	Rules 2 and 3 of the Government Servants' Conduct Rules.	.....
238	Additions to places and agency for the sale of quinine.	From Commissioner in Sind to Collector.	Government Resolution No. 4550, dated the 27th August 1904.	.....
239	Weekly returns of vaccination.	From Sub-Divisional Officer to Mámlatdár.	Practice	The returns on receipt from vaccinators are sent on by mámlatdárs for record in the Sub-Divisional Office. It is proposed that they may be filed in the mámlatdár's office.
240	Appointment and subsequent confirmation of Civil Assistant Surgeons.	From Government to Surgeon-General.	Paragraph 1 of Section IV, Bombay Medical Code, 1875.	The power vested in the Local Government be delegated.
241	Promotions of Civil Assistant Surgeons from 3rd to 2nd Class and from 2nd to 1st Class.	Ditto ...	Paragraphs 3 and 4, Section IV of the Bombay Medical Code, 1875.	The powers of the Local Government be delegated.
242	Appointments of Honorary Surgeons and Physicians and Honorary Assistant Surgeons and Physicians at the Jamsetji Jijibhoy Hospital.	Ditto ...	Government Resolution No. 1979, dated 9th November 1888, Educational Department.	Ditto.
243	Applications for privilege of indenting on the Government Medical Store Depôt for medical stores required by institutions not aided by Government.	Ditto ...	Government Resolution No. 6234, dated 15th November 1898, General Department.	Ditto.
244	Applications for supply of District Officers' medicine chests and tin medicine boxes.	Ditto ...	Government Resolution No. 565, dated 3rd February 1903, General Department.	The power to sanction these in accordance with the principle laid down by Government be delegated.
245	Foreign telegrams requiring the counter-signature of Government prior to their transmission.	Ditto ...	.....	The power vested in the Local Government to countersign these be delegated.
246	Applications *re* the change in the designation of hospital servants, such as probationers, *jamadars*, &c.	Ditto ...	.....	The power vested in the Local Government be delegated.
247	Applications for the assemblage of a committee to investigate outbreaks of epidemics at Government medical Institutions.	Ditto ...	.....	The power exercised by the Local Government be delegated.
248	Transfer of Deputy Sanitary Commissioners.	From Government to Sanitary Commissioner.	.....	Transfer from one registration district to another.
249	Increase of pay and allowances to Local Fund and municipal vaccinators and their peons.	Ditto ...	.....	Granting an increase up to the amount sanctioned by the District Local Boards and municipalities.
250	Breakage and loss statements.	From Sanitary Commissioner to Deputy Sanitary Commissioners.	Government Resolution, General Department, No. 2318, dated the 6th June 1895.	The decision of the Deputy Sanitary Commissioners should be final.

Educational Department.

251	Payment of grant to an aided school, the attendance or efficiency of which has fallen greatly below the average of previous years through misadventure for which the managers are not to blame.	From Government to Director of Public Instruction.	Rule 14 of Chapter I of the Grant-in-Aid Code.	

Educational Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
252	Excusing a student of the veterinary college from passing a lower examination before his being eligible for a higher examination as a special case.	From Government to Director of Public Instruction.	No. 23 of the Veterinary College Rules sanctioned in Government Notification, Educational Department, No. 1841 of 4th October 1905.	In entirety.
253	Appointment of the board of examiners for the veterinary college examinations.	Ditto ...	No. 32 of do. ...	In entirety.
254	Publication in the *Government Gazette* of the list of schools recognised by Government.	Ditto ...	Government Resolution No. 1781, Educational Department, dated 29th September 1904.	In entirety.
255	Appointments of members on the Provincial and Divisional Vernacular Text-Books Committee.	Ditto ...	Government Resolution, Educational Department, No. 1280, dated 27th August 1900.	In entirety.
256	Sanctioning change of names in the case of non-gazetted officers.	Ditto ...	Government Resolution, Financial Department, No. 253C, dated 13th July 1882.	In entirety.
257	Submission of landed property returns by Gazetted Officers of the Educational Department.	.....	Government Resolution, General Department, No. 3000 of 10th June 1903.	Discontinuance of the submission of these returns to Government.
258	Submission of landed property returns by non-gazetted officers on provincial list of the Educational Department.	.....	Ditto ...	Discontinuance of the submission of the returns to the Director.
259	Submission of landed property returns by masters and teachers in the service of Local and Municipal Boards.	.....	Ditto ...	Discontinuance of the submission of the returns to the Educational Inspectors.
260	Submission of report on the examinations of the veterinary college.	.....	No. 35 of Rules published in Government Notification, Educational Department, No. 1841, dated 4th October 1905.	Discontinuance of the report.
261	Sanctioning changes in the training college, vernacular masters, and Deputy Educational Inspectors' Codes.	From Government to Director of Public Instruction.	Practice ...	In entirety.
262	Grant of a certificate of training of Rs. 9 for approved service to untrained teachers.	From Director of Public Instruction to Educational Inspectors.	Rule 4, Chapter VIII, of the Vernacular Masters' Code.	In entirety.
263	Increase or decrease in the rates of fees in municipal primary schools.	Ditto ...	No. 10 of rules laid down by Government under section 24 of the Bombay District Municipal Act of 1873 (*vide* Government Notification, Educational Department, No. 2585 of 8th December 1894).	In entirety.
264	Withholding high and special or middle and special school scholarship for bad conduct, etc.	Ditto ...	No. 8 of the rules for Scholarships in High and Special and in Middle and Special Schools sanctioned in Government Notification, Educational Department, Nos. 2382-A and B of 20th December 1906.	In entirety.

Educational Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
265	Issuing licenses for apprenticing juveniles under private bodies or gentlemen and renewing them.	From Director of Public Instruction to Educational Inspector, C.D.	No. 57 of the Reformatory School Rules sanctioned in Government Resolution No. 1949, Educational Department, of 6th October 1903.	In entirety.
266	Special permission to appear for the vernacular final examination.	From Director of Public Instruction to Educational Inspectors.	Nos. 4 (4) and 7 of the rules regulating the admission of candidates into the lower grades of the Public Service sanctioned in Government Notification No. 1365, Educational Department, dated 7th July 1903.	In entirety.
267	Publishing the results of the Vernacular Final Examination.	Ditto ...	No. 4 (6) of the rules published in Government Notification, Educational Department, No. 1365, dated 7th July 1903.	In entirety.
268	Raising the percentage of free studentships in Local Board primary schools in towns and villages.	Ditto ...	Government Resolution, Educational Department, No. 2587 of 6th December 1894.	In entirety.
269	Transmission to the Superintendent of Stationery of indents for peons' clothing and stationery.	From Director of Public Instruction to Divisional Inspectors and Inspector of European Schools, Bombay and Central Provinces.	Circular No. 10150, dated 20th October 1905, from the Superintendent of Stationery; Government Resolution, Financial Department, No. 3340, dated 1st September 1882.	The Divisional Inspectors to forward direct their own indents and those of their subordinates, including those of the head masters of high schools. The inspector of European schools to forward his own indents direct.
		From Sanitary Commissioner to Deputy Sanitary Commissioners.	Government Resolution, General Department, No. 2318, dated 6th June 1895.	These indents may be forwarded direct to the Stationery Department.
		Marine Department.		
270	Grant of copies of certificates of competency as master and mate in cases of the original being lost.	From Government to Port Officer, and President, Marine Board of Examiners, Bombay.	Merchant Shipping Act I of 1859, Section XVI.	.....
271	Cancellation or suspension of certificates of survey.	From Government to Port Officer, Bombay.	Inland Steam Vessels Act VI of 1884, sections 15 and 17.	.....
272	Grant of copies of certificates as 1st Class Master, 2nd Class Master or *Serang* or as Engineer, 1st class engine driver or 2nd class engine driver in cases where the original has been lost.	From Government to Port Officer, and President, Marine Board of Examiners, Bombay.	Ditto.	.....
273	Grant of copies of certificates as engineer or engine driver in cases where the original has been lost.	Ditto ...	Indian Steamships Act VII of 1884, section 30.	.....
274	Prosecution for sending or taking unseaworthy ships to sea.	From Government to Port Officer, Bombay.	Indian Merchant Shipping Act VII 1880, section 5.	.....
275	Report by Detaining Officer of provisional detention of unsafe ships.	Ditto ...	Ditto ...	Discontinuance of the report.

Marine Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
276	Furnishing the Registrar-General of Seamen in London with lists of colonial certificates of competency granted by the Government of Bombay together with copies of application for examination made by the persons to whom such certificates are issued.	From Government to Port Officer, Bombay.	Order in Council of 9th May 1891, Schedule A, para. 4 — Government Notification No. 87, dated the 31st July 1891.	The lists may be sent by the Port Officer direct to the Registrar-General of Seamen in London.
		Ecclesiastical Department.		
277	Exhumations of dead bodies for re-interment in other cemeteries.	From Government to District Officers.	.....	.....
278	Extensions of cemeteries.	From Government to Archdeacon of Bombay.	.....	.....
		Revenue Department.		
279	To dismiss police *patels* who are officiators under the Bombay Hereditary Offices Act, 1874.	From Government to Commissioner.	Section 9 of Act VIII of 1867 (Bombay Village Police Act) as amended by Act IV of 1905.	.....
280	To exercise powers under the Bombay Ferries Act and rules and orders thereunder.	From Government or Commissioner to Collector.	Bombay Ferries Act, II of 1868.	Entirely.
281	To establish new ferries.	From Commissioner in Sind to Collector.	Section 2, ditto	Power exercised by the Commissioner in Sind.
		From Commissioner to Collector.	Government Resolution, Revenue Department, No. 2305, dated 8th April 1902.	.....
282	To fix the rates of ferry tolls.	Ditto ...	Section 3, Bombay Ferries Act, 1868.	.....
283	To entertain temporary establishment for the management of ferries.	Ditto ...	Section 4 of the Ferries Act and Government Resolution, Revenue Department, No. 2305, dated 8th April 1902.	..... (The sanction of the Commissioner now obtained is a mere formality.)
284	(*a*) To establish cattle-pounds under section 4, (*b*) to increase rates of fines under section 12, (*c*) to increase fine for trespass by pigs under section 26, and (*d*) to transfer to a local body the functions of the District Magistrate under section 31 (*a*) of the Cattle Trespass Act, 1871.	From Government to Commissioner.	Sections 4, 12, 26 and 31 (*a*), Cattle Trespass Act, 1871.	Powers of Local Government under sections 4, 12, 26 and 31 (*a*) of the Act. [Government approved of this proposal in 1902 and noted that the requisite legislation should be undertaken (*vide* Government Resolution, Revenue Department, No. 3025, dated 5th May 1902). Power has been already delegated to the Commissioner in Sind in case (*a*) mentioned in column 2. Proposals for the delegation of this power to the Divisional Commissioners and of powers in cases (*b*) to (*d*) to them and the Commissioner in Sind were submitted in Revenue Department letter No. 12075, dated 22nd December 1906, to the Government of India, who have held over their orders for the present.]
285	To increase the rates of fines to be levied on cattle impounded.	From Government to Collector.	Section 12, Cattle Trespass Act, 1871.	Powers of Local Government.
286	To increase the fine for trespass by pigs.	Ditto ...	Section 26, ditto	Powers of Local Government.
287	To dispose of surplus proceeds under section 18 of the Cattle Trespass Act credited to Local Funds.	Ditto ...	Section 31 (*b*), ditto	Entirely.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
288	To appoint, promote and transfer cattle pound establishment.	From District Magistrate to Sub-Divisional Magistrate.	Section 6, Cattle Trespass Act, 1871.	..... (The District Magistrate naturally knows very little about the pound munshis and without such knowledge the management of this large establishment is a most laborious and irksome task. The Sub-Divisional Magistrate could do it well and easily and the sub-division is a much more suitable unit than the district.)
289	To grant leave to cattle pound *munshis* and to appoint men to work in temporary vacancies as pound *munshis*.	Ditto ...	Ditto ...	Ditto ditto.
290	To dispose of surplus unclaimed proceeds of the sale of cattle.	From District Magistrate to Magistrate conducting the sale.	Section 17, ditto	..... (The evidence is usually recorded by the *mukhtyárkar* and Magistrate. In practice it is simply the formal sanction of the District Magistrate which is given. The delegation of the power will avoid correspondence and enable the person entitled to receive the money at once.)
		From District Magistrate to *Táluka* Magistrate.	Ditto ...	Without any money limit.
		Ditto ...	Ditto ...	..... (All the *Táluka* Magistrates investigate the claim. They may be allowed to decide the claims.)
		From District Magistrate to Revenue Officer in charge of *Táluka* or Sub-Divisional Magistrate.	Ditto ...	.....
		From District Magistrate to Local Magistrate.	Ditto ...	In all cases.
291	To sanction feeding charges of impounded cattle in cases where the sale-proceeds are insufficient to cover the charges.	From District Magistrate to Sub-Divisional Officer.	Section 18, ditto	Powers now exercised by District Magistrate.
292	To appoint and dismiss *dhangars* (cowherds) employed in cattle pounds.	From District Magistrate to Sub-Divisional Magistrate.	.....	..... (The Sub-Divisional Magistrate has more opportunity of testing the work of these men in his sub-division than the District Magistrate, who must necessarily be guided to a great extent by the recommendation of the Sub-Divisional Magistrate.)
293	To fix rates of charges for feeding and watering impounded cattle.	From District Magistrate to *Mámlatdár* and *Mahálkari*.	Section 5, Cattle Trespass Act, 1871.	..... (As the Mámlatdár or *mahálkari* possesses local knowledge of prices current of fodder, etc., he may be authorized to fix the rates of such charges.)
294	To issue certificate for filing a suit in the Civil Court relating to pension or grant by Government of money or land revenue.	From Government to Commissioner.	Nos. 4, 5 and 6 of Divisional Commissioners' Rules under the Pensions Act, 1871.	.....
		From Government to Collector.	Ditto ...	Whenever the Collector is satisfied that the suit will in no way affect the liability of Government, he may be allowed to issue a certificate which is generally required for the ascertainment of the shares of the sub-sharers.
		Ditto ...	Rules 4 and 6 of do.	..... (The proposal was negatived by Government, *vide* entry No. 1 of Government Resolution, Revenue Department, No. 5941, dated 26th August 1902.)
		Ditto ...	Rule 4 of ditto	Except in respect of *Saranjáms*.
		Ditto ...	Ditto ...	(There can possibly be no objection to this power being delegated to the Collector. Formerly the certificates were given by the Collector with Commissioner's approval; but at present they have to receive Government sanction.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Collector.	Government Notification, Revenue Department, No. 4630, dated 19th June 1897.	Issuing such certificates. (Collectors' powers are much restricted in this respect and the question is fully dealt with in Government Resolution No. 5941, dated 26th August 1902. The proposed delegation will save time and references.)
295	To sanction re-admission of cash allowances.	From Commissioner to Collector.	No. 11 of Divisional Commissioners' Rules under the Pensions Act, 1871.	Power now exercised by Commissioner. (A pension for payment of which no application is made for more than 6 years is to be struck off the books and all arrears forfeited, but under certain circumstances it is re-admitted if a claim is made within 12 years from the date of the last payment. The practice in such cases is to ask for the sanction of the Commissioner. This power may be delegated to the Collector as it is but a re-admission of an old existing pension or grant which was struck off in absence of claim.)
296	To strike off or allow re-admission of cash allowances.	Ditto ...	Ditto ...	Power now exercised by Commissioner. (The matter is not of such importance as to necessitate a reference to the Commissioner for sanction.)
297	To direct separate payment in case of co-sharers.	Ditto ...	Rule 19 of ditto ...	Power to issue a permanent order.
298	To make payment of cash allowances to several sharers by a separate receipt for each.	Ditto ...	Ditto ...	Commissioner's power. (The proposed delegation will save delay and correspondence.) (Rule 19 provides about separate recognition of sharers with the previous sanction of the Commissioner. The Collector has power only to order such share payments for one year, the object being to prevent the indefinite sub-division of a grant or pension. This power may be delegated to the Collector because, as shown above, he has the power to do it one year and can repeat it the next, and so on. Of course a sub-share would not be entered in the books without due scrutiny.)
299	To make new entries of names in the cash allowances standing on the names of one or more persons.	Ditto ... Ditto ...	Ditto ... Ditto ...	In such exceptional cases as require it. Commissioner's power. (The Commissioner's sanction is based mainly on the recommendation of the Collector and is thus generally formal.)
300	To countersign cash allowance bills of fluctuating amounts and those that are not brought on the printed cash alienation list.	Ditto ...	Rule 25 of ditto ...	.....
301	To enter in or strike out from the account or cash alienation list pensions or grants.	Ditto ...	Ditto ...	Subject to the approval of the Commissioner, Central Division. (The Collector knows locally the circumstances which justify the entry or striking out from the account.)
302	To strike out cash allowances	Ditto ...	Ditto ...	Power of Commissioner.
303	To sanction entry of *kadim* and other cash allowances in Petha Khata Wahi.	Ditto ...	Ditto ...	Ditto.
304	(*a*) To resume Seri grants when conditions are not fulfilled, and to renew them on sufficient cause being shown. (*b*) To regrant existing Seri grants to the heirs of a deceased holder. (*c*) To sanction new Seri grants.	From Commissioner in Sind to Collector.	Government Resolutions, Revenue Department, No. 8054, dated 11th October, 1852, and No. 3869, dated 13th August 1870.	..... (In these cases the Collector's recommendations are invariably accepted and it would tend a good deal towards the reduction of correspondence, if these powers were delegated to them. They can well be trusted to exercise them with discretion.)
305	To re-enter into the account cash allowances which may have been erroneously struck off.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 2827, dated 13th June 1862.	..... (The matter is one of correction of an error.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
306	To sanction the payment of cash allowances in lieu of service *watan* land acquired under the Land Acquisition Act.	From Commissioner to Collector.	Government Resolutions, Revenue Department, No. 3969, dated 15th June 1898, No. 3869, dated 18th June 1900, and No. 6100, dated 28th July 1905.	The Commissioner has power to give Government waste land in *inám* in lieu of *inám* land taken up for public purposes, or to give cash allowance if no suitable land is available. The scale of cash allowances has been fixed by the Resolutions mentioned in column 4 and in such cases no further reference to the Commissioner would seem necessary. The Collector can deal with the case finally. Similarly, the power to grant service *ináms* to inferior village servants up to Rs. 12 in land or in cash may be given to the Collector.
307	(*a*) To grant new *sanads* to holders of alienated lands or cash allowances. (*b*) To sanction corrections in existing *sanads* in case of clerical errors.	Ditto ...	Government Resolution, Revenue Department, No. 5941, dated 26th August 1902, entry No. 10.	Entirely.
308	To sanction reduction of *hasar-judi* in *sanadi* land taken up for public purposes.	Ditto ...	.....	Power now exercised by the Commissioner.
309	To make payment of arrears of pension due to a deceased pensioner to his heir.	From Collector to Sub-Divisional Officer.	No. 10 of the Divisional Commissioners' Rules under the Pensions Act, 1871.	Collector's power under Rule 10. (This will save time and reference.)
		From Collector to Mámlatdár.	Ditto ...	In full.
310	To dispose of applications for the mutation of names of the holders of cash allowances.	From Collector to Assistant or Deputy Collector.	Rule 17 of ditto ...	In cases in which there is no dispute. (The correspondence of this nature goes to the Collector for obtaining his formal sanction in undisputed cases. The sub-divisional Officers are better acquainted with their charge and there appears no necessity for the reservation of the power by the Collector.)
		Ditto ...	Ditto ...	In full.
311	To make payment of pension or grant of money or land revenue to one of joint payees when joint receipt is not obtained.	From Collector to Mámlatdár.	Rule 20 of ditto ...	Powers exercised by Collector.
312	To submit *judi* "*Fod Patrak*" (statement prepared in connection with splitting up of the amount of judi).	From Sub-Divisional Officer to Mámlatdár.	.....	The Collector sanctions the statement but the correspondence passes through the sub-divisional office. The Mámlatdár might send the statement direct to the Collector.
313	To sanction temporary alienation of *watan* land for raising loans and other purposes.	From Government to Commissioner.	Section 5, Bombay Hereditary Offices Act, 1874.	Up to 30 years.
314	To fix the period of the settlements made under sections 17, 18 and 19 of the Bombay Hereditary Offices Act, 1874.	Ditto ...	Section 21, ditto ...	Full powers.
315	To make alteration in the watan property assigned as remuneration of an officiator.	Ditto ...	Section 23, ditto ...	.....
316	To remove the disqualification mentioned in section 45 (*f*) of the Bombay Hereditary Offices Act in the case of a person desirous of serving as a representative *watandár* or his deputy.	Ditto ...	Section 45 (*f*), do.	.....
317	To dismiss hereditary village officers.	Ditto ...	Section 58, ditto ...	Entirely.
		Ditto ...	Ditto ...	Power exercised by Government (*vide* entry No. 7 of Government Resolution No. 5941, dated 26th August 1902, Revenue Department).

Revenue Department—cont.

Ser a No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Collector.	Section 58, Bombay Hereditary Offices Act, 1874.	To the full extent of the section. (At present the Local Government's sanction is required for the removal of an officiator from office. This is anomalous when it is considered that a Commissioner can dismiss a Mámlatdár and a Collector can dismiss a *mahálkari* or head *kárkún*. If a Collector cannot be trusted to see that a village officer is not unjustly dismissed, he is obviously unfit for his position.)
		Ditto ...	Ditto ...	Subject to appeal to Commissioner. [The grant to Collectors of unfettered power to remove an officiator under section 58 and to attach inferior village *watans* under section 64 (*d*) was negatived by Government in 1902 (*vide* entry No. 7 in the statement embodied in Government Resolution, Revenue Department, No. 5941, dated 26th August 1902). If the proposed power is granted to Collectors, there will be an appeal to the Commissioner under section 77.]
318	To sanction re-employment of a dismissed *watandár*.	From Government to Commissioner.	Section 59, ditto ...	.....
		From Government to Collector.	Ditto ...	Full powers. (The arguments urged in the preceding entry in support of the first of the two proposals for the delegation of power from Government to Collector apply here also.)
319	To direct the forfeiture of the life interest of a representative *watandár* in cases specified in section 58 of the Bombay Hereditary Offices Act.	From Government to Commissioner.	Section 61, ditto ...	Full powers.
		From Government to Collector.	Ditto ...	.....
320	To attach inferior village *watans* of inferior village servants suspected to be guilty of the crime of cattle poisoning.	From Government to Commissioner.	Section 64, ditto ...	.....
		Ditto ...	Ditto ...	Up to a period of 7 years.
		From Government to Collector.	Ditto ...	Powers of Local Government.
321	To revise the orders of subordinate officers passed under the Bombay Hereditary Offices Act.	From Government to Commissioner.	Section 79, ditto ...	Powers of revising orders of Collectors, except those passed under section 25 determining the names of representative *watandárs*.
322	To limit the period of presentation of a petition to Government for revision of an officer's proceeding.	.....	Ditto ...	The revision petition should be presented within 6 months from the date of the order complained of. [This proposal was negatived by Government Resolution, Revenue Department, No. 5941, dated 26th August 1902.]
323	To determine the duties of hereditary officers in cases of doubt.	From Government to Commissioner.	Section 83, ditto ...	Full powers. (Cases of doubt seldom arise and they may well be disposed of by the Commissioner.)
324	To resume service land when service is not performed or is unnecessary, or when the holder is guilty of misconduct or land has come in possession of a female or unauthorised person.	From Government to Collector.	Rules published under Government Notification, Revenue Department, No. 2702, dated 23rd April 1902.	Power preserved by the Local Government.
325	To take legal proceedings under section 6 without reference to the Commissioner.	From Commissioner to Collector.	Section 6, Bombay Hereditary Office Act, 1874.	Powers of Commissioner, [The proposal was negatived by Government (*vide* entry No. 5 of Government Resolution, Revenue Department, No. 5941 of 26th August 1902).]

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
326	To accord sanction to prosecution of *watandár pátils* and *kulkarnis*.	From Commissioner to Collector.	Government Resolution, Judicial Department, No. 5800, dated 17th September 1877.	Full powers. (The Commissioner's sanction does not seem necessary. The Collector should be trusted to see that prosecutions are not instituted on insufficient grounds. The delay caused by reference to the Commissioner often materially weakens the evidence.) (The preliminary inquiry is generally made by the Mámlatdár or the Assistant Collector. The Collector generally has not any hand in the inquiry and is not likely to be prejudiced. The power to sanction prosecution may therefore be safely delegated to the Collector.)
		From Commissioner to Mámlatdár.	.....	The power given in section 197, Criminal Procedure Code—unrestricted.
327	To pass orders in regard to the appointment (according to the register), suspension, fining grant of leave of absence, and heirship inquiries of officiating and representative *watandár máhárs*.	From Collector to Mámlatdár and Mahálkari.	Section 64, Bombay Hereditary Offices Act, 1874.	All powers mentioned in section 64, clause (*e*), of the Act, except power of dismissing officiating *watandár máhárs*.
328	To register the names of inferior village servants, etc., under Part X, section 64 (*a*), (*b*), (*c*), (*d*) (part), and (*e*), of the Bombay Hereditary Offices Act.	From Collector to Mámlatdár.	Sections 64 and 75, ditto.	Full powers, with the exception of that under the second clause of 64 (*d*), which should be delegated to the Collector. (The formal sanction of the Collector is at present required though in fact the Mámlatdár makes full inquiries in the matter. The right of appeal to the Collector will be quite sufficient safeguard. The power under the second part 64 (*d*) is more important and should be reserved to the Collector.)
329	To enforce production of State records in the possession of a *watandár* or an officiator.	Ditto ...	Section 70, ditto ...	Full powers. (Power is at present exercised by the Collector. In emergent cases, it is very difficult for Mámlatdárs to obtain Collector's orders in time. It is essential that the Mámlatdár should have this power.)
330	To enter in the *watan* register the names of heirs of representative watandárs when the heirs are direct, or when there is no dispute.	From Sub-Divisional Officer to Mámlatdár and Mahálkari.	Section 36, ditto ...	..... (A number of such cases are disposed of annually. Cases of Collateral succession would be disposed of by the Pránt Officer.)
331	To enter the names of heirs in the *watan* register.	From Sub-Divisional Officer to Mámlatdár.	Ditto ...	.....
332	To appoint village officers to perform the duties of *watandár*.	Ditto ...	Sections 42, 43 and 44, ditto.	..... (The watan registers are now all framed. The Mámlatdár is more likely to know the deputies nominated and there will be less trouble to the *watandárs* to attend at the *táluká* head-quarters than at the Assistant or Deputy Collector's camp which may be at a long distance. Percentage of difficult cases is very small.)
333	To appoint provisional substitutes during temporary vacancies of officiating *pátils* and *kulkarnis*.	From Sub-Divisional Officer to Mámlatdár and Mahálkari.	Section 52, ditto ...	In all cases. (The Mámlatdárs' recommendations in such cases are invariably sanctioned.)
334	To suspend or fine village officers.	From Sub-Divisional Officer to Mámlatdár.	Sections 57 and 84, ditto.	Suspension up to two months. (The Mámlatdár can only fine up to Rs. 2. The Assistant or Deputy Collector has the power to suspend for six months.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlátdar.	.....	Suspension for a period not exceeding one month and fine not exceeding one month's remuneration. (Under section 84 Mámlatdárs are empowered to fine officiators to the extent of Rs. 2 only, but considering the position and responsibilities of the Mámlatdárs, their powers may well be increased to the extent proposed. The fact that the Mámlatdár can only inflict a trifling fine tends to lessen his influence over village officers.)
		Ditto ...	Sections 57 and 84, Bombay Hereditary Offices Act, 1874.	Fines up to Rs. 5 and suspension up to one month. (It is best that the officer holding the inquiry shall pass the order awarding punishment. If in inquiry it appears that heavier punishment will be required if the offence is proved, the case should be reported so that inquiry may be made by the Sub-Divisional Officer.)
335	To investigate heirship cases of holders of *watan* land.	Ditto ...	Government Resolution, Financial Department, No. 595, dated 20th May 1867.	In all except intricate cases.
336	To order recovery of *gair hajari akar* (proportionate rent of service lands for the period of absence of a *shetsanadi* without leave).	Ditto ...	.....	In all cases. (When it is proposed to remit the rent wholly or in part, Sub-Divisional Officer's sanction should be obtained.)
337	To modify Sub-Registration Districts.	From Government to Inspector-General of Registration.	Section 5, Indian Registration Act, 1877.	Full powers. (This will require an amendment of section 5 of Act III of 1877. Government might by executive order direct that the Inspector-General should always obtain the Commissioner's approval and if this be done, there will be no danger in delegating the power to the Inspector-General.)
338	To make appointments of sub-registrars and Inspectors of Registration Offices.	Ditto ...	Sections 6, 8 and 12, ditto.	Full powers. (Under sections 6 and 8 of Act III of 1877, the power of appointing sub-registrars and Inspectors rests with the Local Government. In practice this power is exercised solely by the Inspector-General, who submits statements showing the appointments so made once a year (*vide* No. 5 of the returns noted in Government Resolutions, Revenue Department, Nos. 2928 of 1st May 1902 and 1894 of 9th March 1904). In order to dispense with the necessity of these returns and to legalise the appointments of sub-registrars and Inspectors by such authority as Government may empower in this behalf, the amendment of the Act was proposed in Bombay Government letter, Revenue Department, No. 12075, dated 22nd December 1906, to the Government of India, who have held over for the present their orders on the subject. The amendment is obviously desirable.) (The posts are not of so much importance as would require approval of Government.)
339	To establish offices of sub-registrars.	Ditto ...	Section 7, Indian Registration Act, 1877.	Full powers. (The Inspector-General is the proper authority to decide such matters.)
340	To suspend or dismiss sub-registrars.	Ditto ...	Section 13, Indian Registration Act, and Government Resolution, Revenue Department, No. 1371, dated 17th March 1874.	Full powers. (The power of suspension is in practice exercised by the Inspector-General under the orders contained in Government Resolution, Revenue Department, No. 1371 of 17th March 1874, a report on the circumstances being at once submitted to Government. This Government Resolution was issued before Act III of 1877 was passed and the legality of the present practice seems open to question. It is suggested that section 13 of the Act should be amended so that there may be no doubt on the point. The Inspector-General would hardly take a step without placing his reasons on record; and the report to Government may be dispensed with. As regards dismissal also full powers may be accorded to the Inspector-General, who can be trusted to exercise the power with

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			discretion. An appeal will always lie to Government against his order. In cases where there has been a conviction by a Magistrate, subsequently maintained on appeal by the Sessions Court, the order of dismissal is a necessary sequel of the Criminal Court's finding. In these cases, at any rate, full powers should be given to the Inspector-General.) [The Government of India have held over for the present the consideration of the Local Government's proposal for the amendment of the Act (submitted in Revenue Department letter No. 12075, dated 22nd December 1906) with a view to enable them to delegate power to suspend, remove or dismiss, subject to appeal, any sub-registrar or Inspector of Registration.]	
341	To supply books, etc., to sub-registrars.	From Government to Inspector-General of Registration.	Section 16, Indian Registration Act, 1877.	Full powers. (The Inspector-General is the proper authority to decide such matters.)
342	To make additions to and modifications in registration rules.	Ditto ...	Section 69, ditto	Full powers. (A reference to Government under this section is unnecessary. The matters dealt with are purely routine. The proposal will involve the omission of the last paragraph of section 69, Act III of 1877.)
343	To sanction the prosecution of a sub-registrar.	Ditto ...	Government Circular, General Department, No. 2749, dated 19th May 1905.	Full powers. (In most cases nowadays since the issue by Government of the Circular No. 2749 of 19th May 1905, suspension is followed by prosecution. And it is the practice to obtain the sanction of Government before the criminal complaint is filed. There is nothing in the law which necessitates a reference to Government and it leads to very serious delay, which Government in paragraph 2 of the Circular above referred to have strongly deprecated. The Inspector-General is not likely to embark on a criminal prosecution unless there are strong *prima facie* grounds for doing so, and a reference to Government is neither necessary nor desirable. The Inspector-General might on cause being shown direct the prosecution in a Criminal Court of any of his subordinates.)
344	To remit the difference between any fine levied under section 24 or 34 of the Indian Registration Act and the proper registration fee.	From Inspector-General of Registration to District Registrar.	Section 70, Indian Registration Act, 1877.	Full powers. (The power may obviously be given to District Registrars.)
345	To remit safe-custody fee in respect of a document presented for registration.	Ditto ...	Note to Article XVII of the Table of fees payable under the Indian Registration Act, 1877.	Full powers.
346	To issue summons requiring a person to appear at a registration office.	From Registrar to Sub-Registrar.	Section 36, Indian Registration Act, 1877.	Full powers. (At present a registrar can issue a summons but not a sub-registrar, who has to go through the tedious process of sending a *yádi* to the Mámlatdár with the process fee. The latter then issues the summons and serves it. It is proposed (i) that the sub-registrar should issue the summons, (ii) that he should either serve it through his own peon or through the Mámlatdár as he thinks fit and the rules prescribe. It is much better that he should be responsible for the summons in the first place. It will be convenient if he can arrange to serve it himself. In time, it is hoped, all sub-registrars in big places like Ahmedabad and Poona will have their own peons and they might very well arrange to serve their own summons in the town. Section 36 might run :— "If any person desires the appearance of any person whose presence or testimony is necessary for the registration of such document, the registering officer may in his discretion issue a summons requiring him to appear at the registration office, either in person or by duly authorised agent, as in the summons may be mentioned and at a time named therein. Obedience to such summons shall be enforced in the same way as obedience to a summons issued by a Civil Court.")

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
347	To issue notification proposing the constitution of land as reserved forest.	From Government to Commissioner. From Government to Collector.	Section 4, Indian Forest Act, 1878.	..... (The proposed powers will involve an amendment of section 4 of the Act, but will save Government the trouble of issuing a lot of small notifications, almost all of which are in respect of lands within sanctioned demarcation.) (Issue of the notification is a formality.)
348	To constitute reserved forest ..... To stop ways and watercourses, etc., in reserved forests.	From Government to Commissioner. Ditto ...	Section 19, ditto ... Section 24, ditto ...	Powers now exercised by Local Government. (The proposed power will involve an amendment of section 19 of the Act, but will save Government the trouble of issuing a lot of small notifications, almost all of which are in respect of lands within sanctioned demarcation.) ..... (If a road is stopped, some substitute has to be provided and no serious inconvenience is likely to be felt by the general public. Many cases of this kind are likely to crop up hereafter in the Kánara district.)
350	To suspend the exercise of all rights of pasture or to forest produce in cases of fire caused wilfully or by gross negligence in a reserved forest.	Ditto ... From Government to Collector.	Section 25 (last paragraph), do.	Full powers.
351	To disforest reserved forests	From Government to Commissioner. From Government to— Commissioner Collector ...	Section 26, ditto ... Ditto ... Ditto ...	Area not exceeding 10 acres. Area not exceeding 50 acres. Ditto 10 do. (It is an anomaly that the orders of the Government of India are necessary before a small piece of forest land can be disforested.)
352	To dispose of claims relating to practice of shifting cultivation.	From Government to Collector.	Section 9A, ditto ...	Full powers.
353	To sanction annual appropriation statement of forest revenue and expenditure.	From Government to Conservator of Forests. Ditto ...	Article 129 (i), Forest Department Code.	Powers of Local Government. Within the total amount sanctioned for a Circle.
354	To institute civil suits on behalf of Government.	Ditto ...	Article 246, ditto ...	..... (Action is always taken according to advice given by the Legal Remembrancer.)
355	To grant free wood to agriculturists, etc., or for public purposes.	From Government to Commissioner.	Government Resolution, Revenue Department, No. 21, dated 6th January 1903.	Up to Rs. 250 instead of Rs. 100.
		From Government to Collector.	Government Resolution, Revenue Department, No. 8205, dated 22nd November 1902.	Up to Rs. 250 in each case. (The Divisional Forest Officers have been lately authorized to grant wood up to Rs. 100.)
		From Commissioner to Collector.	Government Resolution, Revenue Department, No. 4073, dated 31st May 1895.	Up to Rs. 100 instead of Rs. 50 in the case of timber required for the repair and construction of village schoolhouses.
		Ditto ...	Government Resolution, Revenue Department, No. 21, dated 6th January 1903.	Up to Rs. 100 instead of Rs. 50 in the districts other than Kánara.
		From Commissioner in Sind to Collector.	Government Resolution, Revenue Department, No. 7018, dated 16th July 1907.	To the value of Rs. 100. (Within certain limits authority has been granted to Collectors in the Presidency proper. There seems no reason why it should not be extended to the Collectors in the province of Sind.)
		From Commissioner to Assistant or Deputy Collector.	Section 109, Forest Department Code.	Up to Rs. 100 in each case, subject to general rules. (The laying down of general rules will secure uniformity.)
		Ditto ...	Government Resolution, Revenue Department, No. 8205, dated 22nd November 1902.	Up to Rs. 100 in each case. (The extent of power is so insignificant that it requires enlargement.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Collector to Assistant Collector.	Government Resolution, Revenue Department, No. 21, dated 6th January 1903.	Up to Rs. 25 in each case. (The Assistant Collector while touring can usefully make such grants, which in certain urgent cases are at times gravely delayed owing to the need of a reference to the Collector.)
		From Collector to Sub-Divisional Officer.	Ditto ...	Up to Rs. 10 in each case.
		From Collector to Mámlatdár and *Mahálkari*.	Government Resolution, Revenue Department, No. 8205, dated 22nd November 1902.	Up to Rs. 25 in each case. (In cases of destruction of houses by fire and in similar other cases grant of timber without loss of time is necessary.)
356	To sanction the rectification of errors or petty changes in sanctioned classification of forests.	From Government to Commissioner in consultation with the Conservator of Forests.	Government Resolution, Revenue Department, No. 1532, dated 12th February 1907.	..... (The grant of this power to Commissioners was negatived in the Resolution mentioned in column 4 as any amendments of classification of forests which had been sanctioned by Government required to be submitted to them. The proposal may be reconsidered now. Such references are usually not frequent, but the matter does not seem to be sufficiently important to be referred to Government.)
357	To undertake punitive measures for dealing with cases of persistent and extensive firing or other injury to forests.	From Government to Commissioner.	Practice	Complete.
358	To purchase land for inclusion in forests.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 1609, dated 27th February 1883.	Within budget provision. (References are not usually frequent, but there would be no harm in delegating the power to the Collectors.)
359	To continue deprivation of forest privileges on account of fires in the Kánara district.	Ditto ...	Government Resolution, Revenue Department, No. 7186, dated 13th October 1903.	Power of Commissioner.
360	To remit grazing fees in villages which have been immune from forest fires for two years running.	Ditto ...	Government Resolution, Revenue Department, No. 11535, dated 6th December 1906.	..... (The condition of remission has been clearly laid down.)
361	To transfer forest lands to any other department of Government.	Ditto ...	Government Resolution, Revenue Department, No. 6215, dated 21st June 1907.	Not exceeding 5 acres in extent. (As the transfer of land is from one department of Government to another no reference seems necessary.)
362	To sanction the use of forest land for another Government purpose.	From Commissioner to Conservator of Forests.	Government Resolution, Revenue Department, No. 7336, dated 11th September 1905.	Up to a limit of 5 acres.
363	To remit assessment and other forest revenue.	Ditto ...	Sind Commissioner's Special Circular No. 21, and general practice.	Up to Rs. 1,000 in each case.
364	To make application for permission to shoot ibex and oorial in the Kohistán and Khirthar ranges of the Karáchi district.	From Commissioner in Sind to Collector.	Commissioner's No. 2130, dated 31st March 1905.	Extent unlimited. (Now that His Highness Mir Mahomed Hassanali Khan is dead, the necessity no longer exists. A reference has in fact been already made.)
365	To register private property marks in forests.	From Conservator of Forests to Deputy or Extra Assistant Conservator of ten years' service.	Nos. 22 and 23 of the Rules under section 41 of the Indian Forest Act, 1878.	So far as their respective divisions are concerned. (This work is now done by the Conservator and takes up a great deal of his time which might be more profitably occupied. It is also a great inconvenience to owners to have to attend or send their marks to the Conservator's office, especially when he is touring in remote parts of his charge when this can be done far better by the Divisional Forest Officers themselves.)
366	To countersign forest agreements with contractors.	Ditto ...	Memorandum of instructions approved by Government Resolution, Revenue Department, No. 7220, dated 17th November 1900.	All agreements up to Rs. 5,000 and under. (All agreements are sent now for the inspection and countersignature of the Conservator, a formality that is quite unnecessary in the case of trusted and experienced Divisional Forest Officers and causes heavy expenditure of postage.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
367	To sanction or refuse extension of time to contractors for completion of their contracts entered into with the Divisional Forest Officers.	From Conservator of Forests to Divisional Forest Officer.	.....	[As the extensions are usually sanctioned by the Conservator on the recommendation of Divisional Officers, it may be left to them to decide these questions, subject to an appeal to the Conservator.]
368	To manage forests of Japti estates.	From Sub-Divisional Officer to Mámlatdár.	.....	To the same extent as powers are enjoyed by the range forest officer in the case of Government forests.
369	To appoint and grant leave other than privilege leave to officers on Rs. 100 and upwards in the Customs Department in Sind.	From Commissioner to Chief Collector of Customs in Sind.	Section 6 of the Sea Customs Act, 1878, and Government Notification, Revenue Department, No. 6512-B., dated 20th September 1882.	.....
370	To extend the period within which export under drawback is allowed.	From Chief Customs Authority to the Collector of Customs.	Section 42, Sea Customs Act, 1878.	The period allowed is two years and the Collector may well be authorised to extend it to three years as in the case of goods which have been transported from one customs port to another and are subsequently re-exported to a foreign country.
371	To allow ullage or wastage on goods placed in a bonded warehouse in excess of the quantity prescribed under section 116 of the Sea Customs Act, 1878.	Ditto ...	Section 117, ditto...	..... (Such cases occasionally arise but have seldom been referred to the Commissioner on account of the comparatively small amount of duty involved, and it would be a convenience to the public if the Collector were given the necessary authority.)
372	To invest Government officers with powers under sections 14, 19, 22 and 24 of the Opium Act, 1878.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Sections 14, 19, 22 and 24, Opium Act, 1878.	To the full extent. (The authority to invest Government officers with powers under the several sections of the Bombay Abkári Act has been delegated by Government to the Commissioner and it is desirable that there should be similar delegation of authority to invest such officers with powers under the Opium Act.)
373	To fix and notify from time to time prices at which opium may be issued from Government depôts.	Ditto ...	No. 50 of the Bombay Opium Rules.	To the full extent. (This is a matter which is practically dealt with by the Commissioner. He has to watch the opium market prices and make recommendations to Government regarding the raising or lowering of issue prices for Government opium whenever the prevailing market prices demand this. The assent of Government to his recommendations is formal. It is desirable therefore that the power to notify changes in issue rate should be vested in the Commissioner.)
374	To pass final orders with regard to opium in respect of which an offence has been committed.	From Collector to Trying Magistrate.	Rule 53 of ditto...	To the extend to which the Collector exercises this power.
375	To sanction deficiencies found in the stock of opium at treasuries and sub-treasuries at the several examinations prescribed by the rules under the Opium Act.	From Collector to Treasury and Sub-Treasury Officers.	Rule 155, Bombay Treasury Manual.	Up to 4 per cent. (The practice hitherto in vogue does not require sanction to write off deficiency from any authority and it never caused any harm to the interests of the public revenue; however, in cases of extraordinary deficiency the matter is brought to the notice of the Collector. But as the Accountant General has recently raised an objection to the existing practice, it is proposed that the rule under reference may be amended.)
376	To prescribe forms of licenses, permits and passes under the Bombay Abkári Act and make modifications in them.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Section 30, Bombay Abkári Act, 1878.	To the extent of making modifications in the forms, etc., in consultation with the Remembrancer of Legal Affairs. (Under the Bombay Opium Rules the Commissioner is authorised to make changes in the opium licenses, permits, passes, etc., and it is desirable that he should exercise similar authority in abkári matters.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
377	To authorize the printing of standard forms relating to a'bkári and opium matters.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Government Resolution, General Department, No. 1547, dated 30th April 1886.	To the extent of sanctioning reprinting of such forms with the modifications which the Commissioner may think necessary from time to time. (The Commissioner is required to make changes now and then in some of the standard a'bkári and opium forms, particularly the forms of accounts, whenever the a'bkári or opium system prevailing in a district undergoes a change or the rates of still-head duty are altered. Recently the press refused in one instance to reprint the form as modified without Government sanction. To meet such cases it is proposed that the power to authorize reprinting of such forms should be vested in the Commissioner)
378	To make changes in the names of licensees of foreign or country liquors, opium, *gánja* and other drugs and spirits owing to death of the licensees.	From Commissioner of Customs, Salt, Opium and A'bkári to Collector who issues the license.	Practice	..... (After the change is made, the Commissioner should be informed of it, as in the case of issue of licenses.)
379	To grant permission to open temporary shops at fairs, etc.	From Commissioner of Customs, Salt, Opium and A'bkari to Collector.	Ditto ...	Power exercised by the Commissioner of Customs, Salt, Opium and A'bkári.
380	To direct the closing of liquor shops for the sake of public peace.	From Collector to Assistant or Deputy Collector, Mámlatdár and *Mahálkari.*	Section 42, Bombay A'bkári Act, 1878.	Full powers. (It is desirable that with a view to prevent immediate breach of the peace the local Magistrates should have powers. It will be quite sufficient if they send a copy of their order to the Collector.)
381	To confiscate property in cases of a'bkári offence.	From Collector to Assistant or Deputy Collector.	Section 55, ditto...	.....
		From Collector to Magistrate trying the case.	Ditto ...	..... (There seems no reason why the confiscations should not be made by the Trying Magistrate as under the Opium Act.)
		Ditto ...	Section 55, ditto...	All property, except liquor and drugs.
		From Collector to Mámlatdár and Magistrate as defined in the Bombay A'bkári Act.	Ditto ...	..... (The work of the Collector in this connection is purely routine. It is absurd that the Magistrate can send the accused to jail for six months and fine him heavily but cannot order the confiscation of the smallest *corpus delicti.*)
382	To pass final orders with respect to property confiscated as well as property in respect of which an offence is committed.	From Collector to Trying Magistrate.	Ditto ...	Without any limit.
383	To recover dues from a farmer's licensee.	From Collector to Mámlatdár.	Section 29, ditto...	Full powers. (This may be done on the analogy of the recovery of the land revenue demands.)
384	To dispose of property in A'bkári cases.	Ditto ...	A'bkári Commissioner's Circular No. 1938 of 2nd April 1906.	Powers now exercised by Sub-Divisional Officers. (It would save a good deal of labour in making the reports of each case for orders, if this power is delegated to the Mámlatdárs.)
385	To approve of the grant of *nokarmámas.*	Ditto ...	A'bkári Commissioner's Circular No. 4080, dated 4th July 1907.	.....
386	To amalgamate village registration circles.	From Government to Inspector-General of Registration.	Section 55, Deccan Agriculturists' Relief Act, 1879.	Powers of Local Government. As long as the District Registrar agrees and the Remembrancer of Legal Affairs is satisfied that the notification is in order, the matter may safely be left to the Inspector-General of Registration.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
				(The worst that can happen if an office is abolished is that the ryots will have to walk a few miles further to *tálukd* headquarters or the nearest village registration office, and this is hardly a serious evil. A District Magistrate often many years junior in service to the Inspector-General can make changes which may necessitate parties to criminal cases in one *tálukd* to walk fifty or even a hundred miles to headquarters to appear before the Magistrate having jurisdiction.)
387	To constitute a *mahál* for certain purposes, *e.g.*, for the Record-of-Rights Act, etc.	From Government to Commissioner.	Section 7, Bombay Land Revenue Code, 1879.	..... (In every *tálukd* a *mahál* will have to be constituted so that the *aval kárkún* may be authorized to see to the preparation and maintenance of Record-of-Rights.)
		From Government to Collector.	Ditto ...	Entirely.
388	To appoint a non-qualified officer to act as Mámlatdár for over six weeks for reasons to be recorded.	From Government to Commissioner.	Section 12, ditto ...	During the full period of privilege leave for 3 months.
		Ditto ...	Government Resolution, Revenue Department, No. 7465, dated 23rd October 1901.	Up to 3 months. (The usual cause is extension of leave of the permanent incumbent or some unforeseen contingency.)
		Ditto ...	Ditto ...	The power might be delegated, and the half-yearly return of such appointments submitted to Government might be discontinued.
389	To appoint special *aval kárkúns* as *mahálkaris*.	From Government to Collector.	Section 13, Bombay Land Revenue Code 1879, and Government Resolution, Revenue Department, No. 8269, dated 11th October 1905.	..... (Special head *kárkúns* are appointed by Government under section 13 of the Land Revenue Code to be *mahálkaris* for their *tálukas* and then they are empowered to hear and dispose of applications under sections 86 and 87 and are entrusted with the duties and powers contemplated in sections 71 and 154 of the Land Revenue Code. It will facilitate work if the power of appointing *mahálkaris* under the section is given to the Collectors. It can be useful also when *aval kárkuns* are to be appointed *mahálkaris* for purposes of the Record-of-Rights Act.)
390	To revise the Collector's orders punishing revenue subordinates where no appeal lies.	From Government to Commissioner.	Section 35, Bombay Land Revenue Code, 1879.	All cases. (The procedure laid down for inquiry before dismissal is amply sufficient to protect a subordinate against capricious dismissal and it is contrary to general principles to allow what practically is a second appeal on question of fact. This proposal was negatived by Government Resolution, Revenue Department, No. 4347, dated 25th June 1902, entry No. 23.)
391	To impose special terms for appropriation of land to non-agricultural purposes.	Ditto ...	Section 67, ditto ...	To the full extent of the section. (The Commissioner would consult the Remembrancer of Legal Affairs if he thought fit.) (The matter is one in which Government might lay down a general policy but leave to the local officers its application to particular cases. This proposal was negatived by Government Resolution, Revenue Department, No. 4347, dated 25th June 1902.)
392	To delegate to selected *mukhtyárkars* powers under sections 86, 87 and 140 - 145 of the Land Revenue Code.	From Government to Collector.	Sections 86, 87 and 140–145, ditto.	..... (These are powers which can be safely entrusted to any experienced *mukhtyárkars* who deserve them, and the Collector must surely be competent to judge of their fitness to that extent.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
393	To issue commissions to holders of alienated villages.	From Government to Commissioner.	Section 88, Bombay Land Revenue Code, 1879.	All the powers of Government. (The grant of this power to the Commissioners was negatived in 1902 (*vide* entry No. 7 in the statement appended to Government Resolution, Revenue Department, No. 4347, dated 25th June 1902). The proposal then made, which will involve an amendment of the Land Revenue Code, may be reconsidered.) The conditions under which commissions are to be issued have been laid down by Government, and it is intended by recent orders that commissions should be freely issued to *inámdárs* unless they are unfit.)
		From Government to Collector.	Ditto ...	Entirely. (The grant of such a commission depends upon the recommendation of the Collector and it will save delay and many references if the power is given to him.) (Collectors have the local knowledge required to decide whether a particular *inámdár* is to be trusted with powers or not and their report is at present the sole basis of Government decisions. Full powers specified in the section are never granted now-a-days. If the policy of Government were definitely settled and embodied in the Code, the powers might be delegated as proposed. This proposal was negatived by Government Resolution No. 4347, dated 25th June 1902, entry No. 7, and is worth reconsidering, especially as Government have now adopted a more liberal policy in the grant of such commissions.)
		Ditto ...	Section 88, Bombay Land Revenue Code, 1879.	Where survey settlement has been accepted.
394	To withdraw commissions granted to *inámdárs*.	From Government to Commissioner.	Section 89, ditto ...	Powers of Government.
395	To postpone the levy of revised rates in Government villages.	From Government to Commissioners of Divisions in consultation with the Settlement Commissioner.	Section 102, ditto...	Up to a maximum of two years. [Settlement proposals require the sanction of Government under section 102 of the Land Revenue Code. When they are sanctioned, proposals for their postponement are also submitted to Government. The Commissioner might be empowered to deal with such questions when the Collector, Settlement Commissioner, and himself are unanimous in their opinion that postponement is necessary. The power was delegated to the Commissioners during the last famine (*vide* Government Resolution, Revenue Department. No. 483, dated 22nd January 1900).]
396	To correct survey records after the lapse of two years.	From Government to Commissioner.	Section 109, ditto...	All cases in which power is now reserved to Government. (The proposal to delegate this power to the Commissioners was approved in entry No. 8 of the statement appended to Government Resolution, Revenue Department, No. 4347, dated 25th June 1902, subject to the amendment of the Code. This amendment has, however, not yet been made.)
		From Government to Collector.	Ditto ...	Powers exercised by Government.
397	To introduce survey settlement into alienated villages.	From Government to Commissioner.	Section 216, ditto, and Government Resolution, Revenue Department, No. 3504, of 15th June 1876.	..... (Powers under clauses (*e*) and (*f*) of section 88 of the Land Revenue Code cannot be conferred on *inámdárs* until a survey settlement has been extended to their villages under section 216 (*vide* Government Resolutions No. 7697, dated 19th December 1881, and No. 9819, dated 12th December 1884). If the proposal made to empower Commissioners to grant commissions to *inámdárs* under section 88 is approved, the powers to extend Chapters VIII to X may also be granted to them. This will involve an amendment of the Code.)
		Ditto ...	Ditto ...	In cases where *inámdárs* apply.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
398	To sanction the sale, rent-free, of land costing more than Rs. 100 for a fixed period.	From Government to Commissioner.	No. 10 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Up to a limit of Rs. 250. (In such cases the sanction of the Government of India would be required.)
399	To grant land revenue-free to any private individual for services to be performed to the State.	Ditto ...	No. 11 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Up to a limit of Rs. 1,000. (In such cases the sanction of the Government of India would be required.)
400	Ditto for services to be performed to the Community.	From Government to Commissioner or Collector.	Ditto ...	Up to a limit of Rs. 500. (In such cases the sanction of the Government of India would be required.)
401	To make revenue-free grants of Government land as sites for the construction of schools, hospitals, dispensaries or other public works at the cost of local or municipal funds.	From Government to Commissioner.	Ditto ...	Up to the money limit (Rs. 3,000) laid down for Local Government.
		Ditto ...	Ditto ...	Limits below which sanction of the Government of India is not required.
		Ditto ...	Rules 11 and 12, ditto.	..... (This proposal was negatived by Government Resolution, Revenue Department, No. 4347, dated 25th June 1902, entry No. 11.)
		Ditto ...	Ditto ...	Up to Rs. 500 value of land.
		Ditto ...	Rules 11, 12 and 15, ditto.	When the value of the land estimated as a revenue-free holding does not exceed Rs. 500. (Under No. 12 of the Land Revenue Code Rules, the Commissioner is authorized to grant occupancy of land revenue-free when the value of the land estimated as a revenue-free holding does not exceed Rs. 100 in each case for the purpose of religious, charitable or educational edifices or institutions. Cases of land required for municipal and local board dispensaries and roads are to be submitted to Government under Rule 15. The words "other public works" might be added to Rule 12 and the value of Rs. 100 raised to Rs. 500.)
		Ditto ...	Ditto ...	Up to Rs. 500 or Rs. 1,000 as it is considered proper.
		Ditto ...	Ditto ...	Up to Rs. 1,000.
		Ditto ...	Rule 15, ditto ...	Entirely.
		From Government to Commissioner or Collector.	Rules 12 to 16, ditto	To Commissioner when the Collector is the President of a municipality or when the land exceeds Rs. 100 in value. To Collector when he is not the President of a municipality, and when the land is required for a *bonâ fide* public benefit and the price does not exceed Rs. 100.
402	To grant land revenue-free for services to be performed to the State.	From Government to Collector.	Rule 11, ditto ...	Up to a limit of Rs. 500. (These assignments are generally sanctioned on the recommendation of the Collector and the sanction granted is more or less formal.)
403	Ditto to the community	Ditto ...	Ditto ...	In the case of land bearing an annual assessment of not more than Rs. 36. (Under Rule 14 the Collector of Dhárwár has such power to grant revenue-free land to *shetsanadis*. The sum of annual assessment is put down at Rs. 36 as that is the emolument in land of a *jividár* under the new scale.)
404	To make revenue-free grant land to village servants.	Ditto ...	Rule 14, ditto ...	Land not exceeding Rs. 30 of assessment.
405	To sanction extension of Rules 56 (II) and (III) under section 214 of the Land Revenue Code to certain places.	From Government to Commissioner.	No. 56 (II), ditto...	Entirely.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
406	To restore forfeited alienated holdings not held for service.	From Government to Collector.	Rule 68 (1), of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Powers exercised by Government.
		Ditto ...	Ditto ...	Whenever the Collector is satisfied of the illegality of the forfeiture or of the necessity of such restoration.
		Ditto ...	Ditto ...	Holdings other than entire village or share of a village. (The Collector being the local officer is well acquainted with the circumstances affecting such forfeitures and upon his recommendation the restoration of the holding is generally sanctioned. It will curtail correspondence and references to Government if the delegation is santioned.)
407	To sanction the purchase of landed property by Mámlatdárs and head accountants.	From Government to Commissioner.	Rule 9 of Government Servants' Conduct Rules and Government Resolution, Revenue Department, No. 2565, dated 11th March 1907.	Powers of Local Government.
408	To sanction the purchase of landed property by Mámlatdárs, head accountants, *mahálkaris* and head *kárkúns*.	From Government to Collector.	Ditto ...	..... (To avoid delay and correspondence.)
409	To appoint special audit officer for the annual revenue accounts in districts where there are Native Deputy Collectors.	From Government to Commissioner.	Government Resolutions, Revenue Department, No. 4347, dated 25th June 1902, and No. 608. dated 19th January 1907.	All cases.
410	To sanction reduction of assessment on account of deficiency of water for *pátasthal* irrigation.	From Government to Commissioner or Collector.	Government Resolution, Revenue Department, No. 1788, dated 7th March 1904.	To the extent specified in Government Resolution, Revenue Department, No. 6946, dated 3rd October 1902.
411	To transfer a *talátí* from one village of a *táluká* to another village of another *táluká*.	From Government to Collettor.	Government Resolutions, Revenue Department, No. 1217, dated 20th February 1902, and No. 5799, dated 20th July 1904.	The whole district. (The power is exercised only when a *talátí* is transferred for Record-of-Rights work. The power might be extended in all cases.)
412	To remit revised asssessment in excess of 100 per cent. on individual holdings.	From Government to Settlement Commissioner and Director of Land Records.	Government Resotion, Revenue Department, No. 2619, dated 26th March 1884.	Full powers. (Under orders contained in Government Resolutions, No. 5739, dated 29th October 1874, and No. 2619, dated 26th March 1884, enhancements of assessments at revision settlements in excess of 33 per cent. in the case of a *táluká* or a group of villages brought under the same maximum rate, 66 per cent. in the case of a single village, and 100 per cent. in the case of individual holdings are disallowed. Now, excesses in the case of *tálukás*, groups and villages come to notice at once, when the settlement report is submitted, but excesses in the case of individual holdings are not known until the *akarbands* are prepared and the detailed assessments are worked out. If they are then discovered, they have to be separately reported to Government for sanction to their remission. It is submitted that this is unnecessary. The calculation of assessment is a technical process carried out entirely under the orders of this office, and if Government lay down a principle the Settlement Commissioner may be trusted to see that it is followed. He may be empowered to remit excesses above 100 per cent. in the case of individual holdings without reference to Government.)
413	To sanction reduction of *jamábandi* owing to subdivision of survey numbers.	From Government to Collector.	Government Resolution No. 1788, dated 7th March 1904.	.....

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
414	To grant remission of lease money due on account of farms of miscellaneous land revenue.	From Government to Collector.	.....	Remission of a portion of the lease money in cases where the circumstances are exceptional and warrant such a course. The amount to be so remitted should be based on the careful scrutiny of farmer's account books, provided such books are kept in the regular course of business and are such as could well be relied upon. (Under this head come the following items of land revenue :— (1) Lease money due on *panchari* farms. (2) „ „ fishery farms. (3) „ „ *pan paban.* It sometimes happens that, owing to the varying circumstances of the water and the country, these farmers are put to immense losses in their farms, and though they are precluded by the conditions of the farm from claiming any compensation, it at times becomes necessary to grant them some relief *purely as an act of grace.*)
415	To restore *inám* lands relinquished to the prejudice of the real owner.	Ditto ...	.....	Some cases have recently come to notice in which *inám* lands have been relinquished to the prejudice of the real owners. The Collector after satisfying himself that injustice has been done to a certain party has requested the Commissioner to move Government to accord sanction to the restoration of the land as *inám.* The Collector may be empowered to deal with cases of this nature.
416	To appoint Mámlatdárs in leave vacancies.	From Commissioner to Collector.	Section 12, Bombay Land Revenue Code, 1879.	When a Mámlatdár proceeds on leave not extending beyond 6 months, the Collector may be authorized to appoint his successor. (The Collector is authorized at present to grant leave to a Mámlatdár, but the subsequent appointment, whatever its duration, is left to the Commissioner.)
		Ditto ...	Ditto ...	In privilege leave vacancies
417	To appoint Húzúr Treasurers	Ditto ...	Section 21, ditto and Government Resolution, Financial Department, No. 311, dated 10th March 1869.	All cases. (As the Húzúr Treasurer is a member of the Collector's establishment, it is desirable that he should be appointed by the Collector.)
418	To suspend *mukhtyárkars* and Resident Magistrates and to make appointments to acting vacancies.	Ditto ...	Section 32, Bombay Land Revenue Code, 1879.	..... (The Commissioner alone can exercise this power, but it would be conducive to efficiency of administration if this power were delegated to Collectors, who being on the spot would be in a better position to judge whether such a step is desirable in the interests of public service and Collectors can well be trusted to exercise this power with due care and caution Orders of suspensions should then be reported to the Commissioner with all possible diligence.)
419	To sanction appropriation of land for purposes other than those specially sanctioned under section 38, clause 1, of the Bombay Land Revenue Code.	Ditto ...	Section 37, ditto and Government Resolutions, Revenue Department, No. 555, dated 29th January 1901 and No. 9424, dated 3rd October, 1906.	Unlimited.
		Ditto ...	Ditto ...	Land of which the value is Rs. 100 and below.
		Ditto ...	Ditto ...	..... (Formerly reservation of land for village sites was considered to be an assignment under section 38, Land Revenue Code, and consequently by a special enactment by which the word "Collector" was substituted for "Commissioner" in that section, Collectors were empowered to sanction such reservations. But latterly it was held in 1906 that such reservations were considered to be appropriations under section 37 and not assignments under section 38 and consequently required to be sanctioned by the Commissioner. Whether an appropriation or an assignment, though this

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			is simply a technical difference, the Collectors can well be given this power. In fact in all cases the recommendation of the Collectors is, as a rule, accepted, and there was a time when Collectors were trusted to exercise this power, and it is not understood why they should not now be trusted to do so.) (No case is traceable in which the Commissioner refused sanction to such a reservation and it is not seen how he could be in a position to do so.) (This power was actually exercised by the Colonization Officer, Jamrao Canal, until the completion of survey operations. No useful purpose is served by referring such questions to the Commissioner in Sind, whose sanction is merely formal.)	
420	To sanction appropriation of disused village sites for agricultural purposes.	From Commissioner to Collector.	Section 37, Bombay Land Revenue Code, 1879.	..... (Collectors have been empowered to sanction assignments under section 38 of the Land Revenue Code and there appears no obvious reason why the powers now proposed should not be given too. In Upper Sind where new land is constantly coming under cultivation these references are by no means uncommon.)
421	To grant *inám* lands to village servants in exchange of those taken up for public purposes or rendered unfit from any cause.	Ditto ...	Section 38, ditto and Government Resolutions, Revenue Department, No 2868, dated 21st May 1881, and No. 3422, dated 12th May 1893, and Financial Department No. 720, dated 8th March, 1887.	.....
422	To prescribe rules for the regulation of the right of grazing on free pasturage lands.	Ditto ...	Section 39, Bombay Land Revenue Code, 1879.	Unlimited.
423	To accept relinquishments of land applied for after March in special cases.	Ditto ...	Section 74, ditto	.....
424	To sub-divide survey numbers below the prescribed minimum.	From Settlement Commissioner to Collector.	Section 98, ditto	Entirely.
425	To attach a village or share of a village on default of payment of land revenue assessment.	From Commissioner to Collector.	Section 159, ditto	Full power. (The Collector may be given this power. It is similar to that which he already exercises under section 144, the only difference being that the latter is for current dues and the former for arrears.)
426	To attach an *inám* village for arrears of revenue and to release it.	Ditto ...	Sections 159 and 162, ditto.	Full powers. (The Collector is in the best position on his local knowledge to determine whether the arrears cannot be recovered by processes other than attachment. Besides, the attachment is only contingent on the non-payment of revenue and is to end when all the arrears are recovered.)
427	To pass final orders on appeals under sections 203 and 204 of the Bombay Land Revenue Code.	Ditto ...	Sections 203 and 204, ditto.	The power to appeal under the Land Revenue Code obviously requires curtailment. As an example, may be quoted the instance of a superior holder applying to the Mámlatdár for assistance under section 86 to recover Rs. 7-7-0 rent from a tenant. The Mámlatdár refuses assistance. Appeal is made to the Assistant Collector. Appeal from his decision is made to the Collector, and again appeal is made to the Commissioner, the whole of the above appeals being the prelude to proceedings in a Civil Court and a pure waste of the time of the officers concerned. There should be no appeal whatever from the Collector's decision to the Commissioner in assistance cases. The time of Revenue Officers is far too much taken up by these *quasi*-judicial functions. Except against decisions under section 86, appeals under the Land Revenue Code are not common. It is in reference to this section especially that the right of appeal requires to be curtailed.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
428	To raise the security amount of head *kárkúns* and *shroffs*.	From Commissioner to Collector.	No. 3 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	..... (The Collector can easily know the circumstances which justify such raising.)
		Ditto ...	Ditto	Up to Rs. 5000.
429	To make free grant of land for religious, charitable, etc., purposes.	Ditto ...	Rule 12, ditto and Government Resolution, Revenue Department, No. 4347, dated 25th June 1902.	Subject to a limit of Rs. 50.
		Ditto ...	Ditto ...	Where the value of the land estimated as a revenue-free holding does not exceed Rs. 50 in each case. (It is desirable that the Collector, who is the Head of the district, should have the power of making revenue-free grants of small pieces for public purposes.)
		Ditto ...	Ditto ...	Entirely.
		Ditto ...	Ditto ...	Up to Rs. 100. (The powers would be very useful in connection with grants of lands to Local Boards, and an officer of the rank of a Collector can safely be trusted to use the power with discretion). (Under the present rules Collectors have no power at all to make revenue-free grants. They are best acquainted with the circumstances justifying the assignment.) (In small villages small plots of land are often required by people for building temples, *dharamsálás*, etc., and it will considerably reduce work if this power is granted to the Collector.)
		Ditto ...	Government Resolution, Financial Department, No. 720, dated 8th March 1887.	Rs. 100 in value.
430	To make revenue-free grant of land to a municipality, etc.	Ditto ...	No. 15 of the Rules under section 214 of the Bombay Land Revenue Code.	Powers now exercised by Commissioners. (As the purposes for which such permission is to be granted are of a public nature, Collectors may be invested with these powers.)
431	To grant occupancy of agricultural land on special terms.	Ditto ...	Rule 19, ditto	Entirely.
		Ditto ...	Ditto ...	Giving out occupancy of survey numbers at a reduced assessment, whatever the limit of assessment of such grant may be. If a limit is considered necessary, Rs. 500 may be imposed. (It may be observed that this need not be subject to the previous sanction of the Commissioner, whatever the limit of assessment of such grant. The subject has been discussed before and attention is invited to item No. 13 of Government Resolution, Revenue Department, No. 4347, dated 25th June 1902, by which the proposal was sanctioned, but subject to a limit of Rs. 100 assessment for each grant.)
		Ditto ...	Ditto ...	Original powers. (As in the case of land grants.)
		Ditto ...	Ditto ...	Powers now exercised by Commissioners.
432	To grant occupancy of salt marsh land for purposes of reclamation.	Ditto ...	No. 20, ditto	Powers of Commissioner.
433	To remit quarry fees when the materials are to be used for a religious or charitable purpose.	Ditto ...	Rule 39, ditto	Without any money limit.
434	To enforce recovery of arrears from defaulters by other means notwithstanding that their holding has been forfeited and disposed of without being sold.	Ditto ...	Rule 69, ditto	Without requiring previous sanction of the Commissioner.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
435	To classify villages for the purpose of fines for non-agricultural use.	From Commissioner to Collector.	Rule 71 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Powers of Commissioner.
436	To alter dates of instalments of land revenue.	Ditto ...	Rule 85 (*i*), ditto	..... [Rule 85 lays down dates on which agriculturists' instalments are to be paid. Under Rule 85 (*i*), however, the date can be altered with the sanction of the Commissioner to suit local circumstances. The sanction is merely formal and the Collector may be left to deal with the matter himself.]
437	To classify villages for purposes of instalments of land revenue.	Ditto ...	Rule 86, ditto	.....
438	To grant suspension of Fallow Rule 4, under which fallow land which has not paid assessment for four consecutive years is liable to assessment in the fifth year.	From Commissioner in Sind to Collector.	Commissioners' Special Circular No. 20.	..... (Under the present system, in tracts where there is a chronic deficiency of water, Fallow Rule 4 is suspended by the Commissioner on the recommendation of the Collector concerned. Invariably the Collector's recommendation is accepted, and he may as well be trusted to exercise this power in cases where he considers it necessary to do so.)
439	To grant *fasli* remissions including remissions of fallow assessment.	Ditto ...	Ditto No. 21	The rules are sufficiently clear. If in any case a doubt arises, reference may be made to the Commissioner, to whom otherwise only an annual return showing total remissions might be permitted.
		Ditto ...	Ditto ...	..... (Under the present system the vernacular lists showing each item for each *deh* are submitted to the Commissioner for sanction. Their bulk is usually considerable. The proposals made by the Collector are almost invariably sanctioned by the Commissioner and where any variation is made it is usually on account of some arithmetical or clerical error. The Collector is responsible for the whole of the scrutiny for the *jamábandi* of the district and the *fasli* remissions are, to say the least, not a more important item of the revenue work than the *jamábandi*. The change can be made without any risk and will result in a considerable saving of clerical labour.) (This is an important change. The submission of the lists to the Commissioner involves a great deal of labour. The Collector is almost invariably an officer with great personal experience of remission work but at the same time is sufficiently aloof to have some respect for the letter of the law. He is surely the right person to settle these matters. To cancel a remission after long delay is always a hardship so the less correspondence the better.) (The Commissioner's sanction to these remissions is purely formal. No doubt in some cases errors are pointed out by the Commissioner, but they are more or less of a technical nature. The Commissioner's office is, at best, but able to scrutinize remission statements as the vernacular papers do not accompany these statements, and the reduction in the amount of remission effected by their scrutiny of the statements is comparatively very small. It may be conceded that if the final authority of sanctioning remissions be vested in the Collector, he will undoubtedly give more attention to the work whereby all the errors may be avoided and, as a forwarding channel, it may be admitted that the statements are not so thoroughly examined as a portion of the scrutiny work is left to the head office. But as a final authority every attention is sure to be paid to the work, and all breaches of rules and orders pointed out and mistakes corrected.)
440	To sanction remission of assessment on account of diluvion and increase of assessment on account of alluvion in fixed leases.	Ditto ...	Commissioner's Special Circular No. 23.	Unlimited.
441	To restore to Government servants forfeited or relinquished lands or land in front of their existing occupancy.	Ditto ...	Ditto No. 45.	..... (Numerous references have to be made to the Commissioner every year.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
442	To grant land exceeding 100 acres without *malkanu* or for an amount below what the Collector considers to to be an equitable price.	From Commissioner in Sind to Collector.	Commissioner's Special Circular No. 45.	Original powers. (The Collector's power here should be considerably widened and restored to what it was originally.)
443	To grant land for *kuri* (tree) plantation free of assessment conditionally.	Ditto ...	Government Resolution, Revenue Department, No. 3513, dated 29th May 1882, and Commissioner's Special Circular No. 2.	Subject to rules. (For a short time the rules were interpreted as giving the Collector this power, but it has now been held otherwise).
444	To appropriate land for roads when no compensation has to be paid by Government for land taken up.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 6884, dated 4th October 1882.	Unlimited
445	To appropriate land for any public purpose other than roads when the assessment of Government assessed land appropriated does not exceed Rs. 5 per annum.	Ditto ...	Government Resolution, Revenue Department, No. 8558, dated 6th December 1882.	.....
446	To grant Government waste land in exchange for alienated land taken up for a public purpose.	Ditto ...	Government Resolution, Revenue Department, No. 6825, dated 25th September 1886.	..... (In this case the Collector's recommendation is invariably accepted and the Collector might well be given this power.)
		Ditto ...	Government Resolution, Revenue Department, No. 3422, dated 12th May 1893.	..... (This is an ordinary business transaction and may be left to Collectors.)
447	To assign Government land as service *inám* in exchange for service land enjoyed by the officiator being unfit for cultivation owing to any cause.	Ditto ...	Government Resolution, Financial Department, No. 720, dated 8th March 1887.	.....
448	To grant *inám* lands to village servants in exchange for those taken up for public purposes or rendered unfit for cultivation from any cause.	Ditto ...	Government Resolution, Revenue Department, No. 3422, dated 12th May 1893.	.....
449	To permit temporary removal of the original survey record from the survey record room.	Ditto ...	Commissioner, Central Division's No. R-2464, dated 16th June 1893.	..... (Collectors may be authorised to remove original record from the survey record room. References are required to be not infrequently made for the removal of such papers as *patasthal taktas* and *prati* books, which are generally required at the introduction of revision settlement. This sanction is purely formal and never refused.)
450	To remit expenses of sales of lands.	Ditto ...	Government Resolution, Revenue Department, No. 6575, dated 19th October 1900.	.....
		From Commissioner to Sub-Divisional Officer.	Ditto ...	Up to Rs. 500 in each case.
451	To sanction settlements in *inám* villages when the maximum rates have been already decided by Government for the Government villages of the *táluka*.	From Commissioner to Settlement Commissioner.	Government Resolution, Revenue Department No. 3691, dated 31st May 1902.	..... (This power was formerly exercised by the Survey and Settlement Commissioner (*vide* Government Resolution, Revenue Department, No. 5921 of the 16th November 1878), and was transferred to the Divisional Commissioners on the abolition of the late Survey Department. As the appointment of Settlement Commissioner has now been revived, the power may be retransferred to him.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
452	To grant in exchange Government waste land as *inám* when the land taken up happens to be inám land.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 4347, dated 25th June 1902.	..... (Under item No. 20 of Government Resolution No. 4347, dated 25th June 1902, the Collector has power to sanction exchanges in lieu of land taken up for public purposes. This power, however, does not include the power of granting Government waste land as *inám* when the land taken up happens to be *inám* land. Such cases have to be reported for orders. It would be nothing extraordinary if the Collector is given this power. The owner of property who parts with his *inám* land required for a public purpose would expect to have other *inám* land in exchange and would not take anything less and the Collector may be deemed to be the best judge of the merits of the case.)
453	To resume from the Karáchi municipality land required for public purposes.	From Commissioner in Sind to Collector of Karáchi.	Government Resolution, Revenue Department, No. 6641, dated 11th July 1906.	Unlimited. (Collector should exercise this power as in point of fact he had in the past.)
454	To sanction commutation by lump payment of assessment payable annually on land in Karáchi.	Ditto ...	No. 8 (2) and 9 (*b*) of the Land Sales Rules of the Karáchi Municipality sanctioned by Government.	Unlimited.
455	To commute assessment due on land by lump payments.	From Commissioner to Collector.	.....	Subject to rule.
456	To sanction demarcation of *kacho pako* land.	From Commissioner in Sind to Collector.	.....	..... (Collector's proposals are always accepted.)
457	To cancel agreements of restricted tenure and to order forfeiture of Government land.	Ditto ...	.....	.....
458	To appoint head munshis and to grant leave to them.	Ditto ...	Commissioner's Special Circular No. 5.	..... (The Collector at present has power to appoint his head clerk, whose salary is Rs. 150, but not his head munshi, whose salary is Rs. 100. In an appointment of this sort a Collector will obviously endeavour to appoint a man who is in his opinion fitted for the post, and as the appointment is one in which his individual convenience is as much affected as the conduct of public business, he should have full authority to make this appointment.)
459	To approve of the appointment of head munshis to Collectors.	Ditto ...	Ditto ...	Unlimited. (The Collector selects his own head clerk and the present position is anomalous.) (As a rule, the Collector or Deputy Commissioner's recommendation is accepted by the Commissioner, and this power can in all fairness be delegated as the officer concerned will be in the best position to select a man for the vacant post.)
460	To transfer *kárkúns* from one *táluka* to another in the same sub-division.	From Collector to Sub-Divisional Officer.	Section 21, Bombay Land Revenue Code, 1879.	In respect of *kárkúns* on Rs. 25 or less subject to Collector's standing orders.
461	To transfer *talátis* from one village to another in the *táluka*.	From Collector to Mámlatdár.	Ditto ...	The Mámlatdárs should immediately report his orders to the Assistant Collector.
462	To issue notice demanding money, papers, etc., belonging to Government which are in charge of a subordinate Revenue Officer.	Ditto ...	Section 25, ditto ...	Power of issuing a notice should be delegated so far as those who are or have been the Mámlatdár's subordinates are concerned. (Such cases are not many, but the fact that a certain Revenue Officer owes money to Government and has certain Government papers is ascertained fully by the Mámlatdár, and he should be empowered to take the necessary action without reference to the Collector under sections 25 and 26.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
463	To issue search warrants for the purpose of recovering public papers or money.	From Collector to Mámlatdár and *Mahálkari*.	Section 26, Bombay Land Revenue Code, 1879,	.....
		From Collector to Mámlatdár.	Ditto ...	Full powers.
464	To appoint, fine, reduce and dismiss *kotars*, *tapedárs*, supervising *tapedárs*, *táluka peons* and *náiks*, and to grant leave to them.	From Collector in Sind, to *Mukhtyárkar*.	Section 32, Bombay Land Revenue Code, 1879, and Commissioner's Special Circular No. 5.	.....
465	To fine Mámlatdárs' and *mahálkaris'* establishments.	From Collector to Mámlatdár and *Mahálkari*.	Section 32, Bombay Land Revenue Code, 1879.	Up to Rs. 2 in the case of all members of the establishment with the exception of Head Kárkúns. (They have these powers at present in respect of peons.)
466	To permit the cutting and lopping of road-side trees.	From Collector to Mámlatdár.	Section 42, ditto ...	Entirely.
		From Collector to Mámlatdár and *Mahálkari*.	Ditto ...	..... (It is possible that a tree or its branch may be in danger of falling on a dwelling house or a public road during monsoon. It is desirable that the Mámlatdár or *mahálkari*, who is a local officer, should have the power to do the needful without loss of time.)
		Ditto ...	Khándesh Circular No. A-7 of 1886.	..... (Under the existing orders the power vests in the *Pránt* Officers; but the practice involves unnecessary correspondence between the *Pránt's* and the Mámlatdár's offices. The Mámlatdárs have often to travel in their charge and they are the best persons to judge whether there is an obstruction to the road.)
467	To recover revenue from a *khátedár* or any other person who has cut any green tree.	From Collector to Mámlatdár.	Section 43, Bombay Land Revenue Code.	The estimate of the value of the tree should be made personally by the Mámlatdár or his *aval-kárkún* in the case disposed of.
468	To receive and dispose of applications for taking water from wells and tanks in case of drought and to levy rates for water.	Ditto ...	Section 55, ditto ...	Entirely.
469	To grant permission to appropriate agricultural lands to non-agricultural purposes.	From Collector to Sub-Divisional Officer.	Section 65, ditto ...	..... (The Collector can delegate this power to the Sub-Divisional Officers, but in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Sub-Divisional Officers.)
470	To give out building-sites in small villages.	Ditto ...	Ditto ...	..... (Such villages can be visited but rarely by the Collector, who has therefore either to decide applications upon his Assistant's report, which is a very difficult task, or to defer his decision until he visits the village, which occasions much delay. The difficulty of obtaining the Collector's decision in these cases is one of the chief reasons of the numerous encroachments in small villages. Any officer fit to have charge of a division can decide these questions better on the spot than the Collector can from a correspondence.
471	To give permission to use land for purposes other than agricultural except building purposes.	From Collector to Mámlatdár.	Ditto ...	..... (The Collector sanctions the use of the land on the recommendation of the Mámlatdár and the sanction is generally formal.)
472	To receive applications from registered occupants for appropriation of land from agricultural to non-agricultural purposes and to furnish an acknowledgment therefor.	From Collector to *Mukhtyárkar*.	Ditto ...	..... (The *mukhtyárkars* might be authorized to receive such applications and to furnish receipts to the applicants and then submit papers for the Collector's orders.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
473	To change names in Government records on the death of registered occupants.	From Collector to Sub-Divisional Officer and Mámlatdár.	Section 71, Bombay Land Revenue Code, 1879.	In all cases. Mámlatdár in case of heirs in direct lines. Sub-Divisional Officer in other cases. (The *khátedár* is now a nominal person and the power is not so important with the record-of-rights now in existence to check the entries.)
		From Collector to Mukhtyárkar.	Ditto ...	..... (The *mukhtyárkars* might be empowered to enter in Government records the name of the principal heir on the death of registered occupant.)
474	To dispose of the occupancy of an intestate landholder.	From Collector to Sub-Divisional Officer.	Section 72, ditto ...	..... (The Collector can delegate this power to the Sub-Divisional Officers; but in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Sub-Divisional Officers.)
		From Collector to Mámlatdár.	Ditto ...	Up to Rs. 50 in each case. (The Assistant Collector or the Collector rarely differs from the Mámlatdár in his proposals. Much correspondence will be saved by the delegation of these powers to Mámlatdárs. Any party aggrieved can appeal to the Collector and can also, if he wishes, apply to a Civil Court.)
475	To exercise the powers of the Collector as regards restricted tenure.	From Collector to Sub-Divisional Officer.	Sections 73A and 79, ditto.	Entirely.
		From Collector to Mámlatdár.	Section 73A, ditto	Between *bonâ fide* agriculturists. (The Mámlatdár being in direct touch with the people knows better the circumstances leading to the transfer and the sanction of the Collector is only formal. The proposed delegation would save much correspondence.)
		Ditto ...	Ditto ...	All kinds of relinquishments.
476	To order distraint and sale of a defaulter's property in an alienated village.	From Collector to Mámlatdár and *Mahálkari*.	Section 90, ditto ...	..... (Under section 154 of the Land Revenue Code, the power of distraint and sale of the defaulters' movable property in an unalienated village can be delegated by the Collector to Mámlatdárs and *mahálkaris*—*vide* Government Resolution No. 5954 of 31st August 1891. The Collector may be authorized to delegate his powers under section 90 with respect to alienated villages to Mámlatdárs and *mahálkaris* in view of the fact that a considerable number of *inámdárs* will now be invested with powers under section 88 of the Land Revenue Code as desired by Government in their Resolution No. 6984 of 6th July 1907.)
		Ditto ...	Ditto ...	When the value of the property sold does not exceed Rs. 50.
477	To receive reports of *inámdárs* holding commission about attachment of defaulters' property and to cause the movable property attached to be sold.	Ditto ...	Ditto ...	The movable property attached. (Before sanction could be accorded by the Collector in a certain case in the Kolába district, the occupant sold the standing crops to another man and so the attachment could not be made. Much delay would have been obviated if the Mámlatdár had held these powers.)
478	To make partition of an estate paying land revenue to Government.	Ditto ...	Section 113, ditto ...	The partition should be made when there is no disagreement between the parties concerned.
479	To sanction partition and corrections of survey records due to partition.	From Collector to Mámlatdár.	Sections 113 and 114, ditto.	In cases where all parties agree to the partition.
480	To issue precautionary notices to individuals with a view to secure the payment of land revenue.	Ditto ...	Section 141, ditto ...	.....
481	To place watchmen over crops and to realize the amount required for their remuneration as an arrear of land revenue.	From Collector to *Mukhtyárkar*.	Section 141 (*c*), ditto	..... (Power under section 141 (*a*) and (*b*) is already exercised by *mukhtyárkars*—*vide* Commissioner in Sind's No. 1578 of 5th May 1896 to the address of the Collector of Karáchi.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
482	To adopt precautionary measures for the security of land revenue.	From Collector to Mámlatdár.	Sections 141 and 143, Bombay Land Revenue Code, 1879.	Full powers. (Unnecessary correspondence with the Collector will be saved. The Mámlatdár can exercise these powers without inconvenience.)
483	To relinquish precautionary measures on security being furnished.	From Collector to *Mukhtyárkar*.	Section 145, ditto ...	..... (A *mukhtyárkar* of a *táluka* knows in what circumstances precautionary measures have been adopted, and he might be authorized to relinquish such precautionary measures as soon as satisfactory security is furnished for the payment of the land revenue, at the same time making a report to the Collector.)
484	To confirm the sale of a defaulter's movable property.	From Collector to Mámlatdár and *Mahálkari*.	Section 154, 155 and 179, ditto.	The power should be restricted to the execution of orders in assistance cases.
485	To sanction the sale of a defaulter's movable property.	From Collector to Mámlatdár.	Section 171, ditto ...	When the value of the property sold does not exceed Rs. 50.
486	To grant certificates of sale of any occupancy or alienated holding.	From Collector to Sub-Divisional Officer.	Section 181, ditto ...	..... (The Collector can delegate this power to the Sub-Divisional Officers; but in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Sub-Divisional Officers.)
		From Collector to Mámlatdár.	Ditto ...	Full powers. (The sale having been sanctioned by the Collector, putting a man in possession of the land and granting him a certificate of purchase are matters which follow as a matter of course when land is sold under a decree of the Civil Court.)
487	To execute the service of summonses under the Land Revenue Code from other districts.	Ditto ...	Section 190, ditto ...	Summonses may be sent direct from the issuing Court to the Mámlatdár of the *táluka* in which the person to be served is reported to be living. (In about 50 cases summonses were received in the Poona District from other districts in 1906. These summonses are forwarded through the Collectors for the sake of mere formality and crusted routine. The procedure ensures the maximum of delay and consequent maladministration at the maximum amount of trouble to everyone.)
488	To execute the service of notices under the Land Revenue Code and of Civil Court's decrees from other districts.	Ditto ...	Section 191, ditto ...	Notices may be sent direct from the issuing Court or office to the Mámlatdár, of the *táluka* within whose jurisdiction the person upon whom the notice is to be served resides. (It is a practice to send all such notices through the Collector of the district though the law does not seem to require it. The work of Civil and other Courts is ridiculously hampered by the circumambulation of summonses, and not only would there be an immense saving of work but also of time.)
489	To pass final orders on appeals against decisions in assistance cases.	From Collector to Assistant Collector.	Sections 203 and 204, ditto.	In reference to decisions under section 86 there should be no right of appeal to the Collector if the dues in question do not exceed Rs. 25 in value. (In such petty cases one appeal from the Mámlatdár to the Assistant Collector is amply sufficient and the aggrieved party has his remedy in a Civil Court.)
490	To call for and examine proceedings of subordinate officers in any matter in which formal or summary inquiry has been made.	From Collector to Sub-Divisional Officer.	Section 211, ditto...	In the case of summary inquiries to the full extent. In the case of formal inquiries report should be made to the Collector. (This delegation is necessary to secure proper supervision of work done by subordinate officers.)
491	To hold auction sale of *bhatha* land and fix the rate in such cases.	Ditto ... From Collector to Mámlatdár.	Ditto ... No. 21 of the Rules under section 214 of the Bombay Land Revenue Code.	Powers now exercised by Collector. Up to Rs. 50, subject to the proviso that the highest bid is not less than the average of the past three years.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
492	To hold auction sale of *bhatha* lands, *singhodi* cultivation, grass, fruit, etc.	From Collector to Mámlatdar.	No. 21 of the Rules under section 214 of the Bombay Land Revenue Code.	..... (The present rule is that the Mámlatdár can sanction sales for less than Rs. 50 in certain cases. The system should be revised. upset prices being fixed per acre or per tree, etc., for *tálukas* or even villages according to the thing being sold, auctions realising less being reported for sanction of higher authority. At present the Mámlatdár can sanction the sale of 500 acres of grass for Rs. 5, but not order sanction if Rs. 51 is bid for ten acres.)
493	To sanction sale of movable property belonging to Government to an amount not exceeding Rs. 10.	From Collector to *Mukhtyárkar*.	Rules 37, 38, and 39, ditto.	In each case the sale will be reported to higher authority, but will not require confirmation. (At present auction sales of articles such as a branch from a road-side tree require confirmation of higher authority. If *mukhtyárkars* could sell outright in such cases, the prices realised would probably be better and the bidders' convenience would be met. The necessity of reporting all such cases would act as a check on any improper use of the powers.)
494	To sanction sale of movable property and grazing and trees.	From Collector to Mámlatdár.	Ditto ...	Up to Rs. 100. (At present the Mámlatdár sanctions sales up to Rs. 50. The sales are conducted by the Mámlatdár and the papers are submitted for sanction; with a view to secure speedy despatch and reduction of official correspondence the powers of sanctioning sales up to Rs. 100 may be given to Mámlatdárs.)
		From Collector to Mámlatdár and *Mahálkari*.	Ditto ...	Collectors might be empowered to extend the powers of the Mámlatdár and *mahálkari* to cases where upset price is not fixed.
495	To sanction miscellaneous revenue auctions.	From Collector to Mámlatdár.	Ditto ...	Rs. 100. (Above Rs. 50, Collector's sanction is required. The proposed raising of the limit would curtail considerable correspondence in the office of the Collector.)
496	To dispose of earth, stone, or other material which is the property of Government.	From Collector to *Mukhtyárkar*.	Rule 39, ditto ...	The *mukhtyárkar* may exercise this power in regard to articles the rates of fees for which are prescribed in the table given at page 339 of Sathe's Land Revenue Code, and to articles the rates of fees for which may have been prescribed by the Collector.
497	To enter in revenue records the names and share of co-occupants of a registered occupant.	Ditto ...	Rule 96, ditto ...	..... (This power might well be delegated to the *mukhtyárkar*, who, as a matter of fact, already exercises it under section 5 of the Record-of-Rights Act, 1903.)
498	To accept applications for remission after the prescribed dates or by persons other than registered occupants.	Ditto ...	Ditto ...	Subject to appeal and revision.
		From Collector to Sub-Divisional Officer.	Commissioner in Sind's Special Circular No. 21.	Unlimited. (This is a matter in which the Assistant or Deputy Collector ought to be allowed to exercise his discretion.)
		Ditto ...	Ditto ...	..... (It is of supreme importance that all petitions for remission which are accepted should be early disposed of. The number of technically irregular petitions (*e.g.*, those made a day late, or made by heirs of deceased *khatedárs* whose *khatabadal* have not yet been made) is numerous. Much correspondence will be saved by the the delegation of these powers to the Sub-Divisional Officer, who will record his reasons for his decisions.)
499	To issue notices in cases in which the Collector orders the auction of a defendant's immovable property in the execution of a Civil Court decree.	From Collector to *Mukhtyárkar*.	Ditto, No. 61 ...	..... (The Collector orders the sale and the *mukhtyárkars* can well issue notices.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
–1	2	3	4	5
500	To grant permission to cut trees in service *inám* lands.	From Collector to Mámlatdár and *Mahálkari*.	Government Resolution, Revenue Department, No. 6376, dated 9th September 1890.	In all cases.
501	To exempt village accountants from undergoing survey tests.	From Collector to Sub-Divisional Officer.	Government Resolution, Revenue Department, No. 5698, dated 12th August 1901.	In all cases.
502	To grant suspension and remission of land revenue in in *tálukdári* estates.	From Collector from *Tálukdári* Settlement Officer.	Government Resolution, Revenue Department, No. 650, dated 22nd January 1907.	To pass orders regarding suspension and remission in *tálukdári* estates in conformity with the rules in Government Resolution, Revenue Department, No. 650 of 22nd January 1907. (This proposal was once made but negatived by the Commissioner in his No. 3537 of 1st September 1906. The point is worth reconsidering. The *Tálukdári* Settlement Officer is in possession of all the necessary information for the purpose of working out the rules, and if the Collector's sanction is considered necessary, it will be of a formal nature and will cause delay and multiply correspondence. The *Tálukdári* Settlement Officer is practically an Assistant to the Collector of each district in regard to the operation of certain sections of the Land Revenue Code extended to all the *tálukdári* villages; in this capacity the *Tálukdári* Settlement Officer may have powers under item No. 15 of Government Resolution No. 5941, dated 26th August 1902, Revenue Department, delegated to him by the Collector. As however the *Tálukdári* Settlement Officer has to work in many districts, the question is a general one and uniformity may be desired.)
503	To sanction postponement of land revenue.	From Collector to Sub-Divisional Officer.	Government Resolution, Revenue Department, No. 650, dated 22nd January 1907.	Up to Rs. 200. (When an important crop fails, the disposal of applications for postponement becomes a heavy burden. The delegation of this power to the Sub-Divisional Officer will greatly lessen the amount of work, confusion and delay. He is best acquainted with the small *zamíndárs* of his charge, and in point of fact his recommendations in their cases are nearly always accepted.)
		From Collector to *Mukhtyárkar*.	Ditto ...	Up to a limit of Rs. 50 in each case.
504	To make corrections in village and revenue forms.	From Collector to Sub-Divisional Officer.	Practice	Unlimited.
505	To dispose of all matters affecting village establishments other than pensions.	From Collector to Assistant or Deputy Collector.	Practice	Unlimited. (The Assistant and Deputy Collectors have already been given these powers in some districts.)
		Ditto ...	.....	..... (The Collector has a very limited knowledge of the village establishment and depends practically upon the views of the Sub-Divisional Officer concerning them. The proposed delegation of powers will lay responsibility on the Sub-Divisional Officers with whom it really rests and strengthen their authority.)
506	To re-grant *naubati* and *bezari* lands to the former owner.	From Collector to Sub-Divisional Officer in Sind.	.. ...	..... (Where the Sub-Divisional Officer has power to give out land permanently, such power is already exercised by him, but inasmuch as the regranting *naubati* and *bezari* lands to former *khátedárs* is a formal matter, this power should be given to all Sub-Divisional Officers indiscriminately. It would save much correspondence.)
		From Collector to *Mukhtyárkar*.	.....	On payment of fallow assessment. (Restoration on payment is a matter of course and correspondence is waste of time.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
507	To grant remission of arrears of attachment expenses of lapsed *khoti* villages.	From Collector to Sub-Divisional Officer.	.....	Up to Rs. 50 in each case.
508	To sanction annual statements of *jágir* cess assessed.	From Collector to Sub-Divisional Officer in Sind.	.....	.....
509	To enter in revenue records the names of direct and collateral heirs of holders of personal *ináms*.	From Collector to Mámlatdár.	.....	.....
510	To assign serial numbers to *dehs* on addition to or transfer from the existing number of *dehs* in a *táluka*.	From Collector to *Mukhtyárkar*.	.....	.....
511	To dispose of dead trees on Government land.	Ditto ...	.....	.....
512	To sanction entry as registered occupants of all persons purchasing lands in auction or effecting subdivision of survey numbers by order of a Civil Court.	Ditto ...	.....	..... (This will obviate delay whilst the exercise of such powers cannot easily be abused.)
513	To order that assessment be on cultivated area only and to sanction excess cultivation in *khasmokal* grants.	Ditto ...	.....	When the excess or defect is within 10 per cent. (It is only in cases where the excess or defect is great that any important question arises. Petty differences cause much trivial correspondence.)
514	To appoint *táluka* and *mahál* peons.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Section 21, Bombay Land Revenue Code, 1879.	..... (Mámlatdárs and *mahálkaris* at present have powers of appointing Ugranis on the maximum pay of Rs. 6 and they may with advantage be empowered to appoint *peons* whose pay is Rs. 7. The Collector can delegate this power to the Mámlatdárs and *mahálkaris*. But in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Mámlatdárs and *mahálkaris*.)
		Ditto ...	Ditto ...	Entirely.
515	To sell minor rights in Government land, such as produce of trees, sand, earth, grass, etc.	Ditto ...	Section 41, and Rules 37 and 39 under section 214, of the Bombay Land Revenue Code, 1879.	Up to Rs. 100. (Under the existing orders the sales of grass in *Padit* lands are sanctioned by the Assistant and Deputy Collectors. In the months of August and September a number of correspondences on the subject are received in the *Pránt's* office and the *Pránt* Officer finds it difficult to give his minute attention to each of them and the correspondences are sent backwards and forwards for some time before the sale is confirmed. The Mámlatdár is the best judge to determine whether the price fetched is adequate or otherwise, according to the demand for grass and its growth. The Mámlatdárs and *mahálkaris* have already been authorised to confirm sales up to Rs. 50.)
516	To fix assessment on alluvial land and land used for melon beds.	Ditto ...	Section 52, ditto ...	..... (Now that the agency of survey-knowing *kulkarnis* and circle inspectors has been established in each *táluka*, the Mámlatdár can safely be entrusted to fix the assessment in the case of temporary occupation of such lands as it will lessen the correspondence in the offices of the Assistant and Deputy Collectors. In the case of permanent occupation the assessment is fixed by the Survey Department according to survey rules.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
517	To deal with encroachments on Government lands.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Section 61, and Rules 37 and 39 under section 214, of the Bombay Land Revenue Code, 1879.	Deciding the question of the levy of assessment, fine, etc., provided that the measures of eviction are adopted in case of necessity with the previous orders of the Sub-Divisional Officers. (A large number of petty cases are now entered in the *takrári patraks* and are decided at the time of jamábandi by the Sub-Divisional Officer and a few cases form the subject-matter of separate correspondences. Rules about levy of assesement are clear. Mámlatdárs and *mahálkaris* may safely be trusted to use their discretion wisely in imposing fine. The question of eviction is more important. This power will remain with the Sub-Divisional Officers.)
		From Sub-Divisional Officer to *Mukhtyárkar*.	Ditto ...	..... (Reports of unauthorised cultivation are dealt with by officers doing *jamábandi*, but in the Hyderabad district and probably in other Sind districts a scale of fines for unauthorised cultivation has been prescribed. So the power of dealing with the cases of unauthorised cultivation may be delegated to *mukhtyárkars*, who should, however, report exceptional cases which may not come within the purview of the prescribed scale.)
518	To fine and evict in cases where Government or public land is encroached upon.	From Sub-Divisional Officer to Mámlatdár.	Ditto ...	As regards encroachment made for purposes of cultivation only.
519	To dispose of alluvial lands	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Sections 63 and 64, ditto.	..... (As the Land Revenue Code has prescribed the amount of occupancy price, etc., to be levied in such cases, Mámlatdárs and *mahálkaris* may be invested with these powers.)
520	To grant unalienated unoccupied lands for temporary cultivation.	Ditto ...	Section 68, ditto ...	For a period of one year. (To grant lands for temporary cultivation for one year is not a matter requiring consideration by an officer higher than a Mámlatdár or *mahálkari*. The power may safely be delegated to Mámlatdárs and *mahálkaris*.)
521	To change names in revenue records on the death of registered occupants.	From Sub-Divisional Officer to Mámlatdár.	Section 71, ditto ...	In their entirety, but only appeal should lie to the Assistant and Deputy Collectors. (These are only formal inquiries and are conducted by the Mámlatdárs. They are now well educated and many are graduates. They may pass orders. As appeals lie, these powers may be delegated to the Mámlatdárs.)
		Ditto ...	Ditto ...	Full powers in all cases. (At present Mámlatdárs sanction only simple cases and in others obtain orders of Sub-Divisional Officers.)
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Ditto ...	..... (The practice in the West Khándesh district is that in the case of direct heirs such as son, the entry of the name is ordered by the Mámlatdár and in the case of collateral heirs, reports are made to the *Pránt* for orders. The *Pránt's* office is burdened with a number of such correspondences daily. It is suggested that the Mámlatdár should have free hand in these matters subject to appeal. The Collector should issue such circulars as would give a fair idea in the matter.)
		Ditto ...	Ditto ...	The power to enter the names of direct or indirect heirs in the case of Government *rayatwari* lands and the power to enter the names of heirs in the case of ináms other than service ináms.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
				(The Assistant Collector or the Collector rarely differs from the Mámlatdár in his proposals. Much correspondence will be saved by the delegation of these powers to Mámlatdárs. Any party aggrieved can appeal to the Collector and can also, if he wishes, apply to a Civil Court.)
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Section 71, Bombay Land Revenue Code, 1879.	The power should be confined to the entries of the names of heirs of deceased shareholders when there is no dispute. (At present *kabuláyats* are delayed for want of sanction of the Sub-Divisional Officers. This delegation would be merely of the nature of ordinary heirship inquiry which Mámlatdárs are at present empowered to make.)
522	To determine field boundaries.	Ditto ...	Section 119, ditto...	..... (In the case of surveyed villages the record is complete and is in charge of the Survey Office and, therefore, such disputes can be settled by the Mámlatdár by referring to survey records.)
523	To issue notices to *rayats* for repairing boundary marks.	Ditto ...	Section 122, ditto...	..... (This power is not of such importance as to be retained by the Sub-Divisional Officers.)
		From Sub-Divisional Officer to Circle Inspector.	Ditto ...	.....
524	To prevent the removal of crops in cases in which the land has been sold, etc., until the current year's land revenue due thereon is paid.	From Sub-Divisional Officer to *Mukhtyárkar*.	Section 140, ditto...	..... (The *mukhtyárkar* being on the spot can very well exercise this power as soon as he finds that there is any fear of the land revenue not being paid.)
525	To take precautionary measures for securing land revenue.	Ditto ...	Sections 140, 141 (*c*), 143 and 145, Bombay Land Revenue Code, 1879, and Commissioner in Sind's No. 1578, dated 1st May 1896.	Subject to appeal and revision.
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Sections 140 and 143, Bombay Land Revenue Code, 1879.	..... (The power is at present vested in the Assistant and Deputy Collectors. Before this power is exercised by the *pránt* upon a report from the Mámlatdár, in practice the order is generally carried out before regular order is received. The Mámlatdár is the first person to know who is likely to make default and he can take immediate steps to prevent removal of the crops.)
526	To assess or remit ¼ penalty on defaulters of land revenue.	Ditto ...	Section 148, ditto...	..... (Such cases relate to individual *rayats*; the case of each individual *rayat* is at present reported by the Mámlatdár to the Sub-Divisional Officer, who generally decides as recommended by the Mámlatdár, as the latter is expected to be intimately acquainted with the circumstances of the individual *rayat*.)
527	To forward certificates for recovery of land revenue arrears to the Mámlatdárs of other districts.	From Sub-Divisional Officer to Mámlatdár.	Section 149, ditto...	Entirely.
		Ditto ...	Ditto ...	..... (Under section 149, Land Revenue Code, it is the Collector or Assistant or Deputy Collector who can certify such statements of accounts. Very many such references are received by the Assistant Collectors and Collectors. The Collectors have no means for verifying the facts. It would effect a great saving in correspondence if the powers to certify accounts under section 149, Land Revenue Code, be conferred by law, as it rests, in fact, on Mámlatdárs. An amendment of the law will, however, be necessary.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari.*	Section 149, Bombay Land Revenue Code, 1879.	..... (The Mámlatdárs and *mahálkaris* are officers responsible to collect arrears of land revenue and their certificate may be accepted in other collectorates.)
528	To issue notices of forfeiture of an occupancy or alienated holding in respect of which an arrear of land revenue is due.	From Sub-Divisional Officer to Mámlatdár.	Section 153, ditto...	Only issuing the notices. (The power of declaring lands forfeited will vest in the Collector or the Assistant or Deputy Collector as at present. Issuing these notices is only a formal step preliminary to forfeiting lands and this power may be left to the Mámlatdárs and *mahálkaris.*)
		Ditto ...	Ditto ...	Power of signing. (This work can well be done by the Mámlatdár if the notices are prepared by him and formally signed by the Sub-Divisional Officers.)
		Ditto ...	Ditto ...	Full power.
		Ditto ...	Ditto ...	..... (This measure has often to be resorted to and there seems no objection to the Mámlatdárs issuing the notices of *intended* forfeitures as the *final orders* of such forfeitures rest with the Sub-Divisional Officer. It will reduce much work in the offices of the Sub-Divisional Officers, etc. The sooner the notices are issued the more speedily the recoveries can be effected, and it will thus strengthen the hands of the Mámlatdárs to take action on the spot in cases of contumacious defaulters.)
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari.*	Ditto ...	The signing of notices on receipt of orders of superior officers.
		From Sub-Divisional Officer to *Mukhtyárkar.*	Ditto ...	To the extent of issuing proclamations.
529	To issue proclamations of the intended sale of moveable property.	Ditto ...	Section 165, ditto...	Subject to appeal and revision.
		Ditto ...	Ditto ...	..... (When arrears of land revenue are not paid, the attachment of moveable and immoveable property is always made by an Assistant Collector and it is he or the Collector who orders the sale of the property so attached. When once such an order has been made, there is no objection if the proclamation of sale is issued by the *mukhtyárkars.* Under the present system these proclamations are issued by the Assistant Collector, but the *mukhtyárkars* can very well do this sort of work.)
530	To sign notice of eviction under section 202 of the Bombay Land Revenue Code.	Ditto ...	Section 202, ditto...	In cases in which the Assistant or Deputy Collector has given orders for eviction from an encroachment.
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari.*	Ditto ...	.....
531	To recover arrears of land revenue or sums recoverable as arrears of land revenue under Act I of 1890.	From Sub-Divisional Officer to Mámlatdár.	Section 3 of the Revenue Recovery Act, 1890.	..... (For recoveries in the City of Bombay and other places outside the Bombay Presidency, numerous references are received in the Collector's Office. An amendment of the law would be necessary. The real initiative both in issuing the certificate and in executing it is with the Mámlatdár. This should be recognized by the law.)
		Ditto ...	Ditto ...	..... (It should be possible for the Collector to delegate this power to any Revenue Officer down to a Mámlatdár.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlatdár.	Section 3 of the Revenue Recovery Act, 1890.	Full powers. (At present such notices are sent by the Collector to the Collector of the district in which the defaulter lives. This procedure requires unnecessary time and labour.)
532	To take proceedings for the recovery of land revenue from defaulters living in another district.	Ditto ...	Section 5, ditto ...	Full powers.
533	To issue, or withdraw, a proclamation prohibiting the transfer of immoveable property of a defaulter.	Ditto ...	Section 6 (*1*) and (*2*), ditto.	Full powers.
534	To sanction the sale of Government waste lands.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	No. 17 of the rules under section 214 of the Bombay Land Revenue Code.	Settling the upset price of Government waste lands in such localities as may be fixed by the Collector and sanctioning bids, provided they are not less than the upset price. (The localities to be fixed by the Collector will be those where there is no keen demand for lands.)
535	To hold auction sale of *singhodi*.	From Sub-Divisional Officer to Mámlatdár.	Ditto ...	Power to sanction, provided the highest amount bid is not less than the average of the preceding three years.
536	To sell by auction produce of Government trees and grazing when the final bid does not exceed Rs. 30.	From Sub-Divisional Officer to *Mukhtyárkar*.	Rules 37 and 38, ditto.	.....
537	To appoint *tapedárs' kotárs*	From Assistant or Deputy Collector to *Mukhtyárkar*.	Commissioner in Sind's Special Circular No. 28.	..... (The *mukhtyárkars* have already powers to appoint their own peons. There appears no reason why the *kotárs* should not be appointed by them.)
538	To sub-divide survey numbers below the prescribed minimum.	From Assistant Collector to *Mukhtyárkar*.	Ditto, No. 54 ...	..... (A sufficient check can be exercised by the Assistant Collectors on inspection of the records.) (Sub-Division is seldom asked for without very good reason and little harm is done even if it is sanctioned too freely.)
539	To remit notice fee charged by mistake.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*. From Sub-Divisional Officer to *Mukhtyárkar*.	Government Resolution Revenue Department, No. 2459, dated 26th March 1883. Ditto ...	..... (This item does not exceed 4 or 8 annas in each case. The Mámlatdár issues a notice and he knows the circumstances of the defaulter.) .....
540	To recover measurement expenses.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Practice	..... (In cases of disputes of boundaries of fields Mámlatdárs might recover measurement charges when it is necessary that measurement should be done.)
541	To direct the measurement of lands for the location of displaced boundary marks on the application of private persons.	From Sub-Divisional Officer to Mámlatdár.	.....	Mámlatdárs may order measurements by the Circle Inspector on such application. (There were about 100 such applications in 1906 in the Poona district. All these cases have invariably to be referred to the Mámlatdárs who take all further necessary action. The Mámlatdárs need not be authorized to settle disputes concerning boundary marks.)
542	To grant remission of assessment on lands washed away or deteriorated by salt dust or diluvion.	Ditto ...	.....	The Mámlatdár should sanction these remissions after personally satisfying himself of the facts and submit a report immediately to the Collector. (These remissions are so frequent in the Broach district owing to the tidal nature and change in the course of the Narmada that the Sub-Divisional Officers have hardly time to look to the damage themselves and have to depend upon the reports of Mámlatdárs.)
543	To order forfeiture of time-expired fallow lands.	From Sub-Divisional Officer to *Mukhtyárkar*.	.....	..... (At present Assistant and Deputy Collectors exercise the power, but the work is not done promptly on account of the correspondence between the *mukhtyárkars* and the Assistant Collectors.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
544	To grant *bezavi* and fallow forfeited lands.	From Sub-Divisional Officer to *Mukhtyárkar*.	.....	..... (Applications for restoration of such lands may be dealt with by the *mukhtyárkar* and he may dispose of such land to original occupants unless there is dispute, in which case he must obtain the Assistant or Deputy Collector's order.)
545	To dispose of *kacha* lands on yearly tenure.	Ditto ...	.....	..... (A *mukhtyárkar* may sanction any area which had in the previous year been granted to the applicant. A claim for a new *kacha* or for an area previously cultivated by another party should be sent to the Assistant Collector for orders.)
546	To dispose of applications for transfer of *khata* in cases other than those in which parties agree to mutation.	Ditto ...	.....	Except in cases of doubt and dispute, when orders of the Assistant or Deputy Collector should be obtained.
547	To grant permission to construct kilns.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	.....	.....
548	To sign notices of demand...	From Mámlatdár to Head *Kárkún*.	Section 152, Bombay Land Revenue Code, 1879.	Without any money limit.
		Ditto ...	Ditto ...	In all cases where notices are sent up by *talátis*.
549	To summon a person to give evidence in inquiries under the Land Revenue Code.	From Mámlatdár or Head *Kárkun* to Circle Inspector qualified for Mámlat.	Section 189, ditto...	.....
550	To receive direct from Circle Inspectors correspondence about measurement of land.	From Mámlatdár to District Inspector of Land Records and Agriculture.	Practice	The Circle Inspectors and District Inspectors might correspond direct. (The Mámlatdár's office in respect of this technical work is merely a forwarding office.)
551	To sanction suits relating to public charities.	From Government to Commissioner.	Section 539, Civil Procedure Code, 1882.	All cases.
552	To exclude the area of a new village from the sphere of a *matádár's* functions.	From Government to Commissioner or Collector.	Section 12, *Matádárs* Act, 1887.	Full powers (subject to the approval of the Commissioner if the Collector is authorized).
553	To appoint a deputy who is not a member of a *matádár* family.	From Government to Collector.	Section 22, ditto...	Full powers. (Most cases are undisputed. When Assistant or Deputy Collector finds no *matádár* at all, it is a pure formality. When he refuses to accept a *matádár* as fit, Collector's approval should be sufficient as it would be subject to appeal.)
		Ditto ...	Ditto ...	When such an appointment is necessitated in consequence of there being no duly qualified members in any of the *máta* families of the village.
		Ditto ...	Ditto ...	..... (Paragraph 2 of section 22 provides that the sanction of Government is necessary to the appointment of a deputy who does not belong to the *matádári* family of the village. The matter has been formerly discussed. *Vide* item 9 of Government Resolution, Revenue Department, No. 5941, dated 26th August 1902. Government have consented to the delegation of this power to the Collector after the necessary legislation.)
554	To remove a *matádár* from office.	From Government to Commissioner.	Section 31, ditto...	Full powers.
		From Government to Collector.	Ditto ...	Entirely.
		Ditto ...	Ditto ...	Power to dismiss after conviction in a Criminal Court.
555	To deprive a *matádár* of the right of voting at an election.	From Government to Commissioner.	Ditto ...	Full powers.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
556	To direct the forfeiture of life interest in *máta*.	From Government to Commissioner.	Section 31, *Matádárs* Act, 1887.	Full powers.
557	To register the name of the eldest son or widow in the place of a deceased *matadár*.	From Collector to Mámlatdár.	Section 9, ditto ...	.....
558	To sanction the continuance on the death of a *tálukdár* of the management of his property in case of disputed succession.	From Government to Commissioner.	Section 29A (3), Gujarát *Tálukdárs'* Act, 1888.	.....
559	To take a *tálukdár's* estate under management if a breach of peace among the various sharers is expected.	From Government to Collector.	Section 26 (1), ditto	..... (Action under such circumstances must be prompt as by the time the reference reaches Government and their sanction is given a breach of the peace may have occurred. It will be best under the circumstances if this power were delegated to the Collector. Clause (2) of the section which provides that the District Magistrate can under certain circumstances cancel the order is perfectly appropriate.)
560	To permit the management of an estate at a *tálukdár's* request.	From Government to Commissioner. From Government to Collector. From Government to *Tálukdári* Settlement Officer.	Section 28, ditto ...	..... (Cases in which such orders are given are very clear and undisputed.)
561	To dispose of schedule of the debts and liabilities of a *tálukdár* prepared after investigation of all claims and to order withdrawal from management of an estate which appears to be involved beyond all hope of extrication.	From Government to Commissioner.	Section 29F, ditto...	.....
562	To take up management of a *tálukdári* estate pending partition.	From Commissioner to Collector.	Section 27, ditto ...	.....
563	To lease Government salt works when the annual rent exceeds Rs. 5,000.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Government Resolution, Revenue Department, No. 529, dated 24th January 1899.	Whole.
564	To make appointments of, and grant leave to, officers on Rs. 100 and above in the Salt Department.	From Commissioner of Salt Revenue to Collector of Salt Revenue.	Section 6 of the Bombay Salt Act, 1890, and Commissioner in Sind's Circular No. 4606 of 27th July 1899.	.....
565	To pass final orders with respect to property confiscated as well as property in respect of which an offence has been committed.	From Collector of Salt Revenue to Trying Magistrate.	Section 52, Bombay Salt Act, 1890.	Without any limit.
566	To deal with the diary of Salt Inspectors.	From Collector to Assistant or Deputy Collector.	.....	..... (The diary need not be sent to the Collector but may be retained in the Assistant or Deputy Collector's office.)
567	(*a*) To issue notification under sections 4 and 6 of the Land Acquisition Act, 1894, regarding land required for a public purpose. (*b*) To appoint an officer to take order for the acquisition of land. (*c*) To issue urgent orders and to authorize temporary occupation.	From Government to Commissioner in the Presidency proper.	Sections 3 (*c*), 4, 6, 7, 17 and 35 of the Land Acquisition Act, 1894.	The power might be limited to cases where the land is required for a public purpose and not by a company, and in which local authorities provide funds or Government have sanctioned the proposed expenditure. (This proposal was approved by Government in 1902 (*vide* entry No. 3 in the statement embodied in Government Resolution, Revenue Department, No. 5941, dated 26th August 1902). It has been referred in Revenue Department letter No. 12075, dated 22nd December 1906, to the Government of India, who have held over consideration of the subject for the present. It would save a good deal of correspondence to Government.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Collector.	Sections 3 (*c*), 4, 6, 7, 17 and 35 of the Land Acquisition Act, 1894.	Subject to appeal to the Commissioner.
		Ditto ...	Section 4, ditto ...	..... (Collectors may be authorised to publish notifications under section 4 of the Act as by Government Resolution No. 7751, dated 25th September 1905, all land required for public purposes must be notified and reference to Government through the Commissioner has to be made in each case. This entails an amount of labour and delay. There are many cases of the nature to be dealt with annually.)
		Ditto ...	Section 6, ditto ...	Declaration under section 6 of the Act when the land can be acquired by private agreement and its price does not exceed Rs. 1,500.
568	To pass orders transferring land already acquired under the Land Acquisition Act to a railway and debit the amount of compensation to capital account.	From Government to Commissioner.	.....	All cases.
569	To make formal payment of compensation in land acquisition cases.	From Government to Collector.	.....	..... (The matter is now formal and it is a waste of time and energy to take the matters up to Government in each case.)
		Ditto ...	.....	When the price is agreed upon and the notification is merely for the purpose of a good title.
570	To issue declaration of intended acquisition of land for a public purpose.	From Commissioner in Sind to Collector.	Section 6, Land Acquisition Act, 1894.	Unlimited. (The Commissioner is a medium at present, and as the Assistant or Deputy Collectors are authorised to do the work connected with award statements, the Collectors may be authorized to publish the notification.)
		Ditto ...	Ditto ...	Except in respect of lands required by companies.
571	To appoint an officer to take order for acquisition of land.	Ditto ...	Section 7, ditto ...	Unlimited. (It would be discretionary for the Collector to refer to the Commissioner in very important cases.)
572	To acquire land for a public purpose in cases of emergency after publication of notice.	Ditto ...	Section 17, ditto ...	Unlimited. (Just the case in which power is required.)
573	To acquire land for a public purpose as a temporary measure.	Ditto ...	Section 35, ditto ...	Unlimited.
574	To acquire land for public purposes.	From Collector to Assistant Collector.	Section 4, ditto ...	Full powers. (The Collector may be empowered to delegate to the Assistant Collector all or any of his powers. In practice the Collector rarely exercises the powers. The Assistant Collector is appointed specially by Government to exercise the powers of a Collector in each case reported. If the Collector can delegate his powers generally, no such appointment will be necessary.)
575	To allow discretionary powers to the Collector in dealing with applications for refund on account of stamps not required for use.	.....	Section 54, Indian Stamp Act, 1899.	The requirements of section 54, clauses (*a*), (*b*), (*c*) may be made discretional and not obligatory. (There would be great saving of correspondence if merely an application for refund with the stamp attached to it together with the evidence as to its genuineness was held to suffice in ordinary cases. The genuineness of the stamp can be seen apart from evidence and if genuine and endorsed as required by the regulations for sale the holder can only have got it for value, and refund *minus* 6¼ per cent. can be granted with less formality and correspondence and examination of witnesses than at present, the fuller investigation remaining discretional in suspicious cases, as when one person is a frequent claimant.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
576	To refund penalty paid in excess of Rs. 5 under section 38 (1) of the Indian Stamp Act.	From Commissioner to Collector.	Section 39, Indian Stamp Act, 1899.	..... (The Collector has got special opportunities of judging the merits of each case. The necessity of obtaining the consent of the chief controlling authority may be dispensed with.)
577	To refund penalty levied under section 35 or 40, or excess duty levied under section 35, of the Indian Stamp Act.	Ditto ...	Section 45, ditto ...	Unlimited.
578	To grant allowance without limit of time for stamped printed forms no longer required by corporations.	Ditto ...	Section 51, ditto ...	Unlimited. (It would be convenient if the Collector were to exercise this power, but cases are rare.)
579	To stay or compound proceedings for breach of rule relating to sale of stamps or for unauthorized sale.	Ditto	Section 70, ditto ...	.....
580	To remit irrecoverable arrears of stamp duty and penalty in excess of Rs. 10 in each case.	Ditto ...	Government Resolution, Revenue Department, No. 5894, dated 20th August 1901.	Up to Rs. 100. (The matter is trivial.)
581	To grant allowance for spoiled or misused stamps.	From Collector to Sub-Divisional Officer.	Sections 49 and 52, India Stamp Act, 1899.	Up to Rs. 50.
582	To grant allowance for stamps spoiled, misused or not required.	Ditto	Sections 49, 52, and 54, ditto.	.....
583	To grant refund of value of non-judicial and court-fee stamps.	Ditto ...	Chapter V of the Indian Stamp Act and Government Resolution, Revenue Department, No. 819, dated 6th February 1888.	Powers now exercised by the Collector. (This delegation will save much correspondence in the Collector's office.)
584	To grant refund of the value of useless or spoilt stamps.	From Collector to Sub-Divisional Officer.	Rules under the Indian Stamp Act.	Entirely. (As the sanction is only of a formal nature, the power may be delegated.)
		From Collector to Huzúr Deputy Collector.	.....	The power of sanctioning such refunds may be delegated to the Huzúr Deputy Collector by appointing him Collector under section 2 (*9*) of the Indian Stamp Act.
		From Collector to Mámlatdár.	Government Resolution, Revenue Department, No. 1028, dated 3rd February 1906.	Up to the value of Rs. 50. (Refunds of about 96 stamps were ordered by the Collector of Poona in 1906. In almost all the cases the inquiry was made by the Mámlatdárs and the final orders only were passed by the Collector. The Mámlatdárs would not generally err in deciding as to the validity or otherwise of the claim for the refund.)
585	To sanction leave to stamp-vendors.	From Sub-Divisional Officer to Mámlatdár.	Government Resolution, Financial Department, No. 595, dated 20th May 1867.	Up to 6 months.
586	To correspond direct with the Collector in cases of applications for refund of value of stamps.	Ditto ...	.....	Reports on applications for refund might be sent direct to the Collector by the Mámlatdár.
587	To grant certificate of approval to a person to whom it is proposed to grant exploring and prospecting licenses.	From Government to Collector.	No. 10 of the Mining Rules published in Government Notification, Revenue Department No. 3856, dated 2nd June 1899, and No. 8 of the Rules embodied in Government Resolution, Revenue Department, No. 8183, dated 24th October 1904.	..... (Such certificates are to be granted to applicants after ascertaining their means and good faith. At present applications for certificates are made to Government, who forward them through the Commissioners to Collectors for inquiry and report. This is a needless circumlocution to get at what decides the question, *viz.*, the Collector's opinion.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
588	To refuse prospecting licenses	From Government to Collector.	No. 13 (1) of the Mining Rules published in Government Notification, Revenue Department, No. 3856, dated 2nd June 1899, and Government Resolution, Revenue Department, No. 8615, dated 1st December 1899.	In all cases, subject to right of appeal to Commissioner.
589	To sanction transfer of interest under a prospecting license.	From Government to Commissioner or Collector.	No. 15 (VII) of the Mining Rules published in Government Notification, Revenue Department, No. 3856, dated 2nd June 1899.	To the same extent as power to grant prospecting licenses.
590	To refuse mining leases ...	From Commissioner to Collector.	No. 17 (1), ditto ...	Power to refuse mining lease subject to right of appeal.
591	To impose a fee under the Record of Rights Act for failure to produce documents.	From Collector to Assistant or Deputy Collector.	Section 8, Record of Rights Act, 1903.	In all cases.
		From Collector to Mámlatdár.	Ditto ...	Subject to appeal to (*a*) the Sub-Divisional Officer and (*b*) the Collector.
		Ditto ...	Ditto ...	Up to Rs. 5.
592	To sanction assumption of superintendence by the Court of Wards of a landholder's propery.	From Government to Commissioner.	Sections 4 and 9, Court of Wards Act, 1905.	In all cases.
593	To delegate the powers of the Court of Wards to Collector.	Ditto ...	Section 19, ditto ...	General sanction to be given.
594	To issue notifications in the *Bombay Government Gazette* about estates being placed under the management of the Court of Wards and calling for notice of claims.	From Commissioner to Collector.	Sections 13 and 14, ditto.	All cases.
595	To sanction the bringing of a suit on behalf of Government wards.	From Court of Wards to Collector.	Section 35, ditto ...	All cases.
596	To grant relief to superior village servants.	From Government to Collector.	Section 159, Famine Relief Code, 1904.	Full powers.
597	To give gratuitous relief to herdsmen.	Ditto ...	Section 226, ditto...	Full powers.
598	To fix price basis for the calculation of wages, etc.	From Commissioner to Collector.	Sections 74 and 75, ditto.	Full Powers. (As there are several changes in the prices much correspondence will be saved by the delegation proposed. The Commissioner can only fix the price basis on the information the Collector gives him. There is no room for difference of opinion.)
599	To dispense with rest-day allowance.	Ditto ...	Section 85, ditto ...	Full powers.
600	To make variations in the standard tasks.	Ditto ...	Section 106, ditto...	Full powers. (It is often impossible to take the Commissioner's previous sanction owing to the delay involved.)
601	To give minimum wages in certain cases.	Ditto ...	Section 113, ditto...	Full powers... (These are matters of general famine administration. The Commissioner can only decide them on the information he receives from the Collector. In famine matters it is generally important for the Collector to act quickly and he should be given the widest possible powers to enable him to do so.)
602	To make payment of daily or weekly cash doles.	Ditto ...	Section 148, ditto...	Ditto ...
603	To grant relief to inferior village servants.	Ditto ...	Section 158, ditto...	Ditto ...
604	To fix the number of poorhouses in a district.	Ditto ...	Section 163, ditto...	Ditto ...
605	To grant permission for free grazing in forests.	Ditto ...	Section 224, ditto...	Ditto ...

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
606	To grant permission to appear for departmental examinations to persons who have failed twice at the higher standard and thrice at the lower standard examination.	From Government to Commissioner.	Nos. VII (2), IX (3) and XV of the Rules for admission to and promotion in the Subordinate Revenue Service appended to Government Resolution, Revenue Department, No. 4517, dated 14th June 1904.	One additional chance under special circumstances. (Men who fail twice at the higher standard and three times at the lower standard cannot generally be regarded as fit to go up again, but there may be special reasons which occasioned their failure, and in such cases the Commissioners may be trusted to give the men an additional chance.)
607	To grant special permission to appear for the Head Accountants' examination to men who do not hold one of the qualifying appointments.	Ditto ...	Note to Rule 1 of the Rules relating to Head Accountants' Examinations.	.....
608	To extend the intervals prescribed for the higher standard and lower standard examinations.	From Commissioner to Collector.	Nos. VIII and X (2) of the Rules for admission to and promotion in the Subordinate Revenue Service.	Power of Commissioner. (As the Collector knows the circumstances which justify the grant of the concession, he may be invested with this power.)
		Ditto ...	Ditto ...	Period may be extended to one year. (The Collector is well aware of the circumstances of subordinates who requite special treatment.)
609	To grant permission to non-graduates to appear for the higher standard examination.	Ditto ...	No. X (1) (*b*) of the Rules for admission to and promotion in the Subordinate Revenue Service.	Power now exercised by the Commissioner. (Under No. X (*b*) of the Revised Rules for admission to and promotion in the Subordinate Revenue Service the Commissioner has power to permit a subordinate to appear at the higher standard examination. Some restriction was formerly necessary when such permission was given annually to two subordinates only in the division, and the qualification of having passed the higher standard was to be considered in the cases of vacancies of mámlats only, . The proviso seems unnecessary now as the permission is not to be given to a limited number number of candidates only, and for promotion below a *mámlat*, a higher standard subordinate is to have preference over others under Rule XII (*a*). The Collector's report is the basis of the Commissioner's grant of such permission, and it is but reasonable that the Collector be entrusted to deal with the question as well as with the question of granting permission under Government Resolution, Judicial Department, No. 1599, dated 20th March 1888.) (The Collector recommends the man to be permitted and the Commissioner's sanction is merely formal. The proposed delegation would curtail much correspondence.) (At the Collector has special opportunities of knowing the qualifications of the subordinates serving under him, he may be invested with this power.)
610	To allow a revenue subordinate to appear for the sub-service departmental examination after failure and to grant exemption from passing it.	Ditto ...	Government Resolution, Revenue Department, No. 6884, dated 12th September 1903.	Power of Commissioner.
611	To exempt a *talâti* from sub-service departmental examination.	Ditto ...	Ditto ...	Entirely.
612	To authorize the formation of Government Servants' Society.	From Government to Registrar of Co-operative Credit Societies.	Government Resolution, Revenue Department, No. 4815, dated 11th May 1907.	Absolutely (as far as "registering" goes). (In the Resolution mentioned in column 4 the words "will require the special sanction in each case of Government" are apparently used without any intention of special command, but under the assumption that the law as it stands (*viz.*, section 29 of Act X of 1904) leaves no alternative. The law, however, does not leave one without an option in the matter; and for practical purposes it may be concluded that Government have for some reason unknown insisted on reference before registration. Perhaps the fact that Government speak of sanction to the "formation," while section 29 simply says permission to "register," has added to one's doubt, as it looks as though Government were doubtful of the propriety of such societies at all.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			Now, the law allows [section 3 (*1*), (*b*) of Act X of 1904] of a 'class' society; and one may certainly consider Government servants as forming such a 'class.' All the members of the Registrars' Conference at Simla in 1906 agreed that the 'soldiers of one regiment' could legitimately be held to be a class. And one would like to feel that a similar *esprit de corps* is expected from and encouraged in the body of Government servants as a whole; or the body of those working side by side in any particular part. As a matter of fact, one such society has been already registered under section 3 (*1*) (*b*), not section 29.)	
613	To grant certificates of nationality in case of admission of candidates to the Provincial Civil Service.	From Commissioner to Collector.	Government Resolution, General Department, No. 3180, dated 8th September 1888.	Unlimited. (Instances are rare, but a Collector is quite sufficiently high and capable authority for this purpose.) (The Commissioner has no other material before him than the papers of inquiry made by the Collector, and an officer of the rank of a Collector can safely be trusted with the power to issue such certificates.)
614	To direct crop experiments	From Commissioner to Director of Agriculture.	Government Resolution, Revenue Department, No. 3547, dated 15th May 1893.	As there is now a separate Director of Agriculture, the Commissioner might be relieved of all concern with crop experiments except when it may be necessary for the Director to report an officer to him for failure to carry them out as prescribed.
615	To take measures for the preservation of oyster beds on the coast of the Karáchi district.	From Commissioner to Collector.	Practice	Limits of the district. (The Collector practically does all this now and has for some years past since the matter has been taken up.)
616	To nominate candidates for agricultural schools.	From Collector to Assistant or Deputy Collector.	Ditto	Subject to the total number allotted to a division.
617	To give fishery and *metkhan* contracts.	Ditto ...	.....	Power of sanctioning such contracts may be exercised by the Assistant or Deputy Collector unless a bid is below the last three years' average, in which case the Collector's sanction should be applied for with reasons.
618	To discontinue the submission to the Commissioner of the diary of movements of the Collector, and to dispose of the Assistant Collector's diary.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 2876, dated 17th August 1860.	..... (The Collector's diary hardly serves any useful purpose and so it may be discontinued.) (The Collector submits to the Commissioner and the Assistant Collector to the Collector a monthly diary of movements which is forwarded on to the Commissioner. The former may be discontinued as the Collector has to account for his movements in the Annual Administration Report, the Sub-Divisional Officer continuing as at present to submit his diary to the Collector only.)
619	To discontinue the submission of certain details in the quarterly return of irrecoverable balances of land revenue, &c., written off.	.....	Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904.	The return is submitted every quarter ending 31st March, 30th June, 30th September and 31st December, *assami-war* to the Commissioner. Instead of which it may be submitted village-war as it would lessen a great deal of clerical labour.
620	To discontinue the submission (*a*) to the Commissioner of the Collector's certificate regarding security bonds and (*b*) to the Collector of the annual statement of security bonds.	.....	Government Resolution, Revenue Department, No. 6668, dated 18th October 1898.	..... (Every office has to maintain a register of security bonds of the members of its own establishment, and so it is needless to get statements from every office annually and to check them in the Collector's office with the consolidated statements kept by the Collector. The register kept by every office should be scrutinized by inspecting officers when on tour and the submission of statements by all officers to the Collector and of a certificate by the Collector to the Commissioner should be discontinued. The certificate now submitted by the Collector should be submitted by every officer for his office to the Collector, who should record them in his office.)

Revenue Department—concluded.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
621	To discontinue the submission of half-yearly returns of unanswered vernacular references as well as the abstract return of such references for the whole district.	.....	Under orders of the Commissioner, N.D., the returns are submitted to him.	..... (The quarterly returns in English have been discontinued in Government Resolution No 7823, dated 7th November 1902, and there seems no necessity for continuing the return in vernacular.
622	To discontinue the submission of half-yearly statements of cases detected by each A'bkári Inspector and Sub-Inspector.	.....	.....	..... (These are now submitted by the Assistant Collector of Excise through the Collector if the A'bkári Commissioner thinks them necessary.)
623	To substitute annual for monthly returns of salt cases.	.....	.....	The monthly return now sent by the Assistant and Deputy Collectors to the Collector is almost always blank.)
624	To substitute annual for quarterly returns concerning minors.	.....	.....	The return may be sent by Assistant and Deputy Collector once a year to the Collector.
625	To dispose of quarterly statements of examination of *tapedars'* records.	From Collector to Assistant or Deputy Collector.	.....	.....
626	To substitute weekly for daily returns of cattle disease.	.....	Practice	..... (Daily returns are sent to the Collector and to veterinary graduates. Only weekly returns might be sent to the Collector. It is only the veterinary graduate who requires prompt information of the outbreak of cattle disease.) The first report of the outbreak must be sent to the Collector and afterwards weekly reports.
627	To supervise the destruction of *talátis'* records.	From Sub-Divisional Officer to Mámlatdár.	Manual of Revenue Accounts, section 15.	Entirely.
628	To discontinue the submission to Sub-Divisional Officers of the diaries of Circle Inspectors.	Ditto ...	No. 9 of the Circle Inspectors' Rules.	..... (These diaries have to be submitted every fortnight through the Mámlatdár. No practical use is ever made of them. The Mámlatdárs to whom the Circle Inspectors are now immediately subordinate can exercise sufficient control over their work, and it would stimulate more intelligible supervision on the part of the Mámlatdárs when they know that the real control lies with them. The Mámlatdár bases his season report on them.)
629	To dispense with the submission of *nikal patraks* (lists of cases disposed of by the Circle Inspector) to Assistant Collectors.	From Assistant Collector to Mámlatdár if the preparation of nikal patraks is maintained.	No. 15, ditto ...	The submission of these *nikal patraks* to the Assistant Collectors may be discontinued. In fact, their preparation should be absolutely discontinued. (The Assistant Collectors have no means of verifying the correctness of these *patraks*. The Mámlatdárs who can make easily occasional inspection of the Circle Inspectors' *daftars* can exercise sufficient control over the work of the Circle Inspector. It would really be much better to discontinue the *nikal patraks* altogether, and this is being referred to the Director of Land Records.)
630	To discontinue the annual returns of destruction of records.	.....	.....	..... The particulars are embodied in the Administration Report.
631	To dispense with the acknowledgment of receipt of Government publications.	.....	As per request in every forwarding letter.	.....

Financial Department.

632	To permit the deposit of post office cash chests and and Executive Engineers' and Divisional Forest Officers' chests in a Sub-Treasury.	From Government to Commissioner.	Note 1, Article 2, Civil Account Code.	Entirely.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
633	To permit the deposit of cash chests of another department for safe custody in a treasury strongroom.	From Government to Collector.	Note 1, Article 2, Civil Account Code.	..... (It is believed that the existing orders are not generally attended to and cash boxes of other departments are kept in treasuries without the previous sanction of Government.) (As the Collectors are responsible for the proper working of treasuries, the power may properly be delegated to them.)
634	To keep in custody treasure chests of officers of the Transport Department.	From Commissioner in Sind to Collector.	Note 1, Article 2, Civil Account Code, and Government Resolution, No. 2918, dated 28th Aug. 1885.	Unlimited.
635	To dispose of matters relating to loss of treasury padlocks and keys, and unserviceable locks.	From Government to Commissioner.	Article 305A, Civil Account Code, and Government Resolutions, Financial Department, No. 5394, dated 7th December 1900, and No. 4069, dated 25th October 1901.	In cases in which it is not known whether one of the duplicate keys is lost or not. (The matter seems too trivial to require the orders of Government.)
		From Commissioner to Collector.	Article 305A, Civil Account Code.	Unlimited.
636	To sanction the keeping of spare padlocks at district treasuries.	Ditto ...	Rule 3 under Article 305A, Civil Account Code.	Commissioner's powers.
637	To authorize Clerks of the Court to sign cheques for withdrawing money from the Treasury in the absence of Sub-Judges.	From Government to District Judge.	Article 9 (*f*), Civil Account Code, and High Court Civil Circulars, Civil Courts Accounts, Rule 19.	Full powers of Local Government. (The necessary notification in the *Government Gazette* may be published by the District Judge.)
638	To countersign bills for contingent charges.	From Commissioner, Inspector-General of Police, or District Magistrate to Deputy Inspectors-General of Police.	Rule 10, page 84, Police Manual.	Under all heads of budget, subject to the budget provision and Standing Orders. (If the proposal is approved, the Deputy Inspectors-General of Police will have to be notified as countersigning officers for all countersigned contingencies and the Inspector-General of Police as the controlling officer.)
		From Commissioner to Heads of Offices.	Instruction No. 8 under Rule 97, Bombay Treasury Manual.	Power now exercised by the Commissioner in respect of contingent bills of Superintendent, Land Records and Registration, and District Superintendents of Police.
		From Director of Agriculture to Deputy Director of Agriculture and Second Deputy Director, Sind.	Appendix B, Chapter 6, Bombay Treasury Manual.	In respect of contingent bills of their own office and of the farms in their charge.
		From Director of Agriculture to Professor of Agriculture and Economic Botanist.	Ditto ...	Ditto ditto.
		From Director of Agriculture to Agricultural Chemist.	Ditto ...	Ditto of his own office.
		From Director of Agriculture to Principal, Agricultural College.	Ditto ...	Ditto of the Agricultural College and the Agricultural College Farm.
		From Director of Agriculture to Superintendent, Civil Veterinary Department.	Ditto ...	In respect of contingent bills of the Chharodi Farm.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Commissioner in Sind to Collector.	Government Resolution, Financial Department, No. 2918, dated 27th August 1895.	In the case of Salt and Excise establishments subordinate to Collector.
		From Director of Public Instruction to Educational Inspector of Division.	.....	In respect of result grants and grants-in-aid to aided primary and indigenous schools within municipal areas. (Bills for grants-in-aid to aided primary schools situated within Local Board areas paid from provincial funds are countersigned by the educational inspectors. As the grants to schools of both the kinds are paid from one and the same source and on the recommendation of the same District Inspecting Officers, there is no ground for making a distinction in the countersignature on the bills.)
		Ditto ...	.....	In respect of detailed bills for amounts drawn on abstract bills for expenditure sanctioned by the Director of Public Instruction or by Government for high and middle schools, training colleges, Deputy Inspectors' office, &c. (When once expenditure for certain work is sanctioned, it is quite a routine matter to draw the amount and prepare a detailed bill.)
		Ditto ...	.....	In respect of bills for grants to municipalities on account of the maintenance of primary schools within contract. (The accounts of the municipalities are examined by the inspectors and their subordinates and on their recommendations the bills are formerly countersigned by the Director of Public Instruction. The amounts are settled according to the scale prescribed by Government Resolutions, Educational Department, Nos. 1749 and 1752, dated 29th August 1903, and No. 2171, dated 6th November 1903. It will not, therefore, matter at all if the inspectors pass the grants subject to revision by the Director.)
		From Director of Public Instruction to Heads of Offices.	.....	Bills for fixed contingent charges outside the contract contingent grants. (When charges are fixed and when there are separate allotments of money in the budget, there appears to be no objection to delegate the powers to Heads of Offices.)
		From Commissioner in Sind to Chief Collector of Customs and Salt Revenue in Sind.	.....	In the case of the Salt Department in Sind. (It would be convenient if the Chief Collector were appointed countersigning officer as in the Customs Department.)
639	To countersign bills of salt rewards.	From Commissioner in Sind to Collector.	.....	.....
640	To countersign bills for Gometi *chowth* allowance.	From Commissioner to Collector.	.....	..... (The payment of one-fourth of the village revenue after deducting establishment and other charges is made on the authority of a treaty and a Collector may be left to make this payment on his own authority.)
641	To prefer direct to the Treasury contract contingent bills of Subordinate Judge's Courts.	From District Judge to Sub-ordinate Judge.	Chapter 6, Bombay Treasury Manual.	The District Judge may assign to each Court a portion out of the contract grant for the district, and retain power to transfer any grant to his own Court or from one Court to another.
642	To cancel sub-vouchers ...	From District Judge to Shirastedár of the District Court.	Article 91, Civil Account Code.	.....
643	Ditto for peons' uniforms and belts.	From Accountant General to District Judge.	Paragraph 19 of Accountant General's Contingent Charges Circular.	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
644	To re-adjust items credited to wrong heads.	From Accountant-General to Huzúr Deputy Collector.	Rules 323—325, Bombay Treasury Manual.	Mistakes made in *táluka* offices may be adjusted by *mukhtyárkars* if detected within the month of the occurrence. Thereafter they may be adjusted with the sanction of the Huzúr Deputy Collector instead of being reported to the Accountant-General. Mistakes in the Huzúr Treasury may be adjusted by the Huzúr Deputy Collector even if detected after one month of the occurrence.
645	To discontinue the Collector's countersignature on (*a*) fortnightly bills of payments (i) to village servants useful to the community, (ii) to heads of village police and watchmen, and (iii) on account of district and village officers who render service, etc., (*b*) schedule of remuneration to *patels* and poundkeepers, etc., and (*c*) monthly bills for remuneration to *patels* and *kulkarnis* for collection of local fund cess.	From Collector to Huzúr Deputy Collector and Treasury Officer.	Government Resolutions, Revenue Department, No. 2612, dated 2nd July 1872, and No. 1374, dated 10th March 1873.	Entirely. (After payment in the *táluka* the bills come to the Account Department, when a consolidated bill is made out to the Collector for countersignature. The matter is one in which payments are actually made by Mámlatdárs and audited in the Account Office. The object of a routine reference to the Collector after the payment has been made and passed by the auditing officer is not clear.)
646	To draw pay of Subordinate Judges and their establishments from the sub-treasuries.	From District Judge to Subordinate Judge.	Government Resolutions, Judicial Department, No. 1189, dated 23rd February 1893, and No. 73, dated 8th January 1907.	.....
647.	To regard the Sádra Sub-Treasury as Political Head Treasury.	From Political Agent to Sub-Treasury Officer.	Practice	Full extent. (This will save a great deal of correspondence between the Sádra and Ahmeda, bad treasuries in passing bills, etc.)
648	To correspond direct with the Accountant-General in routine matters.	From Political Agent to Native Assistant as Treasury Officer.	.....	Full extent. (The Sub-Treasury at Sádra has no authority to make direct communication to the Accountant-General. Delegation of power as proposed will save much correspondence in the Political Agent's Office and the Huzúr Treasury Office, Ahmedabad.)
649	To sign salary bills of non-gazetted officers.	From Collector to Huzúr Deputy Collector and Treasury Officer.	.....	Entirely.
650	To make payment endorsements on all bills connected with agency establishments or offices, including police.	From Political Agent to Treasury Officer.	.....	The same powers as District Treasury Officer. (The delegation of the power will decrease greatly correspondence in all offices.)
651	To permit the carrying out of treasury transactions by *táluka* second *munshis*.	From Collector to Assistant or Deputy Collector.	Practice	Unlimited.
652	To cash travelling allowance bills direct at sub-treasuries when countersigned by the Collector.	From Huzúr Treasury Officer to Mámlatdár.	Article 312, Civil Account Code, and Rule 316 of the Bombay Treasury Manual.	.....
653	To cash refund bills without endorsement from the Huzúr Treasury.	From Huzúr Treasury Officer to Sub-Treasury Officer.	Rule 316, Bombay Treasury Manual.	In the case of all classes of refund bills where the refund has been ordered by competent authority. (This is most necessary not only to save correspondence but in the interests of the payees.)
		Ditto ...	Ditto ...	In cases in which the bills are countersigned by *Pránt* Officers for sums exceeding Rs. 5.
654	To cash cheques drawn by the authority sanctioning advances under the Land Improvement Loans Act, 1883, without payment order endorsed by the Huzúr.	Ditto ...	Paragraph 45, Sub-Treasury Manual.	To the full extent.
655	To countersign salary and contingent bills of the dispensary at Satlásna in Mahi Kántha.	From Personal Assistant to the Political Agent, Mahi Kántha, to Thánadár.	Political Agent's No. 1638, dated 6th March 1905.	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
656	To authorise second *munshi* to sign treasury vouchers when the head *munshi* and *mukhtyárkar* are absent from headquarters.	From Assistant Collector to *Mukhtyárkar.*	.....	..... (If the proposal is sanctioned, considerable correspondence between *mukhtyárkars* and Assistant Collectors will be avoided.)
657	To issue remittance transfer receipts.	From Treasury Officer, Ahmedabad, to Treasury Officer, Pálanpur.	.....	Powers of District Treasury Officer.
658	To sign payment vouchers	From Huzúr Treasury Officer to Head Accountant, Huzúr Treasury.	.....	Up to Rs. 500.
659	To pay interest on promissory notes.	From Huzúr Treasury Officer to Sub-Treasury Officer.	.....	..... (This will save inconvenience to those who do not reside at headquarters. The Civil Account Code will have to be amended.)
660	To extend from a week to a fortnight the period for the return by the Treasury Officer of the audit objection statements of the Accountant-General with the necessary explanations.	.....	Article 15, Civil Account Code.	..... (The effect of the present rule is that very few objections are disposed or within the seven days; but many replies come in the next week. The main items are cleared in the first objection statement, while fewer remain for the further statement which the Accountant-General sends back to the Treasury.)
661	To prepare for transmission to the Public Debt Office, Calcutta, quinquennial instead of annual lists of promissory notes on which interest is payable at a treasury.	.....	Article 181, ditto...	When the quinquennial list is introduced, changes in the year need only be communicated annually.
662	To prepare a monthly instead of an annual clearance register of outstanding deposit balances.	.....	Article 253, ditto...	..... (On 1st April 1907 a clearance register of all items over one clear account year old had to be prepared. It included all unpaid deposits from April 1905 (24 months old) to March 1906 (13 months old). There are always a far larger number of items in the recent months. These clearance registers arrive in a mass at the Accountant-General's Office and congest the work in deposits and its branch for several months. If a clearance register of all items exactly 24 months old were sent every month and the extract register of non-lapsed deposit only were sent on 1st April, the labour in district offices would be much reduced and the Accountant-General's work would go in uniformity all the year. The code should be amended so as to reduce and improve work.)
663	To raise from three to six months the time when outstanding cash orders should be treated as lapsed.	.....	Article 322, Note 1, Civil Account Code.	..... (Payees do not wilfully refrain from cashing the orders as they lose by the delay. The number of cases is not considerable and there is no risk to Government or increase of labour in giving cash orders a longer currency.)
664	To dispense with the receipts and repayment registers at the Huzúr Treasury of revenue deposits which are received and are repayable in the *táluka.*	.....	Articles 364 and 366, ditto.	The detailed receipt register is kept both at the *táluka* and at Huzúr Treasury. It does not seem necessary to have the detailed account at the Huzúr Treasury for those deposits which are received and are repayable in the *táluka.* Similarly with repayment register extracts. (It is believed that in Bengal the extract registers of deposits received are kept separate in the Accountant-General's Office for the Sádra and Sub-Treasuries, thereby greatly relieving the work of the Sádra Treasuries while not hindering audit or impairing its currency. The plus and minus memorandum and a covering list of deposits paid with the vouchers is in other provinces sufficient and can be with advantage tried in Bombay.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
665	To discontinue the monthly verification by the Treasury Officer of the Post Office Account.	.....	Article 508, Civil Account Code.	..... (The postal account is verified monthly in the Huzúr Treasury. The same entries have been initialled by the Treasury Officer in the Pass Book, and the further verification of the monthly account never does any good. In the Public Works Department no such verification is required. The Post Office procedure should be similarly simplified.)
666	To dispense with the six-monthly statement of expenditure on account of plague.	.....	Accountant-General's General Letter No. T.A P. —339, dated 1st August 1902.	No statement need be sent to the Accountant-General when no expenditure is incurred. (Instead of every one being directed to send a report, even though there is no expenditure, it may be ordered that a report should be sent only when expenditure is incurred.)
667	To fix permanent advances of officers.	From Government to Inspector-General of Registration.	Article 77, Civil Account Code.	..... (So far references to Government under Article 77 of the Civil Account Code have been few in number as Sub-Registrars have defrayed expenditure on contingencies out of their own commission. Now that the payment of commission is stopped, a permanent advance will be necessary for every Sub-Registrar's office in the Presidency. This may be fixed in consultation with the Accountant-General.)
		From Commissioner to Collector.	Ditto ...	Commissioner's powers as specified in item No. 1 of the statement accompanying Government Resolution, Financial Department, No. 2422, dated 15th July 1904.
		Ditto ...	Ditto ...	Absolute power.
		Ditto ...	Ditto ...	Within district grant. (The Collector should be the best judge as to this.)
668	To dispense with the annual report regarding permanent advances.	.....	Article 78, Civil Account Code, and paragraph 22, Accountant-General's Contingent Charges Circular.	..... (Whenever an officer hands over charge to another, a report is sent. Annual reports seem to be unnecessary.)
669	To sanction advances for house building.	From Government to Collector.	Article 136, Civil Account Code.	Subject to the rules under Article 136, Civil Account Code.
670	To sanction advance of pay to Gazetted Officers.	From Government to Conservator of Forests.	Article 155, Forest Department Code.	Powers of Local Government. (Conservators have power to sanction advances in cases of transfer.)
671	To sanction advances for the purchase of conveyances or tents required for touring purposes.	From Government to Commissioner.	Article 137 (*a*), Civil Account Code.	Up to Rs. 400.
		From Commissioner to Collector.	Government Resolutions, Financial Department, No. 2881, dated 27th July 1901, and No. 510, dated 5th February 1906.	In the case of men appointed by the Collector. (Collectors are the best judges of the necessities of their men. It is also desirable that the applications should be disposed of promptly.)
672	To sanction advances to non-gazetted officers for the purchase of conveyances required for touring purposes.	Ditto ...	Government Resolution, Financial Department, No. 510, dated 5th February 1906.	Two months' salary as in the case of tent advances.
		Ditto ...	Ditto ...	In the case of Collector's subordinates.
		From Conservator of Forests to Divisional Forest Officer.	Ditto ...	Powers of the Conservator of Forests.
673	To sanction advances to officers under orders of transfer.	From District Officer to Subordinate Head of Office.	Article 137 (*b*), Civil Account Code.	..... (The advance to be useful requires immediate sanction.)
		From Collector to Treasury Officer or Sub-Treasury Officer.	Ditto ...	In respect of non-gazetted officers under the Collector, and to the extent of one month's pay in the case of transfer within the district.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
674	To sanction the inclusion of new or unusual items of expenditure in forest budget estimates.	From Government to Conservator of Forests.	Article 133 (ii) Forest Department Code, and Government Resolution, Revenue Department, No. 4968, dated 11th August 1900.	Powers of Local Government.
675	To deal with budget requirements under various heads, such as petty construction and repairs, arms, ammunition and accoutrements, handcuffs, targets, bugles, compensation for land, house rent, other articles of stores, etc.	From Government to Inspector-General of Police.	Rule 42 (*c*) (2) (*i*), page 74, Police Manual.	To full extent. (The Inspector-General of Police at present has to submit to Government an elaborate consolidated report on the requirements under the items mentioned in column 2 for formal sanction, which is usually accorded. No useful purpose is served by Government giving provisional approval for inclusion under *some* contingent heads prior to sanction to general budget. If a simple report on requirements, supported by facts, be submitted by District Superintendents of Police with the 20—Police Budget, through the Deputy Inspectors-General of Police, the latters officers will check the requirements and forward the budgets with their opinions. The Inspector-General of Police should make any alterations he thinks necessary in forwarding the budgets to the Accountant-General for submission to Government. The present elaborate procedure for including provisions in budgets requires simplification.)
676	To distribute between the Deputy Inspectors-General of Police lump allotments under 20, Police budget sanctioned by Government and to empower the Deputy Inspectors-General to be controlling officers in respect to such allotments.	From Government to Inspector-General of Police and Deputy Inspectors-General of Police.	Rule 42, page 72, Police Manual.	.....
677	To sanction re-appropriations from one head to another under 20, Police.	From Government to Inspector-General of Police.	Rule VI (13) on page 85, Police Manual.	Subject to the limit of Rs. 200 in each case and to general control of Government. (If the Inspector-General of Police is to be a real Head of the Police Department and controlling officer in every respect, this power will be fouud most useful in the interests of the department and public. It will obviate references to Government in matters of re-appropriation.)
678	To transfer funds from one major head to another under non-contract contingent grants.	From Government to Controlling Officer.	Article 76, Civil Account Code, and Instruction No. 12 under Rule 97 of the Bombay Treasury Manual.	Powers of Local Government. (Controlling and disbursing officers have been given wide powers to transfer budget grants under the same major head, and to transfer savings in contract grants from one major head to another. It is generally towards the close of a year that a number of applications are made for supplementary grants of small sums, *e.g.*, for postage and telegram charges. Government will be saved a lot of pretty work if the proposal is approved.)
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Powers of Local Government.
679	To sanction expenditure not provided for in the budget.	From Government to Inspector-General of Police.	Article 158, Civil Account Code.	Applications should come to the Inspector-General of Police through the Deputy Inspectors-General of Police when no re-appropriation from the grants of the districts in the range is possible. And to meet such applications, Government should place at the disposal of the Inspector-General of Police a discretionary grant of, say, Rs. 4,000. The Inspector-General will sanction applications to the extent of Rs. 200 in each case and applications for expenditure above this limit will go up to Government. This grant will be used to supplement both countersigned and contract grants (if the latter is transferred to the Inspector-General of Police from the Commissioners) when all other sources fail.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
680	To sanction actual expenditure in excess of the budget grant under :— (*a*) 3.—Land Revenue—Allowances to district and village officers, and (*b*) 20.—Police—Allowances to heads of village police and watchmen.	From Government to Commissioner.	Article 158, Civil Account Code.	Powers of Local Government.
681	To sanction additions to the budget grant under travelling allowances.	Ditto ...	Ditto ...	From increased discretionary grant.
682	To sanction additional grants required by Collectors to meet the cost of collection of income tax.	Ditto ...	Ditto ...	Within budget allotment.
683	To sanction additional grants for post and telegram charges.	Ditto ...	Ditto ...	From discretionary grant to be made for the purpose.
684	To sanction re-appropriations from items sanctioned in the budget.	From Government to the Honourable the Chief Justice.	Article 158, Civil Account Code, and Accountant-General's Contingent Charges Circular, paragraph 11.	In respect of re-appropriations out of savings of non-contract grants to supplement the contract grant. (Since the grants have been once sanctioned by Government in the budget, the power of sanctioning a necessary re-appropriation may well be given to the Honourable the Chief Justice.)
		From Government to Director of Public Instruction.	Article 158, Civil Account Code.	All re-appropriations. (Matters for which sanction for re-appropriating money is solicited are always of an urgent nature and sanction has often to be solicited at the last moment. There are almost no instances in which Government refused to sanction the re-appropriations proposed. Powers may therefore with advantage be vested in the Director of Public Instruction to sanction re-appropriations.)
		From Government to Inspector-General of Registration.	Ditto ...	Full power in respect of the grants placed at the disposal of the Inspector-General of Registration.
		From Government to Commissioner.	Ditto ...	Power to transfer savings from one district to another in all detailed heads under the same major head and on the previous report of the Accountant-General from one major head to another. (Under paragraph 12 of the Accountant-General's Contingent Charges Circular and Government Resolutions, Financial Department; No. 1448, dated 21st April 1904, and Revenue Department, No. 6067, dated 17th June 1907, certain powers have been delegated to Collectors and Commissioners, but in other cases the sanction of Government has to be obtained. Generally there is much correspondence on this subject, and that too during the last two months of the year. The power delegated in the orders quoted in the preceding column are neither sufficiently understood by Collectors' offices nor go far enough. There seems no reason why a Collector should not be authorized to utilize to the best advantage his savings under the same major head and the rule might therefore be made elastic. The grant of power to transfer savings from one major head to another was negatived in Government Resolution, Revenue Department, No. 737, dated 23rd January 1907, on the ground that it might involve inconvenience to Government, who might at times wish to re-appropriate savings. The cases for re-appropriation which come before the Commissioner are generally of small amounts and confined to a few major heads ; and Government might fix a limit up to which a Commissioner should be allowed to sanction such re-appropriations and further stipulate that it should not be done without the previous report of the Accountant-General which Government themselves generally require.)
		From Government to Collector.	Article 158, Civil Account Code.	From one major head to another, provided that no extra amount is required under the head from which an appropriation has been sanctioned.
		From Government or Commissioner to Collector and District Magistrate.	Ditto ...	Power to authorize re-appropriation of savings in all detailed heads under the same major head.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to District Judge.	Accountant - General's Contingent Charges Circular, paragraph 12.	To the extent of the budgetted grant from one major head to another. (On the analogy of paragraph 11 of the Accountant-General's Contingent Charges Circular this power may be granted to the District Judge.)
685	To transfer grants from the head of travelling allowances to non-contract contingencies.	From Government to Controlling Officer.	Article 158, Civil Account Code.	Full powers.
686	To sanction overdrawal of the balance of a District Local Board during the financial year.	From Government to Commissioner.	Article 1373. Civil Account Code, and Government Resolution, Financial Department, No. 2923, dated 29th June 1898.	Powers of Local Government.
687	To transfer funds from the Civil to the Public Works Department for the execution of works through Public Works Department agency.	From Government to Inspector-General of Police.	Paragraph 2107-E., Public Works Code, and Government Resolution, Financial Department, No. 186, dated 19th January 1903.	To the extent of budget allotment. (Instances occur when professional assistance is indispensable for the construction of a work and for additions and alterations to buildings not on the Public Works Department list, but which may have to be transferred to the Public Works Department for future maintenance.)
688	To sanction appropriations from the Commissioner's discretionary grant to meet deficiencies in all budget grants controlled by him.	From Government to Commissioner.	Paragraph 6 of Accountant - General's Contingent Charges Circular.	Up to the limit of the Commissioner's grant. (At present the Commissioner's discretionary grant can be utilized to meet deficiencies only in the cases specified in the Circular mentioned in column 4. Applications for supplementary allotments are very frequent, especially towards the closing months of the financial year. In most of these cases references have to be made to Government either because the grant is exhausted or because the charges are such as cannot be debited to it. All these could be complied with and much time and correspondence saved if each Commissioner's discretionary grant were increased to Rs. 10,000 (the grant for the Central Division now stands at Rs. 1,400) and he was allowed to sanction appropriations from it for all classes of expenditure, *e.g.*, for cases in which— (i) budget provision for a newly sanctioned establishment should have been made, but was omitted ; (ii) supplementary grants are required for *chavdis*, or sanitation, or water-supply ; (iii) money is required for rewards for the destruction of wild animals, for encouragement of inoculation or the like ; (iv) additions to the contract and contingent grants of collectors are necessary for the purchase of office-furniture, or service stamps, or clothing for táluka peons, &c.).
689	To transfer grants for special contingencies.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Instruction No. 12 under Rule 97, Bombay Treasury Manual.	Powers of Local Government.
690	To transfer grants from countersigned contingency to contract contingency whenever necessary.	From Government to Commissioner.	Ditto ...	When the amount to be transferred does not exceed Rs. 200.
691	To pass additions to contract contingent charges of the office of the Sheriff of Bombay.	From Government to Accountant-General.	Articles 176 and 158, Civil Account Code.	Up to Rs. 500. (During the five years 1902-03 to 1906-07 the expenditure, which is of a very fluctuating nature depending upon the work and duration of the High Court Criminal Sessions, exceeded twice the budget grant allotted to the Sheriff's office.)
692	To pass additions to countersigned contingent charges of the office of the Sheriff of Bombay.	Ditto ...	Ditto ...	Up to Rs. 500. (During the five years 1902-03 to 1906-07 the expenditure, which is of a very fluctuating nature depending upon the work and duration of the High Court Criminal Sessions, exceeded thrice the budget grant of the Sheriff's office.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
693	To sanction additions to contract grants by re-appropriation from other grants.	From Government to District Judge.	Article 158, Civil Account Code, and paragraphs 5 and 10 of Accountant-General's Contingent Charges Circular.	Full powers of Local Government so far as applies to grants sanctioned to the Subordinate Courts.
694	To transfer grant from one budget head to another, *e.g.*, from 3—Land Revenue to 19A—Law and Justice and *vice versâ*.	From Government to Collector.	Article 158, Civil Account Code.	Any amount from any one budget head to another. (This power will enable the Collector to transfer grants from one budget head to another where there is a deficit.)
695	To sanction re-appropriations from one head to another of district budget.	From Government or Controlling Officer to Collector.	Ditto ...	Wholly. (To save necessity of formal applications for sanction. It is impossible to provide in the budget actual requirements under each head. In some cases expenditure may be slightly more and in others slightly less than budgetted amounts. The Collector should be able to make necessary transfers on his own authority.)
696	To transfer funds from one head of contingencies to another.	From Government to District Judge.	Article 158, Civil Account Code, and Accountant-General's Contingent Charges Circular, paragraph 13.	..... (The re-appropriation may be merely reported to the Accountant-General.)
697	To sanction charges classed as special contingencies, so far as they can be met by re-appropriation.	Ditto ...	Paragraph 7 of Accountant-General's Contingent Charges Circular.	Full powers of Local Government. (The District Judges to inform the Accountant-General accordingly.)
698	To sanction annual appropriation statement of revenue and expenditure.	From Government to Conservator of Forests.	Article 129 (i), Forest Department Code.	Powers of Local Government. Within the total amount sanctioned for a circle.
699	To re-appropriate funds from any head under "A—Conservancy and Works" to one under "B—Establishment" under 11.—Forest.	From Government to Conservator of Forests, Central Circle.	Article 129 (iii), Forest Department Code.	Powers of Local Government.
		From Government to Conservator of Forests.	Ditto ...	Any sum within the total amount sanctioned for each division and circle.
700	To sanction re-appropriations of funds exceeding Rs. 2,000 from one budget head to another in the Forest Department.	From Government to Conservator of Forests, Central Circle.	Ditto ...	Powers of Local Government.
		From Government to Conservator of Forests.	Article 129 (iii), Forest Department Code, and Government Resolution, Revenue Department, No. 2045, dated 15th March 1904.	Up to Rs. 5,000.
		Ditto ...	Government Resolution, Revenue Department, No. 2045, dated 15th March 1904.	Within the total amount sanctioned under the head "A—Conservancy and Works" for each Division.
701	To re-appropriate capital expenditure funds for ordinary expenditure and *vice versâ* in the Forest Department.	From Government to Conservator of Forests, Central Circle.	Article 129 (iii), Forest Department Code.	Powers of Local Government.
		From Government to Conservator of Forests.	Article 129 (iii), Forest Department Code, and Government Resolution, Revenue Department, No. 2045, dated 15th March 1904.	Up to Rs. 2,000.
		Ditto ...	Ditto ...	Any sum within the total amount sanctioned for each division and circle.
702	To sanction additional grant for which provision was not originally made in the forest budget.	Ditto ...	Article 130, Forest Department Code.	Up to a limit of Rs. 1,000.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
703	To sanction excess expenditure under 3.—Land Revenue, 6.—Stamps, 7.—Excise, and 32.—Miscellaneous, provided the grant for the following year is reduced by a corresponding amount.	From Commissioner to Collector.	Article 74, Civil Account Code, and Government Resolution, Financial Department, No. 2777, dated 7th September 1887.	Up to Rs. 100. (Power may safely be delegated to the Collector as contract grant is carefully watched and in view of proviso and limits.)
704	To transfer contract grants from one major head to another.	Ditto ...	Instruction No. 11 under Rule 97, Bombay Treasury Manual.	The re-appropriation statement may be submitted to the Accountant-General, and the Commissioner of Division or the Commissioner of Customs, as the case may be, informed of the fact. (This appears to be unobjectionable since it does not entail any enhancement in the grant and merely makes for administrative efficiency.)
		Ditto ...	Government Resolution, Financial Department, No. 1448, dated 21st April 1904.	Within officer's grant. (Only grants under the Collector's control will be affected, the transfer being duly intimated to the Commissioner and Accountant-General.)
		Ditto ...	Ditto ...	Unlimited. (References are not numerous but they are always lengthy and have to pass through several officers. Collectors should be given discretionary grants from which to spend in any way they please, subject only to giving an account of the expenditure in the Annual Administration Report.)
705	To transfer grants for contingent expenditure.	From Commissioner or other Controlling Officer to Collector.	Instruction No. 12 under Rule 97, Bombay Treasury Manual.	Powers of the controlling officers to be exercised by the Collector whenever re-appropriation can be made from the grants of the same district.
706	To sanction re-appropriation of grants within ranges.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule VI (13), page 85, Police Manual.	Power to sanction re-appropriations from one head of the countersigned grant to another of the same class in the districts of the range, with reference to districts in the same range, as well as with reference to the grants in the same districts. (If the Deputy Inspector-General of Police is to be the authority for sanctioning expenditure from countersigned grants as proposed, the power to re-appropriate should also be accorded to him. He will have to be notified as countersigning officer for all countersigned contingencies and the Inspector-General of Police as the controlling officer.)
707	To transfer allotment for petty construction and repairs from one work to another in the Police Department.	From Commissioner to District Magistrate.	.....	.....
708	To sanction expenditure under the several heads of contract and countersigned contingencies.	From Collector of Salt Revenue to Assistant Collector of Salt Revenue.	Paragraphs 11 and 12 of Accountant-General's Contingent Charges Circular.	To the extent of the total amount of grant allotted to the range by the Collector.
709	To sanction refund of forest revenue.	From Government to Conservator of Forests.	Article 168, Forest Department Code.	Up to Rs. 1,000 in each case.
		Ditto ...	Ditto ...	Up to Rs. 5,000 in each case.
710	To sanction refund of sums paid to Government by mistake.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 251, dated 21st January 1862.	Power now exercised by Commissioner.
711	To grant refund of excise revenue exceeding Rs. 100 in each case.	Ditto ...	Government Resolution, Revenue Department, No. 8543, dated 10th December 1891.	Extent unlimited.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
712	To grant refund of over-collections without any limitation of time.	From Commissioner to Collector.	Commissioner in Sind's No. 3332, dated 7th June, 1899.	..... (Such refunds have to be made in any case, and there is no need to obtain the Commissioner's sanction, which is merely formal. Under the present system if an over-collected amount is not refunded within 12 months from the date of discovery of the mistake, the sanction of the Commissioner in Sind is obtained to the amount being so refunded. To refund a charge due to a holder is a certain liability on Government and has to be discharged in all cases, and there can be no go from it. The Collectors might therefore be authorized to sanction refunds in all cases irrespective of the period of 12 months above referred to. Now that the system has been introduced by which money to be refunded can be sent to a holder by money-order, there will be fewer cases in which 12 months will have elapsed from the date of discovery of the mistake.) Up to Rs. 100 of over-collections of land revenue if the prescribed period for refund has been exceeded. (The Collector is in a better position than the Commissioner to judge whether there are good grounds for the grant of the refunds or not, and it is difficult to see what objection can be raised to the proposal if the sanction is retained with the Commissioner in the case of all large sums which might affect the annual revenue to any appreciable extent.)
713	To make direct payment of refund of income tax.	From Collector to Assistant or Deputy Collector and Mámlatdar,	Article 100, Civil Account Code.	Assistant and Deputy Collectors up to Rs. 100, and Mámlatdárs up to Rs. 50, in each case. (As the claims if valid must be admitted and paid, the proposed powers will avoid delay in making payment and lessen a number of correspondences.)
		From Collector to Mámlatdár.	Ditto ...	Without any money limit when payment is sanctioned by higher authority.
714	To grant refund of excise revenue.	From Collector to Sub-Divisional Officer.	Ditto ...	Up to Rs. 100.
		From Collector to Mámlatdár.	Ditto ...	Up to Rs. 50.
715	To grant refund of over-collections made and credited to excise.	From Collector to Sub-Divisional Officer.	Government Resolution, Revenue Department, No. 8543, dated 10th December 1891.	Up to Rs. 25 in each case.
		From Collector to Mámlatdár.	Ditto ...	.....
716	To refund over-collections of *takávi* advances.	From Collector to Sub-Divisional Officer,	.....	Up to Rs. 100 in each case. (This is a formal matter.)
		From Collector to Mámlatdár.	.....	Up to Rs. 50 in each case. (The Collector sanctions the refund on the recommendation of the Mámlatdár.)
717	To grant refund of over-payments.	From Collector to Mámlatdár.	.....	Up to Rs. 50 in each case.
718	To grant refund of over-collections of money paid in advance for the cost of measuring or similar operations undertaken by Government for private persons in connection with land.	From Collector to Mámlatdár and *Mahálkari*.	Government Resolution, Revenue Department, No. 3168, dated 14th June 1903.	..... (In making partitions under section 113 of the Bombay Land Revenue Code, 1879, a rough estimate is made of the cost and that amount is recovered from the parties. After the work is completed, the actual amount of cost is ascertained, and in that case surplus amount, if any, has to be refunded to the parties. The balance is generally small and the Mámlatdár can safely be entrusted to refund the amount. The correspondences are unnecessarily tossed about between the Mámlatdár's and the Collector's offices. The amount is credited to the deposits and therefore can be refunded by the Mámlatdár. Under the existing orders the partition is ordered by the Collector and therefore references are made by the Mámlatdárs to grant refunds.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Collector to Mámlatdár.	Government Resolution, Revenue Department, No. 3168, dated 14th June 1903.	Up to a limit of Rs. 25 instead of the present limit of Rs. 5 in each case. (In the Poona District there were about 100 references in 1906 by Mámlatdárs for permission to refund excess measurement charges. The amount to be refunded rarely exceeds Rs. 10, and if the limit of the Mámlatdár's power, *viz.*, Rs. 5, were raised, many references could be saved. The power is scarcely susceptible of abuse. The public have a right to get the surplus back. Hence the reference to higher authorities is meaningless.)
719	To refund assessment levied at five or ten times the ordinary rates on lands unauthorizedly occupied and remitted on appeal to the Collector and Commissioner.	From Collector to Sub-Divisional Officer.	Government Resolutions, Revenue Department, No. 5246, dated 1st December 1869, and Financial Department, No. 720, dated 8th March 1887.	Up to Rs. 50 in each case.
		From Collector to Mámlatdár.	Ditto ...	Up to Rs. 50 in each case. Mámlatdárs should append the orders in appeal to the refund bill.
720	To refund assessment on lands declared alienated by the Collector.	From Collector to Sub-Divisional Officer.	Ditto ...	Up to Rs. 50 in each case.
721	To grant refund of over-collections of land revenue or local funds.	From Collector to Mámlatdár.	Government Resolutions, Revenue Department, No. 6495, dated 23rd December 1871, and No. 4581, dated 26th June 1893.	Land revenue up to Rs. 100. Local funds up to Rs. 20.
		From Sub-Divisional Officer to Mámlatdár.	Symonds' Manual of Revenue Accounts, *Táluka* Form No. 2, paragraph 10, page 143.	Up to Rs. 50. (Mámlatdárs now sanction only up to Rs. 5.)
		Ditto ...	Government Resolutions, Revenue Department, No. 6495, dated 23rd December 1871, and No. 4581, dated 26th June 1893.	Land revenue up to Rs. 50. Local funds up to Rs. 10.
		Ditto ...	Ditto ...	Land revenue up to Rs. 25.
		Ditto ...	Ditto ...	Ditto Rs. 10.
		From Sub-Divisional Officer to Mámlatdar and *Mahálkari*.	Ditto ...	Ditto Rs. 25. Local funds up to Rs. 10.
		Ditto ...	Government Resolution, Revenue Department, No. 6495, dated 23rd December 1871.	Land revenue up to Rs. 20.
722	To make direct payment of refund of excess collections of land revenue pertaining to previous year.	From Collector to Mámlatdár.	.....	Without any money limit.
723	To make direct payment of refund of spoiled stamps.	Ditto ...	.....	Without any money limit when payment is sanctioned by higher authority.
724	To make direct payment of refund of court-fees on certificates granted by Civil Courts.	Ditto ...	.....	Without any money limit.
725	To grant refunds	From Sub-Divisional Officer to Mámlatdár.	Article 100, Civil Account Code.	Up to Rs. 50 in each case.
726	To write off the loss caused by the sale of damaged and unserviceable articles in stationery stores.	From Government to Superintendent of Stationery.	Article 279, Civil Account Code, and Government Resolution, General Department, No. 6063, dated 5th November 1902.	Powers of Local Government.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
727	To write off amount of Government money misappropriated by any subordinate in case it cannot be recovered from any other source.	From Government to Conservator of Forests.	Article 279, Civil Account Code.	Powers of Local Government. (The sanction accorded by Government is merely formal.) (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to certain Heads of Departments to write off the irrecoverable value of stores or irrecoverable public money up to a limit of Rs. 200 in each case provided that the loss does not affect imperial revenues nor disclose a defect of system the amendment of which requires the orders of Government.)
728	To write off excess payment of a political pension.	From Government to Commissioner.	Article 279A, ditto	Up to three months' pension.
729	To write off leave allowances drawn in excess of what is due.	From Government to Inspector-General of Police.	Articles 279A and 841 (*b*), ditto.	To the extent of Rs. 20. (If the power is granted, the Inspector-General of Police will communicate to the Accountant-General all sums so written off with the pension papers.)
730	To write off bad debts or outstandings of Government medical institutions.	From Government to Surgeon-General.	Article 989, ditto...	..... (The concessions granted to the Account Officers mentioned in Article 989, Civil Account Code, may be extended.)
731	To write off irrecoverable advances of money.	From Government to Conservator of Forests.	Article 211, Forest Department Code.	The existing limit of Rs. 250 may be raised to Rs. 500.
732	To write off amounts which cannot be recovered from judgment-debtors.	From Government to Remembrancer of legal affairs.	No. 143 of the Rules for the conduct of legal affairs of Government.	..... (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation to the Remembrancer of legal affairs of power to write off sums due to Government on Court decrees up to a limit of Rs. 1,000 in each case, subject to report to Government in half-yearly statements.)
733	To dispose of unserviceable articles at the Government Central Press.	From Government to Superintendent, Government Central Press.	.....	Up to a small limit.
734	To write off irrecoverable balances of forest revenue.	From Commissioner to Conservator of Forests.	Article 108, Forest Department Code.	Conservator has power to write off amounts up to Rs. 200. The limit may be raised to Rs. 500.
		Ditto ...	Ditto, and Government Resolution, Revenue Department, No. 4756, dated 10th July 1899.	Sums exceeding Rs. 200, but not exceeding Rs. 1,000.
		From Commissioner to Conservator of Forests, Central Circle.	Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904.	In excess of Rs. 1,000.
		From Commissioner to Conservator of Forests.	Ditto ...	Up to Rs. 250.
735	To write off irrecoverable balances of revenue advances.	From Commissioner to Collector.	Article 119, Civil Account Code.	Full power as at present exercised by Commissioner.
736	To write off all kinds of irrecoverable revenue and *takávi*.	Ditto ...	Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904.	Up to Rs. 500 in each case. (The raising of the limit of the Collector's power from Rs. 100 to Rs. 500 as proposed will save delay and references.)
		Ditto ...	Ditto ...	Entirely in the case of land revenue and *takávi*.
		Ditto ...	Ditto ...	Up to Rs. 250 in each case.
737	To write off attachment expenses of certain Khoti villages in the Ratnágiri district.	Ditto ...	Ditto ...	Power now exercised by Commissioner.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
738	To write off irrecoverable balances of income-tax.	From Commissioner to Collector.	Government Resolution, Financial Department, No. 2155, dated 11th July 1888.	Unlimited powers, or at least up to Rs. 100 in each case. (In entry No. 33 of the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, Government had approved, subject to the sanction of the Government of India, of the delegation to Collectors of the power to write off irrecoverable arrears of the income-tax demand without any limitation. But this was negatived by the Government of India (*vide* paragraph 2 of Government Resolution, Financial Department, No. 2422, dated 15th July 1904). The matter may be reconsidered and if there is still objection to grant Collectors unlimited powers, a limit of Rs. 100 in each case may be fixed on the analogy of the power given to them in Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904, in regard to writes-off of irrecoverable balances of other kinds of revenue and *takávi*.)
		Ditto ...	Ditto ...	Up to Rs. 42 in each case.
		Ditto ...	Ditto ...	Powers now exercised by Commissioner. (Under several Acts the Collector has such powers,)
		Ditto ...	Government Resolution, Financial Department, No. 2306, dated 6th July 1904.	Up to Rs. 100 in each case. (The order depends on questions of fact which the Commissioner has no means of ascertaining except from the District Officers themselves.) (The writes-off may be included in the prescribed quarterly return submitted to the Commissioner in the case of other kinds of irrecoverable revenue.) (This is a small matter to trouble the Commissioner about.)
739	To write off outstanding balances on account of expenditure on boundary marks.	Ditto ...	Government Resolution, Revenue Department, No. 7264, dated 13th October 1886.	Up to Rs. 5 in each case.
740	To write off outstanding balances on account of expenditure on the erection of and repairs to boundary marks and cost of boundary marks lost by erosion.	Ditto ...	Government Resolutions, Revenue Department, No. 7264, dated 13th October 1886, and No. 9380, dated 16th November 1894.	Extent Rs. 500. (Just as in the case of land revenue writes-off.)
741	To write off items from *jamabandi* owing to over-assessment, mistake or wrong entry in number *shumari*.	Ditto ...	Practice	..... (Collectors have been given power to refund, but for writing off the Commissioner has to be written to, the Commissioner generally sanctioning the proposal.) (This is usually a matter of formal application and sanction.)
742	To write off irrecoverable costs due to Government in pauper cases.	From Remembrancer of Legal Affairs to Collector.	No. 143 of the Rules for the conduct of the legal affairs of Government.	Full authority. A quarterly return of the writes-off may be sent to the Remembrancer of legal affairs instead of the usual reports requesting his sanction. (The Legal Remembrancer's sanction is practically a matter of pure formality. Delegation of power would, if anything, reduce the Collector's labour, and there is no risk of his improperly writing off amounts which might otherwise be recovered, especially as under the rule steps for recovery are to be unremittingly continued until the period of limitation expires.)
		Ditto ...	Ditto ...	Up to Rs. 100 in each case.
743	To dispose of unserviceable articles of dead-stock and books in high and middle schools, training colleges, and offices of deputy educational inspectors and their assistants.	From Director of Public Instruction to Educational Inspector of Division.	Practice	..... (The Inspectors inspect these articles and books at their annual inspections of the institutions, and on their recommendation the Director of Public Instruction now sanctions the disposal.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed,
1	2	3	4	5
744	To write off unserviceable articles of dead-stock.	From Inspector-General of Police to Deputy Inspectors-General of Police and District Superintendent of Police.	Rule V on page 287, Police Manual.	The existing limit of Rs. 10 in the case of District Superintendents may be removed altogether.
		From Inspector-General of Registration to District Registrar.	Government Resolution, General Department, No. 172, dated 9th January 1902.	Full powers.
		From Collector to Sub-Divisional Officer.	Government Resolution, Revenue Department, No. 5941, dated 26th August 1902.	Up to Rs. 10 in each case.
		From Collector to Sub-Divisional Officer and Mámlatdár ...	Ditto ...	Up to Rs. 50. Up to Rs. 10. (The proposed delegation will save avoidable correspondence.)
		From Collector to Sub-Divisional Officer and Mámlatdár and *Makálkari*.	Government Resolution, Revenue Department, No. 5941, dated 26th August 1902.	To the extent of the value of Rs. 50. Ditto Rs. 5.
		From District Judge to Subordinate Judge.	Government Resolution, General Department, No. 3482, dated 6th June 1901.	When the original cost of the article does not exceed Rs. 10, and subject to report to the District Judge.
		Ditto ...	Ditto ...	When the original cost of the article does not exceed Rs. 25, and report should be made to the District Judge when the articles are written off.
745	To write off cattle-pound fees due on cattle that have died whilst in the pounds.	From District Magistrate to Sub-Divisional Magistrate.	.....	..... (The Sub-Divisional Magistrate is fully competent to issue final orders.)
746	To sanction expenditure not provided in the budget of attached or managed estate.	From Collector to Mámlatdár.	.....	Up to Rs. 50 in each case, provided the amount can be made available by re-appropriation from some other head or from some unforeseen charges. The delegation of the power may be made by the Collector at his discretion.
747	To sanction budgets of estates with a revenue not exceeding Rs. 1,000.	From Political Agent, Rewa Kántha, to Assistant or Deputy Assistant Political Agent.	Practice	.....
748	To incur expense already sanctioned, to enter amounts in the budget, and to sanction re-appropriations in the case of estates whose revenue does not exceed Rs. 1,000.	Ditto ...	Ditto ...	.....
749	To incur expenditure already sanctioned in the budgets of estates whose revenue exceeds Rs. 1,000.	Ditto ...	Ditto ...	Up to Rs. 100.
750	To remit fines imposed by Magistrates on failure to pay income tax.	From Commissioner to Collector.	Section 34, Income Tax Act, 1886 ...	Full powers. (The matter is not of much importance.)
751	To grant remissions of income tax erroneously imposed.	Ditto	Government Resolution, Financial Department, No. 4816, dated 18th December 1906.	Up to Rs. 42.
		Ditto ...	Ditto ...	Power now exercised by Commissioner.
		Ditto ...	Ditto ...	Up to Rs. 100 in each case.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
752	To issue notices for the recovery of arrears of income tax.	From Collector to *Mukhtyárkar*.	Section 30, Income Tax Act, 1886.	..... (Collector's previous sanction to issue of notices is given as a matter of course.)
753	To sanction issue of coercive process for the recovery of income tax.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Ditto ...	To issue notices and attach moveable property. (Much formal correspondence will be saved and outstanding balances will be removed promptly.)
754	To sanction Mounted Police Fund budgets.	From Government to Inspector-General of Police.	Rule 17 on page 283, Police Manual.	To sanction finally the budget and send a copy to the Accountant-General. The budget should come through the Deputy Inspectors-General of Police.
755	To sanction money from cash balance of a Mounted Police Fund in order to supplement budgetted allotments.	Ditto ...	Article 158, Civil Account Code.	Wholly. (The Inspector-General of Police already has the power of reappropriation from one head to another.)
756	To sanction when necessary the sale of Government securities belonging to a Mounted Police Fund in order to supplement budgetted allotment, such sale not having been provided in the budget.	Ditto ...	.....	Up to the amount required.
757	To invest in Government securities surplus balances of Mounted Police Funds.	Ditto ...	Paragraph 9 of the instructions at page 189, Police Manual.	.....
758	To sanction expenditure in excess of Rs. 20 from Mounted Police Fund.	From Inspector-General of Police to Deputy Inspector-General of Police.	Rule 12, page 195, Police Manual.	Full, with the exception of compensation claims, advances on account of purchase of grain and grass, and new recurring charges. Subject to general control of Inspector-General of Police and budget provision.
759	To countersign bills for Mounted Police Funds and cash accounts.	Ditto ...	Rule 10 on page 180, Police Manual.	Wholly. (This proposal is a natural sequence to the proposal in the preceding entry.)
760	To administer the Northern Frontier Mounted Police Fund.	From Commissioner of Customs, Salt, Opium and Abkári to Assistant Collector of Salt Revenue, Northern Frontier.	Northern Frontier Mounted Police Fund Rules.	Whole.
761	To sanction— (*a*) budgets of local funds in political agencies, and (*b*) reappropriations from the general balances of these funds.	From Government to Agent to the Governor, Káthiáwár.	Government Resolution, Political Department, No. 331, dated 13th January 1902.	To the extent to which the powers are now exercised by the Local Government in respect of the *Pránt* and *Thána* Funds, Station Funds, and Consolidated Local Fund.
762	To sanction budgets of *Thána* Funds.	From Government to Commissioner.	Ditto ...	.....
763	To sanction reappropriations from the general balance of local funds in political agencies.	From Government to Political Agent.	Ditto ...	Up to Rs. 500.
764	To sanction advances from the general balance of any local fund on account of emergent business.	Ditto ...	Government letter, Political Department, No. 3092, dated 11th May 1904.	Up to Rs. 500.
765	To exercise control over the Mevás Administration Fund and the Agency General Fund in Rewa Kántha.	From Commissioner to Political Agent.	Government Resolution, Political Department, No. 331, dated 13th January 1902.	The Political Agent, Rewa Kántha, should be the controlling officer of the funds. The budget should be submitted by the Political Agent to Government direct. Within the aggregate of the budget estimate the Political Agent should have the full power to sanction expenditure and to reappropriate grants at his discretion. The Political Agent should have authority to sanction establishments and other charges at his discretion subject to the limitations laid down in the Civil Account Code and Civil Service Regulations regarding the power of the Local Government in regard to provincial expenditure, and to the general rule that expenditure may not be sanctioned for objects other than those for which the funds exist. Bills for contingent expenditure of an unusual nature and for original public works or repairs costing more than Rs. 1,000 should be countersigned by the Political Agent.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
766	To sanction the entertainment of temporary establishments at the cost of the Pálanpur Agency General Fund.	From Commissioner to Political Agent.	Government Resolution, Political Department, No. 331, dated 13th January 1902.	Powers of the controlling officer. (The Political Agent, Pálanpur, used to exercise such powers previously.)
767	To sanction expenditure from *Thána* or other Local Funds in Political Agencies.	Ditto ...	Ditto ...	Powers of controlling officer as defined in the rules of 1902. (The Political Agent, Pálanpur, used to exercise the powers of the controlling officer previously.)
		From Political Agent to Sub-Divisional Officer.	Ditto ...	Powers of administering officer.
768	To pass contingent and travelling allowance bills of non-pensionable servants of Local Funds.	From Political Agent to Treasury Officer.	.....	Complete. (The delegation of the power will in no way remove any check and will save considerable trouble to two officers.)
769	To sanction budget estimates of the *Panchgani* and *Mahábaleshvar* Station Funds.	From Government to Commissioner.	Practice	..... (These are small budgets and the Commissioner may be trusted to deal with them.)
770	To incur expenditure of unforeseen nature from the uninvested balance of Ports Funds.	From Government to Commissioner of Customs, Salt, Opium, and A'bkári.	.....	.....
771	To sanction establishments payable from the Steam Vessel Survey Fund.	From Government to Port Officer, Bombay.	Article 287, Civil Account Code.	Temporary or permanent establishment up to a limit of Rs. 30 per mensem or alteration of existing establishment, the power to be exercised only in the case of peons and crew of the Government Surveyor's launch. (At present the Port Officer is authorized to sanction contingent charges within budget limits.)
772	To sanction expenditure in excess of the grants sanctioned in the budget of of the Steam Vessel Survey Fund.	Ditto ...	Government Resolution, Financial Department, No. 5758, dated 29th December 1900.	To sanction, subject to audit, expenditure in excess of budget grants which can be met from the credit balance.
773	To sanction the investment of surplus balance of the Steam Vessel Survey Fund.	Ditto ...	.....	..... (The Port Officer is the administrator of the Fund and should be responsible for the investment of surplus balance.)
774	To countersign contingent bills of the Sea Pilotage Fund, Karáchi.	From Commissioner in Sind to Chief Collector of Salt Revenue in Sind.	.....	..... (A good deal of delay would be avoided if the Collector were appointed countersigning officer, as he is now for more important expenditure under 9.—Customs.)
775	To sanction *tákavi* advances.	From Government to Commissioner.	Rules under the Land Improvement Loans Act, 1883.	Up to Rs. 10,000 under the Land Improvement Loans Act, 1883.
		From Commissioner to Collector.	Ditto ...	Up to Rs. 5,000 under the Land Improvement Loans Act, 1883.
		Ditto ...	Rules under the Agriculturists' Loans Act, 1884.	Under the Agriculturists' Loans Act, 1884, Collectors should have full powers in the case of advances exceeding Rs. 1,000.
		Ditto ...	Ditto ...	Up to Rs. 2;000 under the Agriculturists' Loans Act, 1884.
		From Collector to Assistant or Deputy Collector.	Ditto ...	Up to 1,000 under the Agriculturists' Loans Act, 1884.
		From Collector to Assistant Collector in Presidency proper.	Ditto ...	Up to Rs. 500 under the Agriculturists' Loans Act, 1884. (The present limit of the Assistant Collector's power is Rs. 200 in the Presidency proper).
		From Collector to Assistant or Deputy Collector.	Rules under the Land Improvement Loans Act, 1883.	Up to Rs. 2,000 under the Land Improvement Loans Act, 1883.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlatdár.	Rules under the Acts mentioned in column 5.	Up to Rs. 100 under the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884. (At present Mámlatdárs have the power to grant *takávi* advances up to Rs. 50 under the Agriculturists' Loans Act only. The price of two bullocks at present ranges from Rs. 60 to Rs. 100.)
		Ditto ...	Ditto ...	Up to Rs. 200 under the Land Improvement Loans Act, 1883, and Rs. 100 under the Agriculturists' Loans Act, 1884. The sanction is generally accorded on the recommendation of the Mámlatdár and the proposed raising of the limit will curtail the references in the Sub-divisional and Collector's offices and tend to the speedy disposal of the applications.)
		Ditto ...	Ditto ...	Up to Rs. 250 under the Land Improvement Loans Act, 1883. (The delegation of this power will save delay in the disposal of applications.)
		Ditto ...	Ditto ...	Up to Rs. 200 in cases under the Land Improvement Loans Act, 1883, which the Mámlatdárs themselves investigate. (There are numerous correspondences from every *taluka*. In very few cases loans exceeding Rs. 1,000 are asked and the bulk of the work thus falls on the Assistant Collector. In a vast majority of cases the inquiries are made by the Mámlatdárs, the final orders only being passed by the Assistant Collectors. The *mukhtyárkars* in Sind can grant loans up to Rs. 200 for clearing water courses.)
		From Sub-Divisional Officer to *Mukhtyárkar*.	Ditto ...	Up to Rs. 500 under the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884. (Delay in disposal of *takávi* matters is a great evil, and the only way to avoid it is to give local officers a free hand. Proposals are seldom refused sanction.)
		From Sub-Divisional Officer to *Mahálkari*.	Ditto ...	Up to Rs. 100 under the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884.
		Ditto ...	Ditto ...	Up to Rs. 200 under the Land Improvement Loans Act, 1883.
776	To sanction remissions of *takávi* advances under the Land Improvement and Agriculturists' Loans Acts.	From Government to Collector.	Article 134 (*a*), Civil Account Code.	Same power as for land revenue remissions.
777	To sanction extension of time for the completion of works carried out from *takávi* advances.	From Collector to Assistant Collector.	No. 11A of the Rules under the Land Improvement Loans Act, 1883.	..... (The Collector can hardly disagree with the man on the spot.)
778	To sanction suspension of *takávi* instalment under No. 19 of the Rules under the Land Improvement Loans, Act 1883.	From Collector to Assistant or Deputy Collector.	Rule 19, ditto ...	Full powers under the rules. (Assistant Collectors and Deputy Collectors have already got this power under the Agriculturists' Loans Act.)
		Ditto ...	Ditto ...	In cases in which they can grant loans under the rules.
		Ditto ...	Ditto ...	For one year.
		Ditto ...	Ditto ...	Up to Rs. 100 in each case.
		Ditto ...	Ditto ...	Up to Rs. 100 in each case for one year.
779	To transfer *takávi* grants from Act XIX of 1883 to Act XII of 1884 and *vice versâ*.	From Collector to Sub-Divisional Officer.	.....	Entirely.
780	To draw up and sign documents relating to *takávi* advances.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	*Takávi* Rules ...	..... (All documents of *takávi* the grant of which has been sanctioned by the Assistant or Deputy Collector have to be sent to him for signature. When the grants are once sanctioned, all documents may be signed by the Mámlatdár.)
781	To substitute quarterly for monthly returns of *takávi* advances.	.....	.....	..... (The monthly returns are at present submitted by Sub-Divisional Officers to the Collector.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
782	To dispense with the submission to Government of proposition statements for additional establishments.	From Government to Commissioner.	Article 57, Civil Account Code.	Up to the limit of the Commissioner's power to sanction such establishment.
783	To dispense with the submission to Government of proposition statements showing the financial effect consequent on changes in the cadre of (i) Civil Assistant Surgeons, and (ii) Hospital Assistants.	From Government to Surgeon - General.	Ditto ...	As changes in the cadre are effected with the sanction of the Local Government, the proposition statements may be verified in consultation with the Accountant-General and recorded by the Surgeon-General.
784	To sanction revision of the establishments of District and Subordinate Courts.	From Government to High Court.	Ditto ...	When the cost of establishment does not exceed the sanctioned cost. (At present application has to be made to Government through the High Court.)
785	To sanction increase of pay of menial staff.	From Government to Commissioner.	Ditto ...	Complete.
786	To create permanent places of menial establishments.	From Government to Director of Public Instruction.	Ditto ...	In the case of menial establishments in all institutions and offices of the Educational Department. (No place of a menial ever carries pay exceeding Rs. 14. The matter is small and if the Director of Public Instruction is given power to create appointments of this kind provided there is saving in the budget, matters in this connection will be disposed of expeditiously. Any creation of new places will be reported to Government when submitting Director of Public Instruction's annual budget proposals. Whenever additional funds are required, Government will, of course, have to be approached.)
787	To sanction increase in the sanctioned cadre of (i) Civil Assistant Surgeons and (ii) Hospital Assistants.	From Government to Surgeon - General.	Ditto ...	In consultation with the Accountant-General, Bombay.
788	To sanction the entertainment of temporary establishments.	From Government to Commissioners and select Heads of Departments.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	On pay not exceeding Rs. 50 per mensem, for a period of not more than three months in each year, and subject to the limit of budget provision. (Certain Commissioners and Heads of Offices have been already authorised to entertain temporary establishments in specified circumstances, and this delegation of powers was confirmed in the letter from the Government of India, Finance Department, No. 6671-Ex., dated 29th November 1906. The delegation of these powers has been found convenient in practice. It becomes often necessary to entertain temporary establishments for the performance of some special work, and if the Government of India, on reconsideration, sanction the extension of powers in the manner proposed in Bombay Government letter (Financial Department) No. 1734, dated 16th May 1903, there will be an appreciable saving in correspondence of a routine nature. In order that the authority may not be abused, the Local Government may ascertain the expenditure usually incurred in each division or office on temporary establishments and allot lump grants in each year's budget for the purpose.)
		From Government to Commissioner.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Period of employment not to exceed six months; maximum pay to an individual Rs. 50 per mensem; addition to any one office not to exceed three men; charge to be defrayed from the discretionary reserve of Rs. 10,000 proposed by the Commissioner to be placed at his disposal, or from grants at the disposal of the officer applying for the additional establishment. (The grant of the power will be extremely useful, as occasions often arise for temporary additions to sanctioned establishments. As an instance in point may be mentioned the employment of extra clerks to clear off arrears of sorting, filing and indexing work in offices and of additional

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			circle inspectors to bring up to date accumulations of measuring work in a district. The Commissioner is in the best position to judge and the expenditure involved is hardly of such importance as to necessitate a reference to Government.) (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to the Commissioners of Divisions and in Sind to sanction within budget provision temporary establishments for arranging records in offices subordinate to them.)	
		From Government to Commissioner.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Up to an allotment to be made to the Commissioner.
		Ditto ...	Ditto ...	In respect of circle inspectors for Government work.
		From Government to Heads of Departments.	Ditto ...	In the case of temporary establishments required for the benefit of private individuals, the cost of which including leave and pension contribution is to be recovered from them. (By Government Resolution, Revenue Department. No. 737, dated 23rd January 1907, Collectors have been empowered to sanction the entertainment of special circle inspectors and menials for partition and sub-division work, provided that the cost is recovered in advance from the parties concerned).
		From Government to Surgeon-General.	Ditto ...	To the extent of Rs. 500 per annum in the case of Government Medical Institutions to meet sudden emergencies. The Surgeon-General may be allowed to provide a lump sum for the purpose in the budget estimate up to a limit of Rs. 500 per annum for institutions for which no such provision exists. To entertain plague staff for inspection duty at Mahableshwar and Panchgani within the power vested in the Local Government by Article 78, Civil Service Regulations.
		From Government to Director of Public Instruction.	Ditto ...	To create temporary appointments for a period not exceeding six months, the salary in any case not to exceed Rs. 50 a month or the total expenditure in a year Rs. 1,000. If any temporary appointment is required to be kept up after six months, a report to Government, stating in full all the circumstances of requirements, should be made. If a discretionary grant is placed at the disposal of the Director to satisfy urgent and unforeseen demands, an enormous number of references to Government on trifling matters will be avoided. The Director would propose an annual discretionary grant of Rs. 20,000 for General Education and of Rs. 5,000 for Technical Education. (Heads of Departments have no powers in this connection The Director of Public Instruction has, however, been empowered to sanction the temporary appointments of clerks for the school final examination one at each centre on a salary not exceeding Rs. 25 per mensem and for a period not exceeding three months (*Vide* Government Resolution, Financial Department, No. 2016, dated 24th April 1907.)
		From Government to Inspector-General of Prisons.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Temporary appointments of matrons over condemned female prisoners, and clerks and warders in cases of urgency on pay not exceeding Rs. 30 for three months, report being made to Government only when sanction is required to the continued employment of the establishment after three months.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to High Court.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Temporary establishments under Assistant Judges and Additional Subordinate Judges up to a scale to be fixed by the High Court.
		From Government to District Judge.	Ditto ...	Temporary establishments under Assistant Judges and Additional Subordinate Judges, and to the extent of establishments ordinarily allowed. (When Government make the appointment of an Assistant Judge or a Joint Judge, the sanction for the establishments is simply formal.) (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to District Judges to sanction within budget provision additional establishments on the following scale :— For each Additional Subordinate Judge, First Class, Rs. 59 per mensem. Ditto ditto Second Class, Rs. 49 per mensem. For each Assistant or Joint Judge, Rs. 104 per mensem.)
		From Government to Collector.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Within a specified budget grant and with limit as to period and salary.
		Ditto ...	Ditto ...	On pay not exceeding Rs. 20 per mensem for three months. (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to the Collector of Customs, Bombay, and the Chief Collector of Customs in Sind to entertain within the limits of budget provision temporary preventive officers at a rate not exceeding Rs. 100 per mensem for the Custom House and Port of Bombay and for the Port of Karáchi, respectively.)
789	To sanction the continuance of temporary establishments.	From Government to Commissioner.	Ditto ...	.....
790	To sanction the payment of pay to an extra peon entertained through mistake.	Ditto ...	Ditto ...	Within allotment for temporary establishment.
791	To sanction the payment of scale remuneration to *mahárs* for the first time.	Ditto ...	Ditto ...	Powers of Local Government.
792	To sanction the payment of cash remuneration of *kambharti* to *shetsanadis*.	Ditto ...	Article 283, Civil Account Code.	Within budget allotment.
793	To create appointments of *shetsanadis* for uninhabited villages.	From Government to Collector.	Article 57, Civil Account Code.	All cases.
794	To tranfer temporary establishments (such as surveyors, depôt officers and clerks) from one office to another in the Forest Department.	From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
795	To raise the pay of some of the classes of temporary forest establishments over the rates sanctioned by Government.	Ditto ...	Government Resolution, Revenue Department, No. 5181, dated 7th July 1904.	Up to the following rates in lieu of the existing scale, which is shown below :—

	Proposed rate.	Existing rate.
	Rs.	Rs.
Clerk ...	100	50
Peon ...	12	10
Sweeper ...	9	5
Surveyor ...	70	60
Draftsman ...	70	60
Mukadam ...	15	10
Chainman ...	15	10
Ranger ...	100	60
Forest Depôt—		
Peon ...	9	8
Mali ...	20	18
Gardener ...	15	12

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
796	To regulate progressive salary of non-gazetted officers.	From Commissioner to Collector.	Articles 157 (*b*) and 158, Civil Service Regulations, and Government Resolution, Financial Department, No, 2422, dated 15th July 1904.	In the case of officers appointed by the Collector.
797	To authorise the payment of claims against Government not preferred within six months of their becoming due.	From Accountant-General to Collector.	Article 5 (*b*), Civil Account Code.	In the case of claims preferred within two years of their becoming due. (Explanation of delay is invariably given in the voucher.)
		Ditto ...	Ditto ...	In the case of claims preferred within one year of their becoming due. (This will prevent many bills going to the Accountant-General for pre-audit.)
		Ditto ...	Ditto ...	Any amount. (The claims are for amounts actually due by Government and there is no help but to pay them. The Accountant-General does nothing but give permission for the payment if correct.)
798	To authorise investigation of claims to arrears of pay or allowances not preferred within two years of their becoming due.	From Commissioner to Accountant-General.	Article 5 (*c*), Civil Account Code, and Government Resolution, Financial Department, No. 2427, dated 22nd May 1900.	Powers exercised by Commissioner. (Explanation of delay is invariably given in the voucher.)
		From Commissioner to Conservator of Forests, Central Circle, and Collector and District Magistrate.	Ditto ...	..... (The power is already exercised by officers holding similar positions.)
		From Commissioner to Collector.	Ditto ...	In the case of all subordinates of the Collector. (It is but the payment of a debt which Government once owed and a claim to which ought to be investigated as soon as possible.)
		From the Honourable the Chief Justice to District Judge.	Ditto and Government Resolution, Financial Department, No. 5299, dated 30th November, 1900.	Full extent.
799	To dispose of claims of District Public Prosecutors and their Assistants for enhanced remuneration under No. 41 of the Law Officers' Rules.	From Remembrancer of Legal Affairs to District Magistrate.	No. 41 of the Rules for the conduct of Legal Affairs of Government.	Within the limit prescribed by the rule and with the concurrence of the trying Court concerned. (The maximum amount awardable is only Rs. 25 per day.)
800	Ditto ditto under No. 43 of the Law Officers' Rules.	Ditto ...	Rule 43, ditto ...	Within the limit prescribed by the rule. (The maximum amount awardable is only Rs. 50 per day.)
801	To sanction the employment of zabits (measurers) up to Rs. 20 per mensem each permanently.	From Commissioner in Sind to Collector.	Government Resolution, Revenue Department, No. 9090, dated 30th November 1889.	Within budget provisions. (References frequent, and budget provision must exist.) (Commissioner's sanction is and must be merely formal.)
802	To change the scale of pay of men on a contract establishment.	From Settlement Commissioner to Superintendent of Land Records and Registration.	Government Resolution, Revenue Department, No. 8385, dated 28th November 1903.	.....
803	To sanction the entertainment of temporary police establishments for plague purposes.	From Commissioner in Sind to Collector.	Government Resolution, Judicial Department, No. 6838, dated 20th December 1906.	Within budget estimates and in the same way as the collector sanctions temporary establishments for railway inspection, estimates and proposition statements being sent with a view to the grant being sanctioned.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
804	To sanction the payment of salary and allowances claimed on behalf of a deceased officer.	From Collector to Treasury Officer.	Article 27, Civil Account Code.	Up to Rs. 500. (Article 27 only authorises payment in non-disputed cases.)
		From Collector to Mámlatdár.	Ditto ...	Without any money limit.
		From Collector to Mámlatdár and *Mahálkari*.	Ditto ...	In all undisputed cases up to Rs. 50 each. (Payment of service pensions, pay, etc., to an undisputed heir is at present unnecessarily delayed for want of sanction from the Collector. In trivial cases the Collector, who is required to depend on the Mámlatdár's report, need not be troubled.)
805	To sanction the entertainment of extra *potdar* to expedite the examination of remittance of treasure.	From Collector to Treasury Officer.	Note 2 to Article 664 (*b*), Civil Account Code.	As many as are allowed by rule for the amount of coin to be counted. (When the Collector and Assistant Collector are on tour, sanction has to be anticipated in order to get coin counted.)
806	To make temporary appointments in cases in which Gazetted Officers grant privilege leave.	From Collector to Gazetted Officer who grants leave.	.....	To make temporary arrangements involving no transfers in the case of ministerial officers and menials.
		Ditto ...	.....	..... (At present the Collector generally approves of the arrangement proposed by the officer.)
807	To dispense with the production of physical fitness certificate in an individual case.	From Government to the Honourable the Chief Justice.	Article 50, Civil Service Regulations.	In rare cases of merit or of exceptional qualifications or on other grounds adjudged by the Honourable the Chief Justice.
808	Ditto, and to accept health and age certificate from any officer other than a medical man.	From Government to District Judge.	Ditto ...	Full powers of Local Government.
809	To grant permission to hand over charge by letter.	From Government to Director of Public Instruction.	Article 53, Civil Service Regulations.	Powers of Local Government. (It is not of any very great importance whether an officer gives charge by letter or in person. If this power be delegated, permission to hand over charge will only be granted under very special circumstances.)
		From Government to District Judge.	Ditto ...	In the case of Subordinate Judges.
810	To allow a Subordinate Judge who is in charge of two courts to deliver over charge at either of the two stations.	Ditto ...	Ditto ...	Powers of Local Government.
811	To grant permission to make over charge of office at a place other than headquarters. Also to receive charge by letter or telegram.	From Government to Conservator of Forests.	Ditto ...	.....
812	To grant permission to make over charge of office at a place other than headquarters.	From Collector to Assistant or Deputy Collector.	Ditto ...	When the transfer is made from or to the office of an itinerating officer. (The Accountant-General always insists upon permission of the Collector, which can only be formal, as the *kárkún* transferred must join the itinerating officer's establishment at whatever camp it might be.)
813	To fix the headquarters of an officer.	From Government to Commissioner.	Article 55, Civil Service Regulations.	In the case of gazetted officers of the Revenue and Forest Departments. (It will be seen from entry No. 12 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, that Government had approved of the proposal that the Collector should have power to fix the headquarters of officers serving under him. The proposal was, however, negatived by the Government of India (*vide* paragraph 2 of Government Resolution No. 2422, dated 15th July 1904). The proposal may be revived so as to give the Commissioner power to sanction changes in the headquarters of Gazetted Officers.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government or Commissioner to Collector.	Article 55, Civil Service Regulations.	In the case of officers serving under the Collector. (Special circumstances sometimes occur which necessitate the change of headquarters.) (Labour is wasted in obtaining formal sanction of Government.)
814	To change the headquarter stations of Provincial Service Officers in the Forest Department.	From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
815	To permit officers to go on beyond limits of jurisdiction.	From Government to Commissioner, C.D.	Articles 57 and 58, Civil Service Regulations.	In the case of subordinates proceeding to Bombay. (At present the Commissioners, Northern and Southern Divisions, and other controlling officers can send their subordinates on duty to Bombay, but the Commissioner, C.D., cannot do so as that City is not contiguous to any district of his Division.)
		From Government to District Judge.	Article 57, ditto ...	On journeys made to any place in the Bombay Presidency. (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to certain Heads of Departments in the Revenue, Police, Jail, Political, Medical and Educational Departments to grant travelling allowances for journeys on duty beyond jurisdiction under Article 57, Civil Service Regulations.)
816	To sanction exchange compensation allowance.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Rules relating to exchange compensation allowance in Chapter 3 of the Civil Account Code.	Powers of Local Government.
817	To grant grain compensation allowance to Government servants.	From Government to Commissioner.	Article 72, Civil Account Code.	Ditto ditto.
		Ditto ...	Ditto ...	In respect of departments subordinate to the Commissioners of Divisions. (References on this subject are generally made in times of scarcity and are not frequent, but this is just the time when both Government and the Commissioner might be saved paper work as far as possible, and since the conditions and limits under which the concession can be granted are definitely laid down, there would be no harm in delegating the power of the Local Government to the Commissioners.)
		From Government to Collector.	Ditto ...	.....
818	To fix the staple food grain of a district or *táluka* for the purposes of grain compensation allowance.	From Commissioner in Sind to Collector.	Ditto ...	Power now exercised by the Commissioner in Sind subject to Civil Account Code Rules. (The Collector is in the best position to fix and at present the Commissioner always refers to him.)
819	To grant plague allowance to Commissioned Medical Officers, Assistant Surgeons and Hospital Assistants for doing plague duty in addition to their own.	From Government to Surgeon-General.	Government Resolution, General Department (Plague), No. 6928 / 7031-P., dated 19th December, 1898, and No. 5738-P., dated 20th September 1899.	Allowances not exceeding one-fifth of salary or Rs. 10 a day, whichever is less.
820	To grant cholera allowance to Assistant Surgeons and Hospital Assistants on cholera duty in addition to their own.	Ditto ...	Government Resolution, General Department, No. 6344, dated 7th November 1901.	To the extent of one-fifth of salary. (The Government of India have explained that as the duty of attending cholera patients during an epidemic is one with medical subordinates are frequently called on to fulfil in the ordinary course, that Government do not recognise the need, unless in exceptional circumstances, for granting any allowance whether under the name of cholera allowance or of a special or local allowance for such duty.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
821	To sanction the payment of honorarium for special work from a provincial budget grant.	From Government to Director of Public Instruction.	Article 72, Civil Service Regulations.	Up to Rs. 500.
822	To permit an officer of Government to receive a fee exceeding Rs. 100 but not exceeding Rs. 500 from a private person or body, or a public body whose funds are not administered by Government for work done for it.	From Government to the Honourable the Chief Justice.	Article 74, ditto ...	Powers of Local Government. (Such fees have to be paid to officers and subordinates in the High Court for work done by them in connection with the Pleaders' Examinations; or fees in similar or other cases.)
823	To sanction the payment of a bonus of Rs. 100 to a Mámlatdár appointed to audit *jamábandi* accounts of a district in which there is a Native District Deputy Collector.	From Government to Commissioner.	Government Resolution, Revenue Department, No. 2901, dated 23rd March 1906.	When the Commissioner can appoint the auditor.
824	To sanction the deputation of officers on special duty.	Ditto ...	Article 77 and 78, Civil Service Regulations.	For temporary work and within budget grant.
		From Government to Collector.	Ditto ...	Within a specified budget grant and with limit as to period and salary.
825	To sanction the payment of deputation allowance.	From Government to Commissioner.	Article 81, ditto ...	Powers of Local Government.
		Ditto ...	Ditto ...	Powers of Local Government in the case of non-gazetted officers, clerks and menials.
		From Government to Conservator of Forests.	Ditto ...	Power of Local Government in the case of subordinates employed on other than their legitimate duties.
826	To dispose of applications for charge allowances to Hospital Assistants in acting charge of dispensaries held by Assistant Surgeons.	From Government to Surgeon-General.	Article 140, ditto ...	A charge allowance of Rs. 20 per mensem, which is one-fifth of the minimum grade pay of an Assistant Surgeon.
827	To fix special acting allowance in the case of officers without a substantive appointment.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 145, ditto ...	In the case of non-gazetted executive and ministerial officers.
828	To gazette charge of current duties for the purpose of granting charge allowance.	From Government to Director of Public Instruction.	Article 161, ditto ...	In the case of officers in the Provincial and Subordinate Educational Service. (This is a matter of no great importance to trouble Government with. Cases often arise in which an officer is required to be placed in charge of the current duties of another officer for a few days (exceeding a week). If the powers now proposed be delegated to the Director of Public Instruction, only cases of officers of the Indian Educational Service will have to be dealt with by Government, which will be few and far between.) (After considering the views of other Local Governments on the question of the scale of allowances which the Government of Bombay proposed to grant to officers of the Provincial and Subordinate Educational Services appointed temporarily to carry on the duties of an office in addition to their own, the Government of India have in Home Department letter No. 191, dated 9th March 1907, decided not to proceed further in the matter as cases of the kind are not likely to be of frequent occurrence and can best be dealt with on the merits.)
829	To grant charge allowance to an officer placed in charge of the current duties of an office in addition to his own.	From Government to Commissioner.	Article 161, Civil Service Regulations.	In the case of— (*a*) Officers holding charge of *Mámlat* in addition to their own duties. (*b*) Head Accountants holding charge of Huzúr Treasuries. (*c*) Divisional Forest Officers.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers.
		From Government to Inspector-General of Police.	Ditto ...	In the case of Police Sub-Inspectors doing duties of Inspectors in addition to their own, and when funds are available for re-appropriation from savings under 20—Police.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Surgeon - General.	Article 161, Civil Service Regulations.	In the case of Hospital Assistants and Vaccinators, and to the extent of one fifth of salary.
		From Government to Commissioner or Collector.	Ditto ...	To Collector in the case of appointments made by him. To Commissioner in other cases.
		From Government to District Judge.	Ditto ...	In the case of Clerks of Court at the rate allowed by the Civil Service Regulations.
		From Government to Sanitary Commissioners.	Ditto ...	Up to one-fifth of the salary of the appointment in which the officer is appointed to act.
		From Government to Conservator of Forests.	Ditto ...	Powers of Local Government. (The sanction accorded by Government in these cases is merely formal.)
		From Government to Officer authorised to make the appointment.	Ditto ...	To the extent admissible under the Civil Service Regulations.
830	To grant allowance to an officer for holding two or more independent appointments.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 168, ditto ...	In the case of executive ministerial and menial officers.
831	To grant half-pay to *patels* and *talatis* who act in addition to their own duties for men on leave.	From Sub-Divisional Officer to Mámlatdár.	.....	For three months.
832	To permit the calculation of joining time by a route other than that habitually used by travellers.	From Government to Collector.	Article 178, Civil Service Regulations.	..... (The Collector has local knowledge and can easily ascertain the circumstances connected with each case.)
833	To grant extention of joining time.	From Government to Commissioners and select Heads of Departments.	Article 180, ditto ...	Powers of Local Government. (The limit up to which and the circumstances in which an extension of joining time should be allowed have been specified in Article 180. Heads of Departments may be trusted to use their discretion properly. Routine correspondence will be saved.)
		From Government to Heads of Departments.	Ditto ...	Powers of Local Government.
		Ditto ...	Ditto ...	Up to a maximum of five days.
		From Government to the Honourable the Chief Justice.	Ditto ...	Within the limit of 30 days.
		From Government to Commissioner.	Ditto ...	In respect of all non-gazetted officers of the Revenue and Forest Departments.
		Ditto ...	Ditto ...	In the case of ministerial officers and menials.
		Ditto ...	Ditto ...	In the case of officers whom the Commissioners appoint.
		From Government to Commissioner of Customs, Salt, Opium, and Abkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers.
		From Government to Inspector-General of Police.	Ditto ...	In the case of all police officers up to seven days over and above the period specified in Article 177, Civil Service Regulations.
		From Government to Director of Public Instruction.	Ditto ...	In the case of non-gazetted officers and of officers in the Provincial and Subordinate Educational Service.
		From Government to Surgeon-General.	Ditto ...	Powers of Local Government in respect of Civil and Military Assistant Surgeons and Hospital Assistants.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	3	3	4	5
		From Government to Collector.	Article 180, Civil Service Regulations.	In the case of non-gazetted officers. [Power to extend joining time as regards non-gazetted officers only was recommended to be given to Commissioners, but was negatived by the Government of India (*vide* Government Resolution, Financial Department, No. 2422, dated 15th July 1904).]
		Ditto ...	Ditto ...	In the case of officers appointed by the Collector.
		From Government to District Judge.	Ditto ...	In the case of subordinate officers and under special circumstances.
		From Government to Conservator of Forests.	Ditto ...	Excess joining time up to 10 days.
834	To grant transit pay to temporary establishments transferred from one office to another.	From Government to Heads of Departments.	Article 188, ditto ...	Powers of Local Government. (The amounts involved are usually very trifling and are generally sanctioned on the recommendation of Heads of Departments.)
		From Government to Surgeon-general.	Ditto ...	In respect of temporary Civil Assistant Surgeons.
		From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
835	To sanction extra expenditure for subsistance allowances granted to officers suspended.	From Government to Inspector-General of Police.	Article 193, ditto ...	The limit laid down in corrected Note under Article 193 (*b*) may be raised from Rs. 250 to Rs. 500 and the period during which an officer has remained unemployed through suspension or dismissal may be raised from six to twelve months.
836	To grant allowance to a dismissed or suspended officer on his reinstatement.	From Commissioner to Collector.	Entry No. 20 of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903.	In the case of subordinates whose appointments are made by the Collector.
		Ditto ...	Ditto ...	Payment to an officer under suspension if it involves an extra expense not exceeding Rs. 100.
		Ditto ...	Ditto ...	Powers now exercised by Commissioner.
		Ditto ...	Ditto ...	In the case of officers reinstated by the Collector.
837	To grant exemption from loss of appointment when overstaying leave.	From Government to Inspector-General of Police.	Article 230, Civil Service Regulations.	In the case of all police officers from inspectors downwards.
		From Government to High Court.	Ditto ...	Over seven days.
		From Government to District Judge.	Ditto ...	Up to seven days.
838	To condone interruptions of duty caused by (i) absence after the end of privilege leave, examination leave, or other kind of leave, or joining time, or (ii) suspension from office pending inquiry into an officer's conduct.	From Government to Commissioners and select Heads of Departments.	Articles 230, 253, 254 and 258, ditto	Powers of Local Government in the case of non-gazetted officers. (This will save petty work and Heads of Departments can be trusted to exercise the powers properly.) The matter is not of sufficient importance to require the orders of Government, and as the proposal to give these powers to Commissioners was approved of by the Local Government, it might be submitted for the reconsideration of the Government of India, who once negatived it. (*Vide* entry No. 21 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, and paragraph 2 of Government Resolution, Financial Department, No. 2422, dated 15th July 1904.)
		From Government to District Judge.	Ditto ...	In the case of subordinates under the District Judge.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
839	To condone interruption of duty in the case of an officer overstaying privilege leave.	From Government to Commissioner.	Article 253, Civil Service Regulations.	In the case of ministerial officers and menials.
		From Government to Inspector-General of Police.	Ditto ...	In the case of all police officers of and below the grade of inspector.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	In the cases of non-gazetted executive and ministerial officers.
840	To condone interruptions of duty caused by overstaying examination leave or joining time, or by suspension from office.	Ditto ...	Articles 254 and 258, ditto.	Ditto ditto.
		From Government to District Judge.	Ditto ...	In the case of non-gazetted subordinates.
841	To condone interruptions of duty in the case of absence after the end of examination leave or joining time.	From Government to Collector.	Article 254, ditto ...	..... (The Collector can see whether the reasons given for the absence are satisfactory and make a thorough local inquiry.)
842	To decide whether suspension from office pending inquiry into an officer's conduct interrupts duty or not, or to order whether the time passed under such suspension does or does not qualify for privilege leave.	From Government to Inspector-General of Police.	Article 258, ditto...	In the case of all police officers of and below the inspector's grade provided that the man under suspension is not considered guilty after criminal prosecution or departmental inquiries.
843	To dispense with the condition that no leave without pay can be granted when any other kind of leave is by rule admissible in cases of grant of extraordinary leave for a period not exceeding two months.	From Government to the Honourable the Chief Justice.	Article 339, ditto ...	Powers of Local Government.
844	To grant privilege leave to all Gazetted Officers of Revenue and Forest Departments except Collector and Conservator.	From Government to Commissioner.	Article 825, ditto ...	Up to three months provided there is no extra cost.
845	To grant privilege leave to Gazetted Officers.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Up to six weeks. (Commissioners of Divisions have been given the power.)
846	To grant privilege leave to Commissioned Medical Officers.	From Government to Surgeon-General.	Ditto ...	..... (Under Government Resolutions, General Department, No. 1334, dated 1st April 1889, and No. 2227, dated 31st May 1895, the Surgeon-General is competent to sanction applications for privilege leave of absence to Gazetted Officers in the Medical Department for periods not exceeding 30 days in cases where no substitute is required and no extra expense is involved.)
847	To grant privilege leave to District, Joint and Small Cause Court Judges in the Presidency proper.	From Government to High Court.	Government Resolutions, Judicial Department, No. 5367, dated 16th September 1878, No. 5838, dated 12th August 1884, and No. 3356, dated 26th June 1889.	.....
848	To grant privilege leave in excess of 30 days to Gazetted Officers.	From Government to Conservator of Forests.	Government Resolutions, Revenue Department, No. 2149, dated 20th March 1889, and No. 2569, dated 3rd April 1889.	Government sanction the grant of leave upon obtaining a report from the Accountant-General as to the title of the leave applied for. Conservators might be empowered to do the same subject to the condition that no substitute is required.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
849	To sanction leave and acting arrangements within the periods of leave in the case of officers of the provincial and subordinate Educational Service.	From Government to Director of Public Instruction.	Government Resolution, Educational Department, No. 1220, dated 1st July 1907.	..... (The Director of Public Instruction has power recently delegated to him to sanction leave and to make acting appointments in the case of head masters of high schools and deputy educational inspectors in the subordinate Educational Service. Similar powers in the case of all Educational Officers on the cadre of the provincial and subordinate Educational Service may be vested in the Director, so that Government will have only to consider the cases of officers in the Indian Educational Service.)
850	To grant privilege leave or leave of any kind to Subordinate Judges when no *locum tenens* is necessary in the opinion of the District Judge.	From High Court to District Judge.	High Court Civil Circular No. 174.	No report to the High Court is necessary. Might be done by the District Judge directly.
851	To grant privilege leave up to six weeks to Gazetted Officers when no extra expense is involved.	From Commissioner to Political Agent.	Government Resolution. Financial Department, No. 279, dated 26th January 1903.	.....
		From Commissioner to Inspector-General of Police.	Government Resolution, Judicial Department, No. 6155, dated 19th November 1906, and amended Rule 2, page 475, Police Manual.	In the case of gazetted police officers. (The Inspector-General of Police exercises this power with respect to Railway Police Gazetted Officers.)
852	To grant privilege leave to Assistant or Deputy Collector for one month.	From Commissioner to Collector.	Government Resolution, Financial Department, No. 279, dated 26th January 1903.	When no substitute is to be entertained. (The delegation of power is proposed to avoid correspondence and delay.)
853	To grant privilege leave up to three months to *Mukhtyárkars*, City and Resident Magistrates, Head Accountants, Distillery and A'bkári Inspectors and Collectors' head *munshis*.	From Commissioner in Sind to Collector.	Paragraph 4, Commissioner's Special Circular No. 5.	At present Collectors can grant privilege leave to *Mukhtyárkars*, head accountants and head *munshis* only, and acting arrangements have to be sanctioned by the Commissioner. Privilege leave to all other officers mentioned in column 2 may also be sanctioned by the Collector or Deputy Commissioner, who may also make acting arrangements himself. (Numerous references will thereby be saved.)
854	To grant leave to *Mukhtyárkars* and head accountants up to six months and to fill up acting vacancies in these changes.	Ditto ...	Ditto ...	Subject to report to the Commissioner in Sind of the acting arrangements made. (Under the existing Orders the Collector or Deputy Commissioner can grant privilege leave only to either of these officers and fill up acting vacancy up to *six weeks* in the case of head accountants only. In the case of *Mukhtyárkars* and of vacancies of over six weeks in the case of head accountants they are generally as a rule filled up by the Commissioner. The enhancement of these powers to the extent proposed will result in a considerable reduction of correspondence and also tend towards efficient administration inasmuch as the Collector concerned can fill up vacancies on the spot from amongst the best of his subordinates. Of course in making appointments due regard will be had to the qualifying examinations, *i.e.*, higher standard in the case of *Mukhtyárkars* and head accountants examination in the case of head accountants, but in certain cases officers of proved merit and exceptional ability whose ignorance of the knowlege of English debars them from passing the higher standard examination might be appointed to the acting vacancies.)
855	To grant leave to police sub-inspectors.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Article 841 (*b*), Civil Service Regulations.	.....
856	To grant privilege leave to establishments.	From Authority making the appointment to Heads of Offices.	Ditto ...	Up to one month in cases where the duty can be performed by entertaining a complementary hand. (The delegation may save delay and inconvenience to subordinates requiring leave.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	5	5
857	To grant privilege leave to subordinate clerks on entertaining a substitute.	From Conservator of Forests to Divisional Forest Officer.	Article 841 (*b*), Civil Service Regulations.	..... (The sanction accorded at present in cases of this kind is merely formal.)
858	To grant privilege leave to ministerial officers of Subordinate Judges.	From District Judge to Subordinate Judge.	Ditto ...	When substitutes have not to be provided from other Courts.
859	To grant privilege leave to head constables and constables.	From District Superintendent of Police to Assistant Superintendent of Police.	Ditto ...	In the case of officers in the Assistant Superintendent's division.
860	To grant leave to *munshis* ...	From Collector to *Mukhtyárkar*.	Ditto ...	*Mukhtyárkars* may be allowed to grant one month's leave to their establishments and *tapedárs* and cattle-pounds *munshis*, except the head *munshi*, whose application for leave must be submitted to the Collector for orders. Every order made by the *Mukhtyárkar* should be reported to the Collector through the Assistant Collector.
861	To grant leave to subordinates in the offices of Assistant Political Agents, etc.	From Political Agent, *Pálanpur*, to Assistant or Deputy Assistant Political Agent, Jail Superintendent, and Medical Officer.	Practice	Subject to one month's limit, and when no extra expense is involved.
862	To grant leave with or without substitute up to three months to peons.	From Sub-Divisional Officer to Mámlatdár.	Section 21, Bombay Land Revenue Code, 1879.	.....
863	To grant leave to menial servants.	From Assistant or Deputy Assistant Political Agent to *Thándár*.	Political Agent, Rewa Kántha's, No. 401, dated 1st September 1890.	Subject to the proviso that no additional expenditure is incurred.
864	To authorise the payment of leave allowance to a non-gazetted officer.	From Collector to Treasury Officer.	Article 865. Civil Service Regulations.	In the case of Mámlatdárs. (Mámlatdárs can pay leave allowances of *kárkúns*.)
865	To suspend lien on the appointment of an officer on deputation if it is likely to last for more than three years.	From Government to Commissioner.	Article 89, ditto ...	In the case of all non-gazetted officers of the Revenue and Forest Departments. (The proposal to delegate this power to Commissioners was negatived by the Government of India in 1904. *Vide* entry No. 14 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.)
		From Government to Commissioner and Surgeon-General.	Ditto ...	..... To Surgeon-General in the case of Hospital Assistants Inspectors of Sanitation and Vaccination, vaccinators and clerical establishments. (The Commissioners and the Surgeon-General have been empowered to sanction the transfer of certain non-gazetted officers to foreign service. As a corollary to this power, it seems desirable that they should have the power now proposed.)
		From Government to Director of Public Instruction.	Ditto ...	As a corollary to the power of transferring non-gazetted educational employés to foreign service proposed to be delegated to the Director.
866	To transfer the services of Civil Assistant Surgeons to Native States and other bodies.	From Government to Surgeon-General.	Article 753, ditto ...	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
867	To grant increase of pay not exceeding 20 per cent. of the original pay in foreign service of the first kind at intervals of not less than three years in such service.	From Government to heads of departments who have power to transfer non-gazetted officers to foreign service.	Article 753, (iv) (*c*) (2), Civil Service Regulations.	Subject to the conditions prescribed in the rule mentioned in column 4, *viz.*, if the increase is justified with reference to the qualifications of the officer and the nature of his duties. (Heads of Departments may be trusted to see that the prescribed conditions are faithfully observed.)
868	To transfer non-gazetted officers to foreign service.	From Commissioner to Inspector-General of Police.	Article 753, Civil Service Regulations, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	In the case of non-gazetted police officers.
		From Commissioner to Director of Public Instruction.	Ditto ...	In the case of officers of the Educational Department. (Under the resolution quoted in column 4 the sanction of the Commissioner of Division or in Sind has to be obtained whenever an educational employee is transferred to foreign service. The Director of Public Instruction is the head of his department, and he should have similar powers with regard to officers of his department.)
		From Surgeon-General to Sanitary Commissioner.	Ditto ...	In the case of vaccinators.
		From Commissioner to Political Agent.	Ditto ...	..... (Much correspondence will be saved.)
869	To transfer servants paid from provincial revenues to foreign service of the 1st and 3rd kind, and *vice versâ*.	From Surgeon-General to Sanitary Commissioner.	Government Resolution, General Department, No. 2910, dated 17th August 1886.	.....
870	To grant long leave to police officers in foreign service.	From Commissioner to Inspector-General of Police.	Article 790, Civil Service Regulations, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	Full, with respect to all non-gazetted police officers.
871	To permit alteration of an entry of age or date of birth of a Government servant once entered in the annual return of establishment (except in case of clerical error).	From Government to the Honourable the Chief Justice.	Article 55 (1), Civil Account Code.	In the case of all Gazetted Officers and non-gazetted subordinates in the High Court.
872	To permit alteration of the entry of age or date of birth of an officer once entered in his service book (except in case of clerical error).	Ditto ...	Government Resolutions, Financial Department, No. 3181, dated 24th September 1890, and No. 4117, dated 13th December 1894.	In the case of all non-gazetted subordinates in the High Court.
		From Government to Inspector-General of Police.	Government Resolution, Financial Department, No. 4117, dated 13th December 1894.	In the case of police officers from inspectors downwards.
		From Commissioner to Collector.	Entry No. 25 of the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903.	In the case of officers appointed by the Collector.
873	To permit the correction of clerical errors in the recorded age of birth in service books.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Government Resolution, Financial Department, No. 4117, dated 13th December 1894.	In the case of head constables and constables.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
874	To declare that previous service shall not be forfeited by reason of unauthorised absence in continuation of authorised leave of absence.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Article 420 (*b*), Civil Service Regulations.	In the case of non-gazetted executive and ministerial officers, and to make the declaration under the rule mentioned in column 4 within six months instead of three months from the end of the authorised leave of absence.
875	To commute retrospectively absence without leave into leave without allowance.	From Government to Commissioners and other officers empowered to sanction pensions.	Article 421, ditto...	In the case of all officers to whom they are competent to grant pensions. (A proposal to grant this power was negatived by the Government of India in 1904 (*vide* Government Resolution, Financial Department, No. 2422, dated 15th July 1904), but it might be reconsidered now. The Board of Revenue, and the Inspector-General of Police, Madras, exercise the power conferred by Article 421 in the case of officers subordinate to them drawing Rs. 20 per mensem or less. There appears to be no reason why Heads of Departments should not be allowed to exercise this power as a carollary to their power of sanctioning pensions. It is generally on the retirement of low-paid servants, such as policemen, that the question arises. The proposal is strongly recommended as there will be a large reduction of petty work. In case the Government of India consider that the power of commuting the periods of absence should not be unlimited, a maximum period up to which the power might be exercised, say, one year, might be prescribed.)
		From Government to the Honourable the Chief Justice.	Article 421, Civil Service Regulations.	In the case of all non-gazetted subordinates in the High Court. (The power of sanctioning ordinary pensions in the case of these subordinates has been delegated to the Honourable the Chief Justice.)
		From Government to Commissioner.	Ditto ...	This power should be exercised by the authority empowered to grant privilege leave.
		From Government to Inspector-General of Police.	Ditto ...	In the case of all non-gazetted officers whose pensions the Inspector-General of Police is empowered to sanction.
		From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers and menials.
		From Government to Collector.	Ditto ...	In the case of ministerial officers and menial servants. (Heads of districts are in far better touch with all the circumstances.)
		Ditto ...	Ditto ...	Interruption of one day in the service, *viz.*, from acting appointments to substantive appointments.
876	To condone interruptions or deficiency in service.	From Government to Commissioner.	Articles 422 and 423, Civil Service Regulations.	In the case of all officers to whom the Commissioner is competent to grant pensions. (Proposal to grant to the Commissioner powers under this head was negatived by Government Resolution, Financial Department, No. 279, dated 26th January 1903, but might be reconsidered now.)
		From Government to the Honourable the Chief Justice.	Ditto ...	In the case of all non-gazetted subordinates in the High Court. (The power of sanctioning ordinary pensions to the subordinates referred to has been delegated to the Honourable the Chief Justice.)
		From Government to Officer sanctioning pension.	Ditto ...	Power exercised by Local Government.
		From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers and menials. To condone interruptions for twelve months if the pension is a provincial charge.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Inspector-General of Police.	Articles 422 and 423, Civil Service Regulations.	To condone interruptions up to three months under clause (*i*) of Article 422, and up to twelve months under clause (*ii*) of the same article in the case of all non-gazetted officers whose pensions the Inspector-General of Police sanctions, and to exercise the Local Government's power regarding condonation of deficiencies in service in the case of the same class of officers.
		From Government to Conservator of Forests.	Ditto ...	Subject to any conditions Government might see fit to prescribe.
		From Government to Collector.	Ditto ...	In the case of officers appointed by the Collector.
		From Government to District Judge.	Ditto ...	Full powers of Local Government in the case of non-gazetted subordinates.
877	To grant pension to an officer who is incapacitated for employment only in some particular branch of the Public Service.	From Government to Inspector-General of Police.	Articles 453, 914 and 921, ditto.	Wholly in the case of all non-gazetted officers whose pension the Inspector-General of Police sanctions.
878	To retain in service officers after the date of medical certificate of incapacity for further service.	From Government to District Judge.	Article 455, ditto...	For a period not exceeding fifteen days.
		From Commissioner to Collector.	Ditto ...	In the case of officers appointed by the Collector.
		From Commissioner to Conservator of Forests.	Ditto ...	..... (The sanction accorded in cases of this kind is merely formal.)
		From Commissioner to Collector and District Magistrate, and Conservator of Forests.	Ditto ...	In the case of subordinates on Rs. 20 and less per mensem. (As a corollary to the proposed delegation of power to grant pensions and gratuities to these subordinates.)
879	To grant extension of service to an officer who has attained 60 years.	From Government to Commissioner.	Articles 459 and 462, ditto.	In the case of all non-gazetted subordinates. (It will be seen from entry No. 23 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, that a proposal was made that the power to grant extensions of service and to order retirements should be given to Collectors and Commissioners as regards all officers appointed by them respectively. It was remarked that there was no need for giving power to grant extensions up to 60 years to one authority and beyond 60 years to another. The proposal was not approved by Government. If Government are still opposed to the idea of giving the Collectors the discretion of retaining men in service after 60 years, the power might at least be given to the Commissioner. Government have seldom any occasion to differ from the recommendations of the local officers.)
		From Government to Director of Public Instruction.	Articles 459 and 462, Civil Service Regulations.	In the case of non-gazetted officers paid from provincial, Local Board and Municipal Funds. (Sanction of Government in this matter in the case of these officers is immaterial.)
		From Government to the Honourable the Chief Justice.	Articles 459 and 462, Civil Service Regulations, and Government Notification, Judicial Department, No. 2462, dated 8th May 1889.	In the case of non-gazetted officers of the High Court. (The Honourable the Chief Justice has power to permit a non-gazetted subordinate to remain in service up to but not beyond the age of 60 years. This power might well be extended.)
		From Government to District Judge.	Article 459, Civil Service Regulations, and Government Resolution, Financial Department, No. 2711, dated 1st July 1892.	Extension of service to non-gazetted officers beyond the age of 60 until they retire.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
880	To grant extensions of service and to order retirements.	From Government to the Honourable the Chief Justice.	Article 459, Civil Service Regulations.	In the case of Gazetted Officers of the High Court up to the age of 60 years.
		From Government to High Court.	Article 459, Civil Service Regulations, and Government Resolutions, Financial Department, No, 1235, dated 10th April 1895, and No. 2395, dated 18th July 1905.	Extension o fservice to Subordinate Judges up to the age of 60 years.
		From Government to Director of Public Instruction.	Article 459, Civil Service Regulations, and Government Resolution, Educational Department, No. 1973, dated 18th September 1890.	Extension of service up to the age of 60 to officers of the provincial and subordinate Education Service. (The Director of Public Instruction always carefully considers the applications of officers asking extensions of service, and makes his recommendations to Government, which are usually sanctioned. If any officer is dissatisfied with the decision of the Director, it is open to him to make an appeal to Government.)
		From Government to Surgeon - General.	Article 459, Civil Service Regulations.	Local Government's powers of granting extension of service to Civil Assistant Surgeons. (The Surgeon-General may be authorised to deal with this matter as he can ascertain the applicant's physcial and mental fitness to continue in service.)
		From Inspector - General of Police to Deputy Inspectors - General of Police, Ranges and Railways.	Article 462, Civil Service Regulations, and Rule 14 at page 29, Police Manual.	In the case of head constables and constables. (The Deputy Inspectors - General of Police have more opportunities for personally seeing the men concerned.)
		From Commissioner to Collector and District Magistrate.	Article 462, Civil Service Regulations, and Government Resolution, Financial Department, No. 2827, dated 22nd August 1890.	In the case of all officers appointed by the Collector or District Magistrate. (This is required to be submitted annually to the Commissioner for sanction, which is invariably accorded. The Collector knows his subordinates and is the best judge of their physical and mental fitness and it would be reasonable if he is left to deal with the question so far as regards the officers he appoints. A proposal to this effect was made (*vide* item No. 23 of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903), but negatived by Government. Twenty superannuation statements of men less than 60 years were received in the office of the Commissioner, C.D., in 1906, and orders issued by him according to the Collector's recommendations without any occasion for further inquiries. It seems therefore useless to trouble the Commissioner with these statements.)
		From Commissioner to Collector.	Ditto ...	Extension for one year to Collector's subordinates. (The Commissioner sanctions extensions on the recommendation of the Collector.)
		Ditto ...	Ditto ...	To all, except Mámlatdárs and head accountants.
		Ditto ...	Ditto ...	Extension up to 60 years to non-gazetted officers.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From selected Officers empowered in this behalf to Officers making the appointments.	Article 462, Civil Service Regulations, and Government Resolution, Financial Department, No. 2827, dated 22nd August 1890.	The power now exercised by selected officers. (The delegation of power will save correspondence. If the appointments are made by Heads of Departments, it is but just and equitable that the power of granting extensions should be granted to them.)
		From Conservator of Forests to Divisional Forest Officer.	Ditto ...	In the case of forest guards who have completed the age of 55 years. (Under Government Resolution, Revenue Department, No. 7324, dared 25th July 1907, only Deputy Conservators of not less than ten years' service have this power. All Divisional Forest Officers might be given this power as the sanction now accorded by the Conservator is merely formal.)
		From Commissioner to Assistant or Deputy Collector.	Ditto ...	Extension of service up to 60 years to inferior servants.
		From Director of Public Instruction to Educational Inspector of Division.	Article 462, Civil Service Regulations, and Government Resolution, Educational Department, No. 1973, dated 18th September 1890.	Extension of service up to the age of 60 to primary school masters and teachers in the service of Local and Municipal Boards. (The Educational Inspectors who control primary education recommend extensions of service in the case of these masters after having satisfied themselves as to the desirability of granting them. The Director's sanction is only formal.)
881	To deal with an appeal to the Government of India against the Commissioner's orders refusing extension of service to a non-gazetted officer.	From Government to Commissioner.	Government of India Notification No. 147 of 19th January 1905, Memorial Rule No. 6.	Power to refuse to send memorial on.
882	To sanction reduction of pension in case of misconduct.	Ditto ...	Article 470 (*b*), Civil Service Regulations.	In cases in which the Commissioner sanctions ordinary pensions.
883	To dispose of pension applications from non-gazetted officers in cases in which all the conditions of the regulations are not fulfilled.	Ditto ...	Article 470 (*b*) and 918, ditto.	Same as in ordinary pensions.
884	To calculate pension on average emoluments instead of on emoluments which have been reduced during last three years.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Articles 474 (*a*) and 482, ditto.	In the case of non-gazetted executive and ministerial officers and menials.
885	To offer re-employment to an officer discharged with a compensation pension.	Ditto ...	Article 437, ditto ...	Ditto ditto.
		From Government to Collector.	Ditto ...	In the case of officers appointed by the Collector.
886	To sanction the re-employment of pensioners on temporary duties.	From Government to Surgeon-General.	Articles 520–521, do.	Powers of Local Government in the case of re-employment of retired Assistant Surgeons (Civil and Military) and Hospital Assistants on duty of a temporary nature.
		From Government to Commissioner, Conservator of Forests, Collector and District Magistrate, and District Superintendent of Police.	Article 524, Civil Service Regulations, and Government Resolution, General Department (Plague), No. 1419-P., dated 27th March 1901.	To re-employ pensioners for a period not exceeding one year in temporary vacancies (due to any cause) which the officers mentioned in column 3 are competent to fill. (This power has already been delegated to the Commissioners in connection with the plague (*vide* Government Resolution, General Department (Plague), No. 1419-P., of the 27th March 1901), and to the Commissioners, Collectors, District Superintendents of Police, etc., in connection with famine. But there are other occasions on which the re-employment of pensioners is found necessary (*e.g.*, Government Resolution, Judicial Department, No. 75, dated 8th January 1907), and officers who have the power to make appointments might be trusted to re-employ pensioners for short periods when other suitable candidates are not available.) [*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation to the Commissioners of Divisions and in Sind of power to re-employ Government pensioners on *bonâ fide* temporary duty lasting not more than a year.]

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Lord Bishop of Bombay.	Article 524. Civil Service Regulations.	In the case of re-employment of a pensioner as bishop's clerk.
		From Government to Collector.	Article 520, ditto...	In the case of pensioners employed by a Local Board as menials.
		Ditto ...	Articles 520 and 521, ditto.	..... (This is particularly desirable in famine times ; the Local Government cannot possibly know so well as the Collectors whether it is proper to re-employ or not.)
		Ditto ...	Article 521, ditto...	Pensioner *peons* may be re-employed and Military and Police pensioners may be employed as *peons*. (A pensioner cannot be re-employed without Government sanction. The most frequent cases are those of *peons* who may be re-employed as village *havildars*, or military and police pensioners re-employed as *peons*. Collectors may be given the power to re-employ pensioners to this extent. In ordinary times the necessity is not much felt, but this power would be of much use in times of famine when a staff of trained menials is required for all sorts of duty.)
		Ditto ...	Article 524, Civil Service Regulations, and Government Resolution, General Department (Plague), No. 1419-P., dated 27th March 1906.	Subject to rules in the Civil Service Regulations. (The matter is too trivial to necessitate reasons in support of it.)
887	To grant extraordinary pension and gratuity.	From Government to Commissioner.	Articles 739 and 740, Civil Service Regulations.	To class of persons to whom the Commissioner grants ordinary pensions.
888	To grant pensions payable from the Steam Vessel Survey Fund.	From Government to Port Officer, Bombay.	Article 800, ditto...	To sanction, subject to audit, the grant and payment of pensions to *peons* and crew of the Government Surveyors' launch.
889	To admit service the verification of which is impossible for pension purposes.	From Government to Inspector-General of Police.	Article 914, ditto ...	If the Inspector-General of Police can collect collateral evidence as contemplated in Article 908 (*e*), he should be empowered to sanction pension without submitting the papers to Government in the case of all non-gazetted officers.
890	To dispose of applications for pensions and gratuities	From Government to Commissioner.	Article 918, ditto ...	In the case of Deputy Collectors and Gazetted Officers below them.
		From Government to Accountant-General.	Ditto ...	When the amount of pension does not exceed Rs. 50 and no special orders of Government are required.
		From Commissioner to Collector.	Article 919, Civil Service Regulations, and item No. 6 of the statement accompanying Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	In the case of non-gazetted officers and inferior servants after previous reference to the Accountant-General. (This was mooted before but the proposal was negatived (*vide* item No. 22 of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903).)
		Ditto ...	Ditto ...	To menial establishments. (As the pension or gratuity is determined by the Accountant-General in the first instance, the Collector may pass order for payment of the amount determined.)
		Ditto ...	Ditto ...	In respect of menials and clerks and *karkuns* below Rs. 50, subject to Accountant-General's certificate regarding admissibility of proposed pension.
		From Commissioner to Political Agent.	Ditto ...	In the case of menial establishments and members of the Agency Police Force. (Correspondence will be reduced to a certain extent.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Commissioner to Heads of Offices.	Article 919, Civil Service Regulations, and item No. 6 of the statement accompanying Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	As certified by the Accountant-General in the case of revenue and forest subordinates.
		From Commissioner to Conservator of Forests.	Do. and Government Resolution, Financial Department, No. 4301, dated 15th November 1906.	Power at present exercised by Commissioner in respect of officers in superior service.
		From Commissioner to Divisional Forest Officer.	Ditto ...	In the case of forest guards of all grades.
		From Inspector-General of Police to Deputy Inspectors-General of Police, Ranges and Railways.	Article 921, Civil Service Regulations, and Government Resolution, Financial Department, No. 4878, dated 21st December 1906.	From head constables downwards in all cases involving no complications and in which the period of service is continuous and verified. (The proposal involves no risk in so much as all sanctions are subject to the final scrutiny of the Accountant-General, the applicant being informed that the grant of pension or gratuity is liable to revision and a claim for refund of any excess over and above what he is entitled to under the Regulations.)
891	To grant pensions and gratuities in cases in which there are no unusual features and which have been certified by the Accountant-General as admissible under the Regulations, and to accept a medical certificate under Article 442 or 911 (*c*), Civil Service Regulations.	From Commissioner to Conservator of Forests, and Collector and District Magistrate.	Article 919, Civil Service Regulations, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	All subordinates on Rs. 20 and less per mensem. (It will be seen from entry No. 22 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, that it was proposed to grant power to Collectors to deal with pension cases of all men appointed by them; but this did not apparently meet with the approval of Government, who enhanced the Commissioner's powers which were then confined to men drawing Rs. 20 and less. If Government do not wish to reconsider the old proposal, at least power to grant pensions to men drawing Rs. 20 and less may be granted to the Collectors as well as to the Conservators of Forests. As this power is to be confined to cases which have been certified by the Accountant-General as admissible under the Regulations, and as cases in which reductions are proposed will have to go to Government, there seems no danger in giving the proposed power. It will save considerable correspondence, 85 pension cases of men in the Revenue and Forest Departments having been dealt with by the Commissioner, Central Division, in 1906, of which more than half were of men drawing Rs. 20 and less. The other powers which it is proposed to delegate to these officers follow as a corollary to the power of sanctioning pensions, and may be granted to them.)
892	To accept a medical certificate bearing a later date than that on which an officer ceased to be borne on an establishment.	From Commissioner to Conservator of Forests.	Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	Power at present exercised by Commissioner.
893	To condone breaks in service due to discharge or resignation.	From Inspector-General of Police or Commissioner to Deputy Inspectors-General of Police.	Article 502, Civil Service Regulations.	In the case of police officers in receipt of pay not exceeding Rs. 20 who re-enlist within a year after discharge or resignation. (The proposal is in accordance with the suggestion in letter No. 1155, dated 20th November 1905, from the Government of India to the Government of Bombay.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Commissioner to Political Agent.	Article 502, Civil Service Regulations.	..... (The Political Agent is the officer who is best able to judge the matters, and the sanction of the Commissioner is only made on the Political Agent's recommendation.)
894	To permit transfer of payment of pension from one treasury in a district to another outside the district.	From Accountant-General to Collector.	Article 950, ditto ...	.....
895	To sanction payment for the first time of pension in arrears for more than six months.	From Commissioner to Collector.	Article 957, ditto ...	Powers of Commissioner.
		From Commissioner to Collector and District Magistrate.	Ditto ...	As regards arrears for more than six months but less than one year. (This can hardly raise any question worthy of the Commissioner's notice.)
		Ditto and Conservator of Forests.	Ditto ...	In the case of subordinates who drew Rs. 20 per mensem or less.
896	To sanction the payment of pensions in arrears for more than six months in cases which require the sanction of the Accountant-General.	From Accountant-General to Collector.	Ditto ...	In cases in which arrears are claimed within one year of their becoming due.
		Ditto ...	Articles 957-959, ditto.	..... (There is no control over pensioners, and the sanction of the Accountant-General is a mere formality which only gives futile work.)
897	To sanction the payment of arrears of pension to the heirs of deceased pensioners.	From Commissioner to Collector.	Article 959 (*a*), Civil Service Regulations, and Rule 338, Clause III, Bombay Treasury Manual.	Powers of Commissioner.
		Ditto ...	Article 959 (*a*), Civil Service Regulations.	Payment of arrears within one year of their becoming due.
		From Collector to Treasury Officer.	Article 960, ditto ...	When the amount does not exceed Rs. 500. (Arrears can only be checked by reference to the Treasury Officer, and Article 960 only allows payment in non-disputed cases.)
		Ditto ...	Ditto ...	..... (Much correspondence will be saved if this power is delegated.)
898	To permit transfer of payment of pensions within district.	From Collector to Huzur Deputy Collector.	Article 952, ditto ...	To full extent. (As the applications for transfer are generally granted for the convenience of the pensioners, the Treasury Officer may fairly deal with such correspondence.)
899	To declare the shortest route between any two stations for the purpose of travelling allowances.	From Government to District Judge.	Article 996 (*b*), ditto.	Full powers.
900	To calculate travelling allowance by a route other than the shortest or cheapest.	From Government to Director of Agriculture. From Government to District Judge. From Government to Conservator of Forests.	Article 997, ditto ...	Powers of Local Government.
901	To sanction charges for the carriage of camp equipment and horses by rail or steamer.	From Government to Commissioner.	Article 1000, Civil Service Regulations, and Government Resolution, Financial Department, No. 1052, dated 20th March 1894.	Without having to submit a half-yearly statement to Government. (Government have seldom occasion to overrule the Commissioners' orders, and having regard to Government Resolution, Financial Department, No. 1948, dated 18th April 1907, which allows wider discretion, the half-yearly return might be dispensed with.)
		From Government to Director of Agriculture.	Article 1000, Civil Service Regulations.	In respect of officers in the Agricultural Department.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Inspector-General of Police.	Government Resolution, Judicial Department, No. 2931, dated 16th May 1907.	Powers of Local Government, subject to the limitations prescribed by Government in respect to the maximum weight of camp equipment and number of horses to be carried.
		From Commissioner to Conservator of Forests.	Article 1000, Civil Service Regulations.	..... (Officers at the head of some other departments have already been given this power.)
902	To grant to an officer holding charge of two separate appointments permanent travelling allowance in addition to that attached to one of them.	From Government to select Heads of Departments.	Article 1009, ditto	Powers of Local Government.
903	To grant double horse allowance to inspector in charge of two beats owing to transfer or leave of inspector of neighbouring beat.	From Government to Collector of Salt Revenue.	Ditto ...	Ditto.
904	To sanction the payment to an officer placed in charge of the current duties of an office the travelling allowance attached to it.	From Government to Inspector-General of Police.	Article 1010, ditto	In the case of sub-inspectors and head constables.
		From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
905	To permit travelling by steamer by a class higher than eligible.	From Government to Commissioner of Customs, Salt, Opium, and Abkári.	Article 1020, ditto	In the case of non-gazetted executive and ministerial officers and menials.
906	To sanction the payment of permanent travelling allowance to an extra Assistant Conservator when placed in charge of a division.	From Government to Conservator of Forests.	Article 1049, Civil Service Regulations, and Government Resolution, Revenue Department, No. 2021, dated 17th March 1893.	Powers of Local Government.
907	To grant actual expenses of keeping up camp equipage.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Articles 1054 and 1059, Civil Service Regulations.	In the case of non-gazetted executive and ministerial officers and menials.
		From Government to Collector.	Ditto ...	.....
908	To grant halting allowance to establishments for more than ten days of a halt at one place.	From Government to Commissioners and select Heads of Departments.	Article 1056, ditto	Powers of Local Government subject to submission to Government of half-yearly returns of sanctions accorded under delegated powers. [Cases which come up to Government are not infrequent, and in many cases sanction is accorded as a matter of course.]
		From Government to Commissioner.		
		From Government to Agent to the Governor, *Káthiáwár*.	Ditto ...	Powers of Local Government.
		From Government to Director of Agriculture.		
		From Government to Head of Office.		
		From Government to the Honourable the Chief Justice.	Ditto ...	In the case of District Judges.
		From Government to High Court and District Judge.	Ditto ...	Ten days in excess of ten days already allowed. Power to High Court in the case of District Judges and to District Judges in the case of all their subordinates.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2.	3	4	5
		From Government to Inspector-General of Prisons.	Article 1056, Civil Service Regulations.	..... [These cases only occur when clerks accompany the Inspector-General of Prisons on tour.]
		From Government to Settlement Commissioner and Director of Land Records.	Ditto ...	In the case of (i) Junior Civilians and Circle Inspectors attending the survey class, and (ii) village accountants attending the survey class at *tálukas* other than their own, for the whole period of the class, and in the case of surveyors of field parties for three months at a time.
		From Government to Inspector-General of Police.	Ditto ...	Up to one month with respect to all police officers, (gazetted and non-gazetted) and ministerial police establishments, except those to whom Rule 27A on page 58 of the Police Manual applies. (In connection with inspection duties and investigation of crime it frequently happens that the ten days' rule interferes with the business in hand, and in order to evade the operation of the rule, camps are unnecessarily changed to the detriment of public interests and at avoidable expense to Government.)
		From Government to Collector.	Ditto ...	Powers of Local Government.
		From Government to Political Agent.	Ditto ...	Ditto.
		From Commissioner to Political Agent.	Rules 27 and 28 on pages 58 and 59 of Police Manual.	In the case of members of the Agency Police going outside their sphere of duty.
909	To sanction the actual expenses of maintaining a camp to an officer compelled to leave it in case of sudden emergency, in addition to the allowances admissible under Chapter LII. of the Civil Service Regulations.	From Government to Director of Agriculture.	Article 1061, Civil Service Regulations.	Powers of Local Government.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 1061 (*a*), ditto.	In the case of non-gazetted executive and ministerial officers and menials. (The Commissioners of Divisions have been given this power.)
		From Government to Superintending Engineer in the Presidency proper.	Article 1061, ditto	In the case of executive engineers.
		From Government to Executive Engineer.	Ditto ...	In the case of all subordinate officers.
910	To grant daily allowance of two annas to inferior servants accompanying an Inspecting or a Controlling Officer whose circuit of inspection extends beyond the limits of a single district.	From Government to Commissioners and select Heads of Departments.	Article 1063, exception (*c*), Civil Service Regulations.	Powers of Local Government. (The delegation of power will relieve Government of petty work and is not likely to lead to increased expenditure.)
911	To permit an officer or class of officers whose salary does not exceed Rs. 200 a month, to draw allowances under Chapter LII. (mileage allowance), Civil Service Regulations, for the whole period of absence from headquarters.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 1066, ditto	In the case of non-gazetted executive and ministerial officers and menials.
912	To sanction conveyance allowance at an increased rate to lower subordinates in the Public Works Department when in charge of sub-divisions.	From Government to Superintending Engineer.	Article 1077, ditto	Powers of Local Government.
913	To sanction the payment of passage money to families of certain classes of officers on transfer.	From Government to Commissioners and select Heads of Departments.	Article 1097 (*b*), ditto.	..... (Nothing is gained by the submission to Government of these cases, which are generally treated as routine.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Surgeon-General.	Article 1097 (*b*), Civil Service Regulations.	In the case of Assistant Surgeons and Hospital Assistants.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Articles 1097 (*b*) and 1098 (*c*), ditto.	In the case of non-gazetted executive and ministerial officers and menials, the period of two months prescribed in Articles 1098 (*c*) to be extended to six months.
		From Government to Collector.	Article 1097 (*b*), ditto.	Powers of Local Government.
		From Government to Conservator of Forests.	Article 1097 and 1098, ditto.	Ditto.
914	To grant travelling allowance to an officer transferred for misconduct.	From Government to Commissioner of Customs, Salt, Opium and Abkari.	Article 1100, ditto	In the case of non-gazetted executive and ministerial officers and menials.
915	To grant to an inferior servant travelling allowance for journey on transfer.	From Government to the Honourable the Chief Justice.	Article 1107, ditto	Powers of Local Government.
916	To sanction the payment of travelling allowance for journeys made to appear at the head accountants' examination.	From Government to Collector.	Article 1116 (note), ditto.	In all cases.
917	To sanction travelling allowance for journeys to procure medical certificate in case of invalid pension, when application is made voluntarily and not under the direction of the applicant's official superior.	From Government to Commissioner.	Article 1138, ditto	Powers of Local Government.
918	To authorise the payment of travelling allowance to an assessor beyond Rs. 20.	From Government to Sessions Judge.	Government Resolution, Financial Department, No. 1877, dated 5th May 1906.	To any amount proper under the circumstances of the case, say Rs. 50.
919	To sanction conveyance allowances specified in Article 1077, Civil Service Regulations, to Upper and Lower Subordinates in the Public Works Department.	From Superintending Engineer to Executive Engineer.	Article 1077, Civil Service Regulations.	Powers at present exercised by Superintending Engineers. (The sanction given at present by the Superintending Engineers is a mere formality.)
920	To grant travelling allowance to (*a*) menials on transfer and (*b*) temporary establishment when on duty.	From Agent to the Governor, *Káthiáwár*, to Political Agent in charge of *Pránt*, and Superintendent, Managed Estates.	(*a*) Article 1107, Service Regulations. (*b*) Practice.	Powers of Agent to the Governor.
921	To countersign bills of establishment proceeding beyond jurisdiction of the district on public business.	From Commissioner to Collector.	Article 1159, Civil Service Regulations.	In the case of ministerial and menial officers. (The officer proceeds on public duty under orders of his superior, and there seems no objection if the Collector countersigns the bills as in the case of journeys within the district.)
922	To countersign travelling allowance bills.	Ditto ...	Ditto ...	In the case of Sub-Divisional Officers.
		Ditto ...	Ditto ...	In the case of Assistant and Deputy Collectors who are not in receipt of permanent travelling allowance, *e.g.*, Junior Civilians and Deputy Collectors not placed in charge of *tálukas* and Personal Assistants to Collectors, when required by Collectors to go on tour, and of subordinates deputed for training in survey.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
				(In both these cases the power might safely be granted to Collectors, who are better able to attend to the duties imposed on controlling officers by Article 1161 of the Civil Service Regulations than the Commissioners.)
		From Commissioner to Collector.	Article 1159, Civil Service Regulations, and Government Resolution, Financial Department, No. 2918, dated 27th August 1895.	In the case of salt and excise establishments subordinate to Collectors and Deputy Commissioners in Sind.
		From Director of Public Instruction to Divisional Educational Inspector.	Article 1159, Civil Service Regulations.	In the case of officers and establishments subordinate to the educational inspectors and of head masters of high schools and high school establishments, and subject to the separate allotments provided in the budget for each officer and establishment. (The employment returns of travelling officers subordinate to the inspectors were discontinued to be submitted to the Director of Public Instruction. These employment returns are recorded in the offices of the educational inspectors, and in fact there is no administrative convenience to check these bills in the office of the Director of Public Instruction. These powers have been granted to the educational inspector in Sind as per Government Resolution, Educational Department, No. 861 of 4th June 1886.)
		From Inspector-General of Police to Deputy Inspectors-General of Police.	Article 1159, Civil Service Regulations, and Government Resolution, Judicial Department, No. 4893, dated 12th September 1906.	In the case of all police officers from sub-inspectors downwards and sergeants. (At present all travelling allowance bills of police of all grades are countersigned by the Inspector-General of Police. A partial delegation of this duty will greatly relieve the pressure of work in the Inspector-General's office, where scrutiny of these bills is excessively heavy. Moreover, Deputy Inspectors-General of Police should be more in touch with the movements of the officers in their ranges and have closer personal knowledge of distances, alternative routes, etc., in their ranges. If the proposal is approved, Deputy Inspectors-General will have to be declared controlling officers to the limited extent proposed under Article 1159, Civil Service Regulations.) In the case of clerical establishments of Deputy Inspectors-General of Police, Superintendents of Police and Assistant Superintendents of Police. (If the power to countersign bills of police officers of and below the grade of sub-inspectors is delegated to Deputy Inspectors-General of Police, power to countersign bills of clerical establishments may for the same reasons be given.)
		From Commissioner in Sind to Chief Collector of Customs and Salt Revenue in Sind.	Article 1159, Civil Service Regulations.	In the case of gazetted and non-gazetted officers in the Salt and Customs Departments in Sind. (The Collector's signature might be held sufficient as in the case of Land Revenue establishments (non-gazetted).)
		From Commissioner to Superintendent of Land Records and Registration.	Ditto ...	In the case of the establishment of the Superintendent, Land Records and Registration.
		From Sanitary Commissioner to Deputy Sanitary Commissioner.	Ditto ...	In the case of vaccinators.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From District Judge to Judge of Small Causes Court and Subordinate Judge.	Article 1159, Civil Service Regulations.	In the case of subordinate establishments.
923	To determine which scale of daily allowances should be allowed to policemen of and below the rank of head constable, 3rd class (with exemption from the operation of the 10 days' halt rule), when transferred on special duty.	From Commissioner to Political Agent.	Rule 27 A on page 58, Police Manual.	Powers of Commissioner.
924	To pass travelling allowance bills in any case in which a warrant could have issued under the Credit Note System.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule 29 A (1), page 59, Police Manual.	Full powers. (If the proposal to empower Deputy Inspectors-General of Police to countersign travelling allowance bills is sanctioned, the present proposal follows, as a matter of course, without any change in the rule quoted in column 4.)
925	To sanction travelling allowance for journeys made by police officers without railway warrants.	From Commissioner to Political Agent.	No. 1 of the Warrant Credit Note Rules appended to Government Resolution, Judicial Department, No. 2579, dated 21st May 1904.	..... (As the system of Railway Warrant Credit Note has been introduced, the correspondence and bills, etc., have been curtailed to some extent; but as police officers deputed to duty in Native States jurisdiction had sometimes to travel by rail without railway warrants, the Accountant-General raised many objections and the Commissioner, Northern Division, was requested to sanction such journeys. It causes a great de of unnecessary correspondence.) (Any indiscrimination in the exercise of this power by political agents can be checked by the Commissioner, who passes travelling allowance bills of Agency policemen, and even if the latter power is delegated to political agents, still there will be a check in the Accountant-General's office, where the bills are sent as vouchers. There is no fear of abuse nor of expense. Money has to be paid in either case.)
926	To deal with reports regarding defalcation of Government money.	From Government to Commissioner.	Article 20, Civil Account Code.	Powers of Local Government.
927	To sanction allotments for special repairs to *khárs*.	Ditto ...	Article 73, ditto ...	Up to a limit of allotment to be made for the purpose.
928	(*a*) To increase the sanctioned grants of Government medical institutions on accounts of diets, medicines and instruments, bedding and clothing, and contract contingencies. (*b*) To sanction special grants on account of special aseptic furniture, surgical instruments and medical appliances, etc., for Government medical institutions.	From Government to Surgeon-General.	Ditto ...	As the Surgeon-General's discretionary contract grant of Rs. 2,000 is not sufficient to recoup deficiencies in grants of the medical institutions, it may be increased to Rs. 10,000 so as to enable him to supplement the deficiencies under each of the detailed heads mentioned in case (*a*) in column 2. To the extent of Rs. 5,000 per annum in case (*b*) mentioned in column 2.
929	To sanction refund of law expenses incurred by Government officers.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Ditto ...	Up to the limit of Rs. 500. (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to the Commissioners of Divisions and in Sind to sanction expenses incurred by public servants in defending themselves against suits or prosecutions for acts done in the discharge of their duties, subject to a limit of Rs. 500 in each case and to the expenditure being met from budget provision.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
930	To sanction the purchase of boats costing more than Rs. 150.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 73 and 75, Civil Account Code.	Up to Rs. 1,000.
931	To sanction the purchase of furniture for a newly created office.	Ditto ...	Ditto ...	Full powers.
		From Government to Inspector-General of Police.	Article 73, Civil Account Code, and paragraph 2 B (*a*) of Accountant-General's Contingent Charges Circular.	Up to Rs. 100 in the case of offices of non-gazetted police officers. (The creation of a new office having been sanctioned, a supply of furniture follows, as a matter of course, and it saves time and correspondence if power is delegated.)
932	To sanction the purchase of (i) furniture for a newly created office, and (ii) iron safes and matting irrespective of cost.	From Government to Commissioner.	Article 73, Civil Account Code, and paragraph 7 and column B (*a*) of Annexure A to Accountant-General's Contingent Charges Circular.	When the cost can be met from the contract grants of the officers concerned or from the Commissioner's discretionary grant. (Applications for the sanction of these contingencies are not of frequent occurrence, but hard and fast rules in such petty matters at times cause inconvenience, and officers in the position of Commissioners may be relied upon to use their powers with discretion.)
933	To sanction the purchase of furniture for a newly created office and for travellers' and district bungalows.	From Government to Collector.	Article 73, Civil Account Code.	Up to Rs. 200, and subject to budget provision.
934	To sanction the purchase of article falling under special contingencies, including iron safes, livestock, &c. [*Note.*—Under Government Resolution, General Department, No. 7463, dated 12th December 1907, iron safes of Indian manufacture costing not more than Rs. 300 each can be purchased by heads of offices without reference to Government.]	From Government to Inspector-General of Prisons.	Instruction No. 7 under Rule 97, and Annexure A, Bombay Treasury Manual.	In the case of purchase of safes and livestock within budget allotment.
		From Government to Lord Bishop of Bombay.	Ditto ...	In the case of purchase of safe.
		From Government to Collector.	Ditto ...	Powers of Local Government.
935	To sanction the purchase of articles of furniture for existing offices or institutions the cost of which cannot be met from provision made in the budget.	From Government to Commissioner.	Instruction No. 40 under Rule 97, Bombay Treasury Manual.	.....
936	To sanction the purchase of matting for Government offices.	From Commissioner to Collector.	Article 73, Civil Account Code, and Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to Rs. 30, and subject to budget provision. (The Collector exercises this power when the cost can be met from his contract grant.)
937	To sanction the purchase of articles for office use.	From District Judge to Subordinate Judge.	Government Resolution, Financial Department, No. 1906, dated 21st July 1887.	To the extent of the grant allotted by the District Judge.
938	To sanction the destruction of articles of dead-stock and purchase of new articles.	From Collector to Assistant or Deputy Collector.	Practice	Within allotment.
939	To sanction the purchase of new dead-stock articles and sale of old ones.	From Collector to Mámlatdár.	.....	Up to Rs. 5 in each case.
940	To sanction section-writing and copying charges.	From Government to Inspector-General of Police.	Article 98 (*c*), Civil Account Code.	Up to Rs. 500 per year. (At times there is congestion of work in the office of the Inspector-General of Police, and the need for some provision of this sort is felt.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
2	2	3	4	5
941	To sanction the payment of extra remuneration for section-writing to an officer in receipt of a salary from Government.	From Government to the Honourable the Chief Justice.	Article 98 (*a*), Civil Account Code.	..... (The clerks have to be given some portion of the work of section-writing in urgent cases or with a view to reduce any heavy amount of work.)
942	To dispose of requisitions for the supply of official publications issued in India and not stocked at the Government depôt, or for an increase in the number of copies supplied.	Ditto ...	Article 98 (*d*), ditto	The presses or the publishers may be authorised to comply with the requisitions of the High Court forwarded direct to them.
943	To supply books such as Civil Service Regulations and Civil Account Code to departmental officers.	From Government to Inspector-General of Registration.	Ditto ...	Full powers.
944	To purchase books and publications. [*N.B.*—By Government Resolution, Financial Department, No. 538, dated 30th January 1908, certain Heads of Departments, Collectors, and District Judges have been empowered to purchase any book, newspaper or periodical at a cost not exceeding Rs. 10 in any one case, or Rs. 50 in the aggregate in any year.]	From Government to heads of departments.	Article 98 (*e*), ditto	Within the limit of the budget grant.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Up to the limit of Rs. 100.
		From Government to Commissioner.	Ditto ...	When the cost can be met from the contract grants of the officers concerned or from the Commissioner's discretionary grant. The proposal should cover purchase of dictionaries and commentaries on legal enactments. (Hard and fast rules in such petty matters at times cause inconvenience and the Commissioners may be relied upon to use their powers with discretion.)
		From Government to Settlement Commissioner and Director of Land Records.	Ditto ...	Rs. 50 in each case.
		From Government to Inspector-General of Registration.	Ditto ...	..... (If necessary, a proviso may be attached that the cost must be met from the contract grant.)
		From Government to Inspector-General of Prisons.	Ditto and Rule 488, Jail Manual.	For prison libraries and for reference. Within budget allotment.
		From Government to Director of Agriculture.	Ditto and Government Resolutions, General Department, No. 3360, dated 13th September 1884, and Financial Department, No. 2200, dated 7th June 1889.	Existing powers under Government Resolution, Revenue Department, No. 531, dated 23rd January 1905, to be extended to cover Indian books and periodicals and orders for foreign publications direct from home.
		From Government to Collector.	Article 98 (*e*), Civil Account Code.	Within the Collector's contract grant. (It was proposed by the Commissioners in a joint report (*vide* entry No. 4 of statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1905) to treat this as a contract contingent item. But the proposal was negatived by Government on the Accountant-General's remarking that the sanction of the Government of India would be necessary.)
		Ditto ...	Ditto ...	Up to Rs. 25, subject to budget provision.
		From Government to High Court.	Paragraph 64 of Accountant-General's Contingent Charges Circular.	Full extent.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Director of Public Instruction.	Government Resolution, Financial Department, No. 3360, dated 13th September 1884.	In entirety. (Government have placed at the disposal of the Director of Public Instruction an annual grant of Rs. 500 for the purchase of books, etc., for the use of educational officers who have no library grant of their own (*vide* Government Resolution, No. 1843, Educational Department, of 5th October 1905). But under the existing orders conveyed in Government Resolution quoted in column 4 no officer can purchase books for his contract grant without the sanction of Government. Many officers find it necessary to purchase ordinary books of reference, such as the *Times of India* Calendar, but they think it too much to trouble Government with a request in such a paltry matter.)
		From Government to Inspector-General of Police.	Government Resolution, General Department, No. 941, dated 5th March 1889.	Within budget grant and in respect to provision for his own office and those of district police officers.
		From Government to district heads of offices having contract grants.	Ditto ...	To purchase books necessary for office use, the cost being met from the contract grant.
		From Government to Commissioner of Police, Bombay.	Ditto ...	Subject to budget provision. (It often happens that books of obscene literature or objectionable character have to be purchased for police purposes. Hitherto such cost has been defrayed from the Secret Service money.)
		From Government to District Judge.	Paragraph 64 of Accountant-General's Contingent Charges Circular, and Government Resolution, General Department, No. 941, dated 5th March 1889.	Up to Rs. 50 when the cost can be met from the contract grant.
		From Government to Deputy Inspectors-General of Police.	Rule 47, page 95, and Rule (1) on page 483, Police Manual.	Within budget grant in respect to provision for their own offices.
		From Government to Subordinate Judge.	Article 98 (*e*), Civil Account Code.	Purchase of guides and petty books for ordinary use to the extent of Rs. 20 out of contract grant.
945	To sanction the local purchase of articles of stationery usually supplied by the Stationery Office.	From Government to the Honourable the Chief Justice.	Article 98 (*f*), ditto	..... (As such purchases may have to be made in case of urgency, the power to make them would appear to be necessary.)
		From Government to Commissioner.	Ditto ...	..... (In General Department letter No. 5316, dated 26th September 1902, the Government of India were asked to empower the Commissioners of Divisions to sanction charges on account of local purchase of stationery. In their letter No. 5616-S. R., dated 25th October 1902, the Government of India regretted their inability to sanction the proposal, observing that, while the proposed delegation of power would not affect much curtailment in official correspondence, it was open to the objection that it was calculated to encourage officers to obtain stationery otherwise than from the Stationery Department, which was undesirable, as the purchase of stationery in large quantities by a department established for the purpose was more economical than local purchase in small quantities by individual offices.)
		From Government to Settlement Commissioner and Director of Land Records.	Article 98 (*f*), Civil Account Code.	..... (The restriction imposed by Article 98 (*f*), Civil Account Code, at present entails considerable inconvenience.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Superintendent of Stationery.	Article 98 (*f*), Civil Account Code.	.....
		From Government to Commissioner of Police, Bombay.	Government Resolution, General Department, No. 3659, dated 6th July 1892.	.....
946	To purchase from the local market articles of European manufacture costing more than Rs. 50.	From Government to the Honourable the Chief Justice.	Article 98 (*k*), Civil Account Code.	..... (As such purchase may have to be made in cases of urgency, the power to make them would appear to be necessary.)
		From Government to Heads of offices.	Ditto ...	Within budget allotment. (Except in the case of machinery and articles requiring special expert knowledge for their selection, European stores can be obtained as cheaply in this country as by indent on the India Office; also better, because the officer interested in the matter can see and choose exactly what suits his requirements.)
		From Government to Commissioner.	Ditto ...	When the cost can be met from the contract grants of the officers concerned or from the Commissioner's discretionary grant. (Hard and fast rules in such petty matters at times cause inconvenience, and Commissioners may be relied upon to use their powers with discretion.)
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Up to Rs. 100.
		From Government to Inspector-General of Prisons.	Ditto ...	Up to Rs. 200.
		From Government to Director of Public Instruction.	Ditto ...	In entirety.
		From Government to District Judge.	Ditto ...	Ditto.
		From Government to Conservator of Forests.	Government Resolution, General Department, No. 568, dated 26th January, 1900.	Ditto.
		From Government to Collector of Bombay.	.....	In the case of stores paid for from the Steam Boiler Inspection Fund. (This fund is an incorporated local fund to which the rules regarding the purchase locally of stores of European manufacture chargeable to general revenues apply.)
947	To purchase articles of European manufacture costing more than Rs. 50.	From Government to Surgeon-General.	Article 98 (*k*), Civil Account Code.	The submission to Government of home indents for special aseptic furniture, surgical instruments and medical appliances, etc., for Government medical institutions to be dispensed with and the Surgeon-General to be authorized to permit officers to obtain from home firms direct articles of European manufacture so as to ensure prompt delivery.
		From Government to Director of Agriculture.	Article 98 (*k*), Civil Account Code, and Government Resolutions, Financial Department, No. 595, dated 13th February 1883, and General Department, No. 1809, dated 1st April 1902.	To purchase stores required for experimental purposes direct from makers in England and other countries instead of by indent on the Director-General of Stores, through Government. (Under the present procedure stores cannot be ordered direct from England, and the Director is required to send annually to Government a forecast of stores on 1st August and indents in printed forms on 15th May following. The experimental work is delayed for want of ready means of obtaining stores when required. Under Article 98 (*k*) of the Civil

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			Account Code, chemicals and apparatus required by Bacteriological or Pathological Laboratories may be obtained direct from the manufacturers or agents in England instead of through the Stores Department of the India Office, within the limit of the funds annually allotted for the purpose of each laboratory. Similarly, the Provincial Agriculture Departments can obtain the agricultural implements and machinery they require direct from the makers in England or America, provided that the annual expenditure incurred in each province does not exceed Rs. 4,000 and that the orders are confined to articles required for purely experimental purposes.)	
948	To sanction recurring contingent charges.	From Government to Commissioner.	Article 98 (*m*), Civil Account Code.	When the recurring charge does not exceed Rs. 3 per mensem.
949	To sanction contingencies to *talátis*.	Ditto ...	Ditto ...	According to scale.
950	To sanction office rent ...	From Government to Inspector-General of Registration.	Ditto ...	Up to Rs. 50 per annum.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Up to the limit of Rs. 100.
		From Government to Inspector-General of Police.	Ditto ...	Up to the limit of Rs. 15. (In every case the Executive Engineer has to certify that there is no suitable building available, and if the need is absolute, there is no alternative for Government but to sanction rent that may be necessary. To save correspondence and delay in minor cases, such as renting offices for police stations (there will be many applications for some years as stations are opened), the power asked for seems expedient.) (NOTE.—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of powers to the Commissioners, Commissioner of Customs, Salt, Opium and Abkári, Inspector-General of Police, Inspector-General of Registration and certain other Heads of Departments to sanction within budget provision rent on account of lands and buildings leased by Government up to Rs. 100 a year in each case, subject to the Executive Engineer's certificate prescribed in Article 98 (*n*) of the Civil Account Code.)
		From Government to Collector.	Article 98 (*m*), Civil Account Code.	Up to Rs. 30, and subject to budget provision.
		From Government to District Judge.	Ditto ...	In respect of Joint or Additional Sub-Judges when the total annual expense does not exceed Rs. 100 a year and the amount is available from the budgetted grant.
		From Government to Conservator of Forests.	Article 156, Forest Department Code.	Rent exceeding Rs. 20 per mensem in any one case, or Rs. 200 per mensem for the whole circle.
951	To grant free quarters to police sub-inspectors.	From Government to Inspector-General of Police.	Article 1068 (V), Public Works Department Code, and Goverment Resolution, Judicial Department, No. 2362, dated 19th April 1907.	With respect to granting house rent until quarters are built, subject to the limitation of Rs. 15. (Applications for house rent are likely to be numerous for some years as new stations are opened. As it has been ruled that sub-inspectors should be provided with free quarters, it follows that, pending the provision of Government quarters, rent in lieu should be granted. It will save time and correspondence if the power proposed is delegated to the Inspector-General of Police.)
952	To grant free quarters to police inspectors.	Ditto ...	Government Resolution, Judicial Department, No. 2362, dated 19th April 1907.	Discretion to sanction the use of vacant Government quarters, if any exist, free of rent. Should such quarters be available in buildings outside the control of the Inspector-General of Police, the authorities concerned should be consulted before sanction is accorded.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
953	To authorise excesses over the limit of Rs. 6 per man for providing temporary accommodation for policemen stationed in infected areas.	From Government to Inspector-General of Police.	Government Resolution, Judicial Department, No. 9318, dated 21st December 1897.	To the limit of Rs. 10 per man under exceptional circumstances. (This will save unnecessary reference to Government and time in emergencies.)
954	To sanction the cost of temporary accommodation for police in infected areas.	From Inspector-General of Police to Deputy Inspectors-General of Police and District Superintendent of Police.	Government Resolutions, Judicial Department, Nos. 9318 and 1003, dated 21st December 1897 and 25th February 1905, respectively.	Deputy Inspectors-General to sanction expenditure over Rs. 30 within the allotted grant and subject to Standing Orders on the subject. District Superintendents of Police to incur expenditure up to Rs. 30 in emergencies, subject to Standing Orders and confirmation by Deputy Inspectors-General of Police. (Devolution of power is urgently called for here as often valuable time is lost in securing what is after all a formal sanction. Moreover, the limit of expenditure per man and the circumstances under which it may be incurred are clearly defined in the orders of Government.)
955	To sanction regularly recurring expenditure of the nature of rent for houses or land.	From Conservator of Forests to Divisional Forest Officer.	Article 156, Forest Department Code.	Not exceeding Rs. 20 in any one case, or Rs. 200 for the whole division.
956	To obtain type-writers from the Stationery Office.	From Government to the Honourable the Chief Justice.	Article 93 (*v*), Civil Account Code.	.....
		From Government to Commissioner.	Ditto ...	.....
		From Government to Sanitary Commissioner.	Ditto ...	For the offices of the Sanitary Commissioner and the Deputy Sanitary Commissioners.
957	To sanction the purchase of type-writers.	From Government to Surgeon-General.	Government Resolution, Financial Department, No. 1064, dated 1st March 1899.	.....
958	To sanction allotments for repairs to boundary marks applied for by Collectors.	From Government to Commissioner.	Article 114, Civil Account Code.	In all cases of recoverable advances.
959	To sanction excess charge in respect of clothing of office *peons*.	From Government to Accountant-General.	Article 278-A, ditto	The Accountant-General sanctions an increase of Re. 1 at present and has this power generally in respect of all objections. This limit may be increased to Rs. 5 or even Rs. 10 to save many petty references to Government and objections which are withdrawn after much correspondence. (The cost of the correspondence is usually greater than the interests of the State.)
960	To utilise unexpended balance in any year's clothing budget.	From Government to Deputy Inspectors-General of Police.	Rule 18 (2), page 168, Police Manual.	To add the balance to the next year's provision and utilise it, if required, without being budgetted for. (This should prevent grants lapsing at the end of the quinquennial period, and enable Superintendents to make use of the previous year's balance, if any, for unforeseen expenditure. This proposal follows the lines of the contract grant, which the capitation grant practically is.)
961	To sanction the supply of clothing to *peons* on temporary establishments.	From Government to Conservator of Forests.	Government Resolution, Financial Department, No. 1079, dated 24th March 1891.	..... (Conservators might be given the authority, as it is they who are to decide whether the establishment will be entertained for two complete years for which the supply of clothing is intended to last.)
962	To sanction expenditure on police clothing.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule 10, page 84, and Rule 24, page 173, Police Manual.	Within budget provision and in accordance with Standing Orders. (The Inspector-General of Police has not the same time for inspection as the Deputy Inspectors-General have.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Inspector-General of Police to Superintendent of Police.	Rule 24, page 173, Police Manual.	Up to Rs. 50 instead of Rs. 20.
963	To authorise biennially expenditure on account of clothing, *kamlis* and umbrellas to *peons*.	From District Judge to Subordinate Judge.	.....	.....
964	To sanction unusual expenditure of a novel, doubtful or irregular nature in the Forest Department.	From Government to Conservator of Forests.	Article 159, Forest Department Code.	The limit of the Conservator's power might be raised from Rs. 100 to Rs. 500.
965	To sanction additional contingent expenditure on account of railway police.	From Government to Inspector-General of Police.	Rule 15, page 435, Police Manual.	After obtaining concurrence of the agent.
966	To sanction municipal water tax and *hahálkhor* tax.	From Government to District Judge.	Paragraph 70 of Accountant-General's Contingent Charges Circular.	Full powers of Local Government.
967	To sanction special rewards above Rs. 100 to policemen and others in criminal cases.	From Government to Inspector-General of Police.	Annexure A of Accountant-General's Contingent Charges Circular.	To the extent of Rs. 500.
968	To sanction rewards to informers and others for the successful detection of crime and apprehension of criminals.	Ditto ...	Rules (1) and (2), pages 246 and 247, Police Manual.	To the extent of Rs. 500 in each case both on railways and in districts. (In Eastern Bengal the powers hereasked for have been accorded.)
		From Inspector-General of Police or Commissioner to Deputy Inspectors-General of Police.	Rules on pages 246 and 247, Police Manual.	Up to Rs. 200 and within budget provision if the limit of the Inspector-General's power is raised from Rs. 200 to Rs. 500.
		From District Magistrate to District Superintendent of Police.	Rules on page 246, Police Manual, and Rule 9 (*b*) on page 249, Police Manual, and Government Resolution, Judicial Department, No. 8809, dated 10th December 1900.	Beyond Rs. 20 and up to Rs. 50 from countersigned contingencies grant. (The proposal will save correspondence and give Superintendents a freer hand.)
969	To grant rewards in A'bkári cases and to sanction expenditure incurred in making payments to informers as *Batmi* expenses.	From Commissioner of Customs, Salt, Opium and A'bkári to Collector.	Rules under section 59, Bombay A'bkári Act, 1878.	Up to Rs. 25 in each case even though fine may not have been inflicted and there may not have been any proceeds from confiscated property.
970	To grant rewards in A'bkári cases.	From Collector to Assistant Collector of Excise.	Ditto ...	Cases for special rewards should only be submitted for order of Collector. (The Assistant Collector of Excise being concerned chiefly with the administration of the A'bkári Act knows best the amounts of reward which should be granted, having regard to the skill exhibited by various detectors.)
971	To offer special rewards for killing man-eaters.	From Commissioner to District Magistrate.	Paragraph 88 of Accountant-General's Contingent Charges Circular.	Up to Rs. 200.
972	To grant rewards for special exertions in the recovery of amounts due to Government under decrees.	From Remembrancer of Legal Affairs to Collector.	No. 141 of the Rules for the conduct of legal affairs of Government.	Full authority.
973	To grant rewards in salt cases.	From Collector to Assistant or Deputy Collector by virtue of his office instead of by name.	Government Resolution, Revenue Department, No. 1658, dated 1st April 1878.	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
974	To grant rewards in opium cases.	From Collector to Assistant Collector of Excise.	Government Resolution, Revenue Department, No. 1164, dated 17th February 1903.	Cases for special rewards should only be submitted for order of Collector. (The Assistant Collector of Excise being concerned chiefly with the administration of the Opium Act knows best the amounts of reward which should be granted, having regard to the skill exhibited by various detectors.)
975	To dispose of Government buildings no longer required for their original purpose.	From Government to Commissioner.	Government Resolution, Financial Department, No. 1529, dated 17th June 1887.	Buildings not exceeding Rs. 10,000 in value, such as abandoned *kacheris*, post offices, etc.
976	To sanction triennial contracts for conservancy work in Bombay City Hospitals.	From Government to Surgeon-General.	Government Resolution, General Department, No. 1188, dated 2nd April 1894.	Powers of Local Government.
977	To sanction the payment of fees to an interpreter who is not in Government service.	From Government to Collector and District Magistrate.	Government Resolution, Financial Department, No. 3888, dated 12th October 1906.	Up to Rs. 10 a day.
978	To sanction grant-in-aid to a leper asylum.	From Government to Commissioner.	Practice	From a grant to be made to the Commissioner for contributions to such institutions.
979	To sanction the printing of forms and any other matter required for the Registration Department.	From Government to Inspector-General of Registration.	.....	Full power.
980	To sanction charges for delivery of the official post to Divisional Forest Officers in special bags at the various post towns in the district.	From Government to Conservator of Forests.	.....	Powers of Local Government.
981	To utilise *chowra* allowance towards the construction or repairs of *chárdis*.	From Government to Collector.	.....	..... (*Chowra* allowances lapse at the end of the year owing to the circumstance that some villages do not happen to possess *chowras*. These lapses in the Ahmedabad District amounted— in 1901-02 to Rs. 305 „ 1902-03 „ 590 „ 1903-04 „ 408 „ 1904-05 „ 404 „ 1905-06 „ 485. The allowances can be utilized as proposed only on the understanding that the amount for a particular village under the sanctioned scale should not be exceeded without the sanction of Government. This would involve frequent and needless references.)
982	To sanction expenditure in connection with petty construction.	From Commissioner to Collector.	Article 73, Civil Account Code.	Up to Rs. 500, and subject to budget provision.
983	To sanction the construction of any new forest building costing less than Rs. 2,500.	From Commissioner to Conservator of Forests.	Government Resolution, Revenue Department, No. 4968, dated 11th August 1900.	Within the sanctioned allotment of each division and in cases in which the charge has not been included in the budget, but its necessity, after the submission of it, is urged.
984	To sanction expenditure on frontier boundary marks.	From Commissioner to Collector.	Item No. 10 (*b*) of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to any extent.
		Ditto ...	Government Resolution, Revenue Department, No. 2754, dated 23rd April 1891.	To the extent of budget estimate.
985	To sanction the cost of and repairs to boundary marks between Sind and Native States.	Ditto ...	Government Resolutions, Financial Department, No. 720, dated 8th March 1887, and Revenue Department, No. 2754, dated 21st April 1891.	Within budget limits. (Bounded as the Thar and Párkar District is on all sides by Native States, the Deputy Commissioner might well be given this power to the extent of the amounts sanctioned in the budget estimates.)

Financial Department—concluded.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
986	To sanction expenditure on petty construction and repairs.	From District Magistrate to Deputy Inspectors-General of Police.	Rule 10 on page 84, Police Manual, and Government Resolutions, Judicial Department, No. 3639, dated 7th July 1906, and No 5058, dated 21st September 1906.	Expenditure in excess of Rs. 50.
		From District Magistrate to District Superintendent of Police.	Government Resolution, Judicial Department, No. 3031, dated 3rd June 1903.	Above Rs. 50 and up to Rs. 100.
987	To sanction expenditure on boundary marks in Government waste lands.	From Collector to Sub-Divisional Officer.	Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to Rs. 50 in each case.
988	To pass charges for postal money order commission.	From Head of Account Office to Collector.	Article 98 (*r*), Civil Account Code.	When the commission paid does not exceed annas 8.
989	To sanction expenditure in connection with— (*a*) *post-mortem* examination charges, (*b*) materials for local repairs, including re-browning, under the head component parts of arms, (*c*) purchase of and repairs to targets, (*d*) repairs to handcuffs and bugles.	From Commissioner in case (*a*) and Inspector-General of Police in cases (*b*), (*c*) and (*d*) to District Superintendent of Police.	Rule 12, page 54, Police Manual.	To the limit of budget provision. (In respect to (*b*), (*c*) and (*d*) District Superintendents have at present authority to sanction expenditure up to Rs. 10.)
990	To sanction the purchase of accoutrements.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule 10, page 84, Police Manual.	Subject to budget provision and in accordance with Standing Orders.
991	To sanction payment of orphan grants.	From Director of Public Instruction to Inspector of European Schools.	Government Resolution, Educational Department, No. 4617, dated 6th December 1881.	Power to pass the grants and countersign bills on account of them to the extent of the budget allotment, a consolidated list of grants being submitted to the Director of Public Instruction annually.
992	To authorize the sale or destruction of damaged books issued to Collectors for sale or for use.	From Commissioner to Collector.	Government Resolution, General Department, No. 3321, dated 11th August 1883.	Extent unlimited. (There is no reason why this power should now be retained by higher authority.)
993	To sanction expenditure on medicines, &c., during epidemics.	Ditto ...	Government Resolution, General Department, No. 137, dated 13th January 1891.	Up to Rs. 500. (During epidemics prompt measures have to be taken to afford relief to the sufferers.)
994	To sanction expenditure in connection with *darbár* presents.	Ditto ...	Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to Rs. 50, and subject to budget provision.
995	To dispense with the annual certificate regarding funds held in trust for a public or *quasi*-public purpose.	.....	Government Resolution, Financial Department, No. 2373, dated 9th July 1902.	The submission of the certificate to Government may be done away with when no funds of the nature referred to are held in trust.
		Public Works Department.		
996	Sanction to estimates and allotments for additions and alterations to Church of England buildings and for supply and repair of furniture for them.	From Government to Lord Bishop of Bombay.	Public Works Department Code, Vol. II, Appendix 10, Part IV, Rules XXIII and XXIV and paragraph 5 of Government Resolution No. A-529, dated 28th February 1903.	Up to the limit ot Rs. 1,500 in each case on the understanding that, before any expenditure is incurred, the estimate shall be approved by the Superintending or Executive Engineer as the case may require, in consultation with the Examiner of Public Works Accounts.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
997	Transfer of furniture from one church to another.	From Government to Lord Bishop of Bombay.	Public Works Department Code, Vol. II, Appendix 10, Part IV, Rule XXIV.	The power of the Local Government, subject to Rule XXIV of Appendix 10, Part IV, Public Works Department Code, Vol. II, and also subject to the condition that a demand should never be made for supply of new furniture to a church from which furniture had been transferred.
998	Administrative approval to Salt Minor Works and allotment of funds.	From Government to Commissioner of Customs, Salt, Opium and Abkári, and Commissioner in Sind.	Public Works Department Code, paragraph 981, and Government Resolution (Public Works Department) No. A—2648, dated 21st October 1904.	The existing limit of according administrative approval may be raised from Rs. 500 to Rs. 5,000 and that of allotting funds from Rs. 2,500 to Rs. 5,000.
999	Dismantlement or sale of permanent provincial public buildings.	From Government to Superintending Engineer.	Public Works Department Code, Vol. I, paragraph 1057.	To demolish buildings costing not more than Rs. 5,000 in consultation with the Heads of Departments concerned (except in the case of purely Public Works department buildings in which the Superintending Engineers might act on their own authority) that they are not required by the departments to which they belong and with the Commissioners concerned that they are not required by any other department.
		From Government to Executive Engineer.	.....	To demolish in consultation with the local Heads of Departments concerned, buildings costing not more than Rs. 500 in the case of selected Executive Engineers and Rs. 200 in the case of all Executive Engineers.
1000	Exemption from the payment of rent, under the circumstances mentioned in paragraph 1067 of Public Works Department Code, Volume I, of the incumbent of an appointment for whose benefit a house has been constructed, purchased or leased by Government.	From Government to Superintending Engineer.	Public Works Department Code, Vol. I, paragraph 1067.	To exercise full powers of the Local Government in consultation with the Examiner of Public Works Accounts in the case of Public Works Department Officers.
		From Government to Commissioner.	.....	To exercise full powers of the Local Government in consultation with the Superintending Engineers concerned and the Examiner in the case of officers other those of the Public Works Department.
1001	Write-off of a portion of the original capital cost of a residential building when any portion thereof having been ruined by a natural calamity is renewed.	From Government to Superintending Engineer.	Public Works Department Code, Vol. I, paragraph 1068 I (*h*).	Full powers of the Local Government.
1002	Remission or reduction of rent when a building in Class I is occupied by an official who, under a special or general order of the Government of India, is entitled to accommodation rent-free or at rents assessed otherwise than as provided in Rule I under paragraph 1068 of Public Works Department Code.	Ditto ...	Ditto paragraph 1068 II (*a*).	To exercise full powers of the Local Government in consultation with the Examiner of Public Works Accounts.
1003	Transfer of public buildings to local bodies on condition of keeping them in repair, &c.	Ditto ...	Ditto ... Note under paragraph 1068, XII.	To transfer buildings costing not more than Rs. 5,000, in consultation with the Heads of Departments concerned, and to impose the necessary conditions as to up-keep, additions and alterations, &c., and to the buildings and land reverting to Government when no longer required for the purpose for which they were lent.
1004	Purchase of office furniture and supply of tents.	Ditto ...	Ditto paragraphs 303, 709 and 714.	The present limit of Rs. 50 for each set of purchase may be raised to Rs. 1,000.
1005	Entertainments of special police guards by the local officers for the protection of treasure or valuable Government property in cases where the Police Department is unable to supply a guard from the regular police force.	Ditto ...	Ditto paragraphs 716 and 1151.	Full powers of the Local Government.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1006	Local purchase of stationery and drawing materials which are obtainable from the Superintendent of Stationery and the Executive Engineer, Presidency or Karáchi, respectively, but which for any special reasons have to be purchased in the local market.	From Government to Superintending Engineer. To Executive Engineer.	Public Works Department Code, Vol. I, paragraphs 721 and 727.	To sanction purchases up to Rs. 50 for special purposes. To sanction purchases up to Rs. 10 for special purposes.
1007	Purchase of type-writers required for use in the offices of the local officers.	From Government to Superintending Engineer.	Ditto paragraphs 729, clauses (3) and (4).	Full powers of the Local Government.
1008	Local purchase, under special circumstances, mentioned in Rule I of Appendix 30, of articles of foreign manufacture other than those the purchase of which is absolutely prohibited in Rule 2 of the same Appendix.	Ditto ... To Executive Engineer, or Assistant Engineer holding charge of a district.	Public Works Department Code, Vol. II, Appendix 30, Rule 3.	The present limit of Rs. 1,000 for the purchase of each article or any number of similar articles purchased at one time may be raised to Rs. 2,500. The present limit of Rs. 200 for each article or any number of similar articles purchased at one time may be raised to Rs. 1,000.
1009	Recovery of contribution (in connection with contribution works undertaken by the department) by suitable instalments on fixed dates instead of in advance.	From Government to Superintending Engineer.	Public Works Department Code, Volume I, paragraph 1013.	Full powers of the Local Government to fix amounts and dates of payment of instalments.
1010	Purchase of live-stock ...	Ditto ...	Ditto paragraph 303.	Up to Rs. 500 per district per annum.
1011	Sanction to the payment of law charges.	Ditto ...	Ditto paragraph 1379.	To authorize the payment of law charges, after being taxed, in cases where the institution or defence of the suit has been sanctioned by Government.
1012	Supply, free of charge, in special cases, of copies of the Public Works Department Code, Volume I, to Sub-Overseers who understand English.	Ditto ...	Ditto paragraph 519.	A limited number of copies might be supplied to Superintending Engineers and they might be empowered to distribute them to individual sub-overseers under their control without reference to Government.
1013	Allotment of funds from the lump-sum discretionary grant for Minor Works under "45.—Civil Works."	Ditto ...	Ditto paragraph 311 (*g*).	The Limit of "Minor Works" as defined in paragraph 2026 of Public Works Departments Code, Volume II, might be raised from Rs. 2,500 to Rs. 5,000 and the Superintending Engineers authorized to allot funds up to Rs. 5,000.
1014	Acceptance of tenders for contracts for sanctioned original works.	Ditto ...	Ditto paragraph 900, and Government Resolution (Public Works Department) No. 154E—741, dated 9th May 1892.	To have power to accept tenders without limit. (At present Superintending Engineers can accept tenders up to Rs. 20,000.)
1015	Allotment to funds for provincial tools and plant.	Ditto ...	Ditto paragraph 311 (*g*) and Government Resolution (Public Works Department) No. A—3031, dated 14th December 1905.	Superintending Engineers might have power to allot funds up to Rs. 5,000. (At present the Superintendent Engineers can sanction allotments up to Rs. 2,500.)
1016	Allotment of funds for works under "43.—Minor Works and Navigation" from the lump-sum Minor Works grant.	Ditto ...	Ditto paragraph 311 (*g*) and Government Resolution (Public Works Department) No. 31 A.I.—293, dated 16th February 1893; No. A.I.—1855, dated 24th July 1902; and No. A—3031, dated 14th December 1905.	Up to the limit of Rs. 5,000. (At present Superintending Engineers in the Deccan and Gujarát can sanction allotments up to Rs. 2,500 and those in Sind up to Rs. 4,000.)
		From Government to Executive Engineer.	.....	All Executive Engineers up to Rs. 500 and selected officers up to Rs. 2,500, administrative approval being obtained in all cases from Superintending Engineers.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1017	Allotment of funds for works under "42—Major Works—Working Expenses."	From Government to Superintending Engineer. Executive Engineers.	Public Works Department Code, Vol. II, paragraph 2107.	Up to the limit of Rs. 5,000. All Executive Engineers up to Rs. 500 and selected officers up to Rs. 2,500, administrative approval being obtained in all cases from Superintending Engineers.
1018	Re-appropriation of funds from one original work in progress to another original work in progress or from extensions and improvements to maintenance and repairs or *vice versâ* under "42—Major Works—Working Expenses" and "43—Minor Works and Navigation."	From Government to Superintending Engineer.	Public Works Department Code, Vol. II, paragraph 2107 and Government Resolutions (Public Works Department) No. A.I.—682, dated 15th March 1902, and No. A.-3031, dated 14th December 1905.	Up to the limit of Rs. 10,000, re-appropriations to or from works sanctioned by Government being reported immediately to Government. (At present the Superintending Engineers can sanction re-appropriations, up to their power of sanctioning estimates, only from extensions and improvements to maintenance and repairs and *vice versâ* under "43—Minor Works and Navigation.")
1019	Re-appropriation of funds for Irrigation Works under "35—Protective Irrigation Works" and "49—Irrigation Works."	Ditto ...	Public Works Department Code, Vol. II, paragraph 2107.	Up to the limit of Rs. 10,000, re-appropriations to or from works sanctioned by Government being reported immediately to Government.
1020	Extensions of dates of completion fixed for works sanctioned by the Local Government under the Open Capital Account Rules.	Ditto ...	Ditto paragraph 2155—VI 2209—VI.	Full powers.
1021	Grant of presidency allowance.	From Government to Superintending Engineer, Northern Division, Consulting Architect to Government, and Examiner of Public Works Accounts.	Public Works Department Code, Vol. I, paragraph 36.	The same powers as are at present exercised by the Local Government.
1022	Grant of sub-divisional allowance to sub-overseers when placed in charge sub-divisions.	From Government to Superintending Engineer.	Ditto paragraph 39.	Ditto ditto.
1023	Formation of new sub-divisions.	Ditto ...	Ditto paragraph 314.	Ditto ditto.
1024	Grant of transit pay and travelling allowance to temporary establishment.	Ditto ...	Ditto paragraph 474.	The same powers as are at present exercised by the Local Government.
1025	Professional examination of Assistant Engineers.	Ditto ...	Ditto paragraphs 169 to 171.	The Superintending Engineers may have power to convene committees for the professional examination of Assistant Engineers and to forward the information required by paragraph 169 of the Public Works Department Code with the Committee's reports regarding the results of the examinations.
1026	Journeys beyond jurisdiction	Ditto ...	Ditto paragraph 478 and Articles 57 and 58 of the Civil Service Regulations.	The Superintending Engineers may have power to sanction journeys beyond their jurisdiction of officers and subordinates serving under them, the purpose of journeys being clearly explained in travelling journals.
1027	Colloquial examination of Assistant Engineers.	Ditto ...	Ditto paragraph 175.	Same powers as are at present exercised by the Local Government.
1028	Appointments and promotions of Accountants which require approval of the Local Government.	From Government to Accountant-General and Examiner of Public Works Accounts.	Ditto paragraphs 101 and 102.	The power to appoint and promote Accountants, 4th and 3rd Grades, may be given to the Examiner and the power to promote above the 3rd Grade may be delegated to the Accountant-General, Public Works Department, whose approval is now necessary before the Local Government can promote Accountants.
1029	Grant of two periodical increments of Rs. 50 per month each to Accountants, 1st Grade, of long and meritorious service.	From Government to Examiner of Public Works Accounts.	Ditto paragraph 25.	The Examiner may have the power to sanction these increments.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1030	Grant of minimum pay of Rs. 80 per mensem to Accountants, 4th Grade, while on probation.	From Government to Examiner of Public Works Accounts.	Public Works Department Code, Vol. I, paragraph 26.	The Examiner may have the power to grant the minimum pay of Rs. 80 per mensem to Accountants, 4th Grade, while on probation.
1031	Sanction to the sale of surplus articles at site of any work at their full value.	From Government to Executive Engineer.	Ditto paragraph 347.	To raise the present limit of Rs. 200 to Rs. 500 in the case of all Executive Engineers, and to Rs. 1,000 in the case of selected Executive Engineers.
1032	Sanction to the sale of articles on the stock accounts for the full value plus the usual charge of 10 per cent.	Ditto ...	Ditto paragraph 347.	Ditto ditto.
1033	Re-arrangement of existing sub-divisions.	Ditto ...	Ditto paragraph 314.	The Executive Engineers may have power to sanction re-arrangement of sub-divisions but not to form new sub-divisions.
1034	Acceptance of tenders for contracts for sanctioned original works.	Ditto ...	.....	All Executive Engineers up to the limit of Rs. 5,000 and selected Executive Engineers up to Rs. 50,000.
		From Government to Assistant Engineers, 1st Grade.	.....	Up to Rs. 500.
1035	Delegation of increased powers to selected Executive Engineers authorised by the Code rules.	From Government to Superintending Engineer.	Public Works Department Code Rules.	The Superintendng Engineers may be authorised to delegate increased powers to selected Executive Engineers within Code limits or to rescind powers that have been given if they are not judiciously exercised.
1036	Re-appropriation of funds from one original work in progress to another original work in progress under "45—Civil Works—Provincial," "33—Famine Relief," "44—Military Works — Imperial" and "45—Civil Works—Imperial."	Ditto ...	Government Resolution (Public Works Department) No. A—3031, dated 14th December 1905.	Superintending Engineers might have power to sanction re-appropriations up to Rs. 10,000 for works under "45—Civil Works—Provincial," and "33—Famine Relief" and only for B. Class works under "44—Military Works—Imperial" and "45—Civil Works—Imperial." re-appropriations to or from works sanctioned by Government being reported immediately to Government.) (At present the Superindenting Engineers can sanction re-appropriations under the fund heads quoted up to Rs. 2,500.)
1037	Registers of landed property	From Government to Superintending Engineer and Examiner of Public Works Accounts.	Government Resolution (General Department) No. 3000, dated 10th June 1903.	The Superintending Engineer may have power to record registers of Assistant Engineers, and upper and lower subordinates, and the registers of Accountants may be recorded in the office of the Examiner of Public Works Account.
1038	Call for plans and estimates for, and according administrative approval to, provincial works and allotment of funds therefor from the discretionary grants.	From Government to Commissioners, Surgeon-General, Director of Public Instruction, Inspector-General of Prisons, Inspector-General of Police and Director of Agriculture.	Government Resolution (Public Works Department) No. A-529, dated 28th February 1903.	Up to the limit of Rs. 5,000. This limit will also hold good in the case of residential buildings, provided that Government have determined that residences should be built for particular officers or class of officers and provided also that the rent, calculated under the rules in paragraph 1068 of Public Works Department Code, Vol. I., will not exceed 8 per cent. of the salary and allowances, if any, of the officers who will usually occupy them.
1039	Purchase of office furniture and supply of tents.	From Superintending Engineer to Executive Engineer.	Public Works Department Code, Vol. I, paragraphs 303, 709 and 714.	The present powers of Superintending Engineer, *i.e.*, up to a limit of Rs. 50 for each set of purchase.
1040	Sanction to expenditure on printing locally forms, conditions of contract, specifications, schedule of rates, &c.	Ditto ...	Ditto paragraph 734.	Full powers of a Superintending Engineer.
1041	Issue of orders for the disposal of all unserviceable or surplus stores.	Ditto ...	Ditto paragraphs 311 (*y*) and 1290.	Ditto ditto.

Public Works Department—concluded.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1042	Sanctioning the writing off the returns of tools and plant of all tools and plant the full value of which has been recovered.	From Superintending Engineer to Executive Engineer.	Public Works Department Code, Vol. I, paragraph 347.	The present powers under Public Works Department Code, Vol. I, paragraph 347 (*b*—*i*) may be enlarged in the case of selected Executive Engineers so as to cover cases in which even part values have been recovered for some causes which the Executive Engineer considers reasonable.
		From Executive Engineer to Assistant Engineer.	.....	The present powers of Executive Engineers under paragraph 347 (*b*—*i*) of Public Works Department Code, Vol. I, *i.e.*, to accord the necessary sanction when the full value has been recovered.
1043	Purchase of materials from any Government workshop authorized to undertake work for other departments.	From Superintending Engineer to Executive Engineer.	Public Works Department Code, Vol. I, pararaph 1412.	The present limit of Rs. 500 may be abolished and the Executive Engineers may be authorized to exercise full powers of a Superintending Engineer.
1044	Conveyance of furniture and tents from one office to another.	Ditto ...	Ditto paragraph 713.	Full powers of a Superintending Engineer.
1045	Establishment of a treasure chest for a sub-division.	Ditto ...	Ditto paragraph 1143.	Ditto ditto.
1046	Appropriation of the provision for contingencies to new works or repairs not provided for in the estimate.	Ditto ...	Ditto paragraphs 347 (*e*) and 786.	All Executive Engineers up to the limit of Rs. 500 and selected Executive Engineers up to Rs. 2,500.
1047	Sanction to repairs including those for other departments within the assignments made by the Superintending Engineers from the budget allotments.	Ditto ...	Ditto paragraphs 339, 340 and 347 (*f*).	Ditto ditto.
1048	Fixing of headquarters of Sub-Divisional Officers (Assistant Engineers).	Ditto ...	Ditto paragraph 348.	The Executive Engineers may have power to fix headquarters of Sub-Divisional Officers (Assistant Engineers under Executive Engineers) without reference to Superintending Engineer.
1049	Grant of advance of pay and travelling allowance.	Ditto ...	Ditto paragraph 503.	The Executive Engineers may have power to grant advances within the limits laid down to Assistant Engineers and Subordinates, etc.
1050	Grant of sub-divisional allowance to upper subordinates in charge of sub-divisions.	Ditto ...	Ditto paragraph 39.	The Executed Engineers may have power to sanction sub-divisional allowances to upper subordinates in charge of sub-divisions.
1051	Approval to place an Assistant Engineer or a subordinate in charge of a subdivision.	Ditto ...	Ditto paragraph 315.	The Executive Engineers may have full control in this matter.
1052	Allotment of funds for original works and repairs.	Ditto ...	.....	All Executive Engineers up to Rs. 500 and selected Executive Engineers up to Rs. 2,500, administrative approval being obtained in all cases from the Superintending Engineer. (At present all Executive Engineers can allot funds up to the limit of Rs. 200 and selected Executive Engineers up to Rs. 500.)
1053	Travelling allowance journals of Assistant Engineers and Sub-Divisional Officers.	Ditto ...	.....	The Executive Engineers may be made the controlling officers for journals of Assistant Engineers and Sub-Divisional Officers.
1054	Certificates regarding charges for entertainment of *khalásis* or tent-pitchers engaged for pitching Government tents used wholly or partly for office purposes by officers on tour.	Ditto ...	.....	The Executive Engineers may have power to countersign certificates of charges for carriage of tents of Sub-Divisional Officers and Engineer and subordinate establishments which are at present countersigned by Superintending Engineers.

APPENDIX VI.

Resolution of Government, General Department, No. 7569, dated the 17th December, 1907.

His Excellency the Governor in Council is desirous of securing the co-operation of Commissioners, other Heads of Departments and the more experienced Collectors in ascertaining in a practical manner the matters in which the control of higher authority may be held to be unnecessary. He is therefore pleased to grant temporarily to Commissioners and the other Heads of Departments specified below* authority to assume the previous sanction of Government in all matters in which they consider themselves justified in so doing either by the course of precedents on their record, or by their general knowledge of the policy of Government, provided such previous sanction is not required by law. Any expenditure permitted under the delegated authority must for the present be limited to Rs. 500 in each case, whether the expenditure be recurring or non-recurring, and must be covered by budget provision. All cases in which the Commissioner or other Head of Department corresponding direct with Government uses the authority now delegated to him must be entered in a statement to be submitted to Government monthly in the form attached to this Resolution. The form must be submitted to Government, in the Department concerned, in duplicate by the 5th of the month following that to which it refers. It will be carefully scrutinised by Government, and such instructions as may seem necessary will be entered in the last column of the statement, one copy of which will be returned for record to the officer by whom it is submitted. It is hoped by this means to collect material for orders allowing more formal and final delegation while fully maintaining Government control pending such orders. The orders on this statement can be quoted to the Audit Office in any matter as to which the sanction of Government is required by financial rules.

2. His Excellency the Governor in Council is also pleased to authorise Commissioners and the other Heads of Departments above referred to to delegate to selected officers immediately under them, who have at least three years' experience of the office they may be holding, similar authority in regard to references in which the Commissioner or other Head of Department has at present *final* powers of disposal. A monthly statement in the attached form must similarly be submitted in duplicate to the Commissioner or other Head of Department by the officer so authorised, and the last column of the statement must be freely used by the Head of Department to check any tendency of which his knowledge of Government wishes and policy makes him aware that Government will disapprove. Government desire that the copies of these returns filed in the office of the Head of Department should be forwarded to Government in the Department concerned at the end of each quarter for perusal and consideration. They will be returned for record with any instructions it may seem to Government proper to issue so as to keep the course of the experiment within limits which they approve.

3. In issuing these experimental instructions His Excellency the Governor in Council feels that he can fully rely on the discretion of Heads of Departments to further the wishes of Government and so to use the powers entrusted to them as to justify further steps in the direction of the enlargement, not only of their own powers, but also of those of local Executive Officers. Heads of Departments will no doubt find a similar loyal co-operation in those officers immediately subordinate to them to whom they may see fit to extend the experiment.

4. The effect of these orders will be considered by the Commissioners at one of their meetings during the rains of 1908, and on consideration of that report Government will then decide whether to continue the experiment or to modify it or extend it.

R. E. ENTHOVEN,
Acting Secretary to Government.

* The Surgeon-General as Head of the Medical and Sanitary Departments and of the Bombay Bacteriological Laboratory.
The Superintendent of Stationery.
The Director of Public Instruction.
The Right Reverend the Lord Bishop of Bombay.
The Venerable the Archdeacon of Bombay.
The Commissioner of Customs, Salt, Opium, and Abkari.
The Settlement Commissioner and Director of Land Records.
The Inspector-General of Registration.
The Director of Agriculture and of Co-operative Credit Societies.
The Commissioner of Income Tax, Bombay.
The Agent to the Governor in Kathiawar.
The Commissioner in Sind (in police matters also).
The Inspector-General of Police.
The High Court.
The Judicial Commissioner of Sind.
The Inspector-General of Prisons.
The Superintending Engineers of Divisions.
The Superintending Engineer and Secretary, Indus River Commission.
The Examiner of Public Works Accounts.
The Superintending Engineer on Special Duty.
The Sanitary Engineer to Government.
The Consulting Architect to Government.
The Superintending Engineer, Rohri Hyderabad Canal.
The Remembrancer of Legal Affairs.

Monthly Return by the $\frac{\textit{Commissioner or Head of Department}}{\textit{Collector}}$ *of cases in which reference to the* $\frac{\textit{Local Government}}{\textit{Commissioner}}$ *has not been made.*

Serial No.	Facts.	Action desired by the Commissioner or Head of Department. / Collector.	Rule or order requiring sanction of Government, Commissioner or Head of Department.	Reasons for passing orders, *e.g.*, numerous precedents, &c., as the case may be.	Comment on return, if any, of Government, Commissioner or Head of Department.
1	2	3	4	5	6

APPENDIX VII.

List of Annual Reports submitted to Government and Commissioners by Collectors.

Name of Report.	By whom submitted.	How often required.
Revenue Department.		
1. Land Revenue Administration Report, Part II. ...	Collectors of Districts	Triennial.
2. Report on the Land Revenue Administration of the Bombay Collectorate.	Collector of Bombay	Ditto.
3. Reports on the Administration of the Stamp Departments of the Presidency proper and Sind. (The reports are triennial ones, statistical tables with brief notes are submitted in intermediate years.)	Collectors of Bombay and Karáchi ...	Quinquennial.
4. Report on the sea-borne Trade and Customs Administration of the Port of Bombay (including Land Customs, Cotton Duties and Merchandise Marks Act).	Collector of Bombay, Collector of Customs, Bombay, and Collector of Salt Revenue, Bombay.	Annual.
5. Report on the Administration of the Salt Department in the Presidency proper.	Collector of Salt Revenue, Bombay ...	
6. Report on the Administration of the Salt Department in Sind.	Collector of Salt Revenue in Sind ...	
7. Report on the Rail and River-borne Trade of the Province of Sind.	Chief Collector of Customs in Sind ...	
8. Report on the external land trade of the Province of Sind and British Baluchistan.	Ditto ditto ...	
9. Report on the Maritime Trade of the Province of Sind.	Ditto ditto ...	
10. Reports on Administration of Minors' Estates ...	Commissioners from materials supplied by Collectors.	Triennial.
11. Report on the Abkári Administration of the Presidency including Sind.	Commissioner of Customs from materials supplied by Collectors.	Annual.
12. Annual Agricultural Statistics	Director of Agriculture from materials supplied by Collectors.	
13. Annual Report of the Colonization Officer, Jámrao Canal.	Colonization Officer, Jámrao Canal ...	
Financial Department.		
14. Income Tax Report ... ... (The report is triennial, statistical tables being submitted in intermediate years.)	The report is consolidated by Commissioners from materials supplied by Collectors.	No change.
General Department.		
15. Report on the destruction of wild animals ...	Consolidated by Commissioners from materials supplied by Collectors.	Triennial.
16. Administration Report of Local Boards	Ditto ditto ...	
17. Administration Report of Municipalities	Ditto ditto ...	
18. Report on the Working of the Native Passenger Ships Act.	Commissioner of Customs from materials supplied by the Collectors of Bombay and Karáchi.	
19. Annual Report on Factories	Consolidated by the Collector of Bombay from materials supplied by District Magistrates.	No change.
Judicial Department.		
20. Review of the Annual Police Report for each district.	Collectors as District Magistrates ...	Triennial.
Political Department.		
21. Administration Report of Native States	Collectors as Political Agents	Ditto.

APPENDIX III.

Memorandum showing the organization of the Local Government in Sind.

Sind is a non-regulation province which forms part of the territories subject to the Governor of Bombay in Council. It is technically one of the "Scheduled districts," *i.e.*, one of the areas which "have never been brought within, or have from time to time been removed from, the operation of the general Acts and Regulations and the jurisdiction of the ordinary Courts of Judicature."

For administrative purposes, the province is divided into six districts—proposals for the creation of a seventh district have recently been submitted to the Government of India—each sub-divided into *talukas* and groups of *talukas* called sub-divisions. The districts, their area and population are as follows :—

No.	District.	Area in sq. miles.	Population.	Number of *talukas*.	Number of sub-divisions.
1	Karachi	11,971	446,513	9	3
2	Hyderabad...	7,948	989,030	14	3
3	Sukkur	5,408	523,245	8	3
4	Larkana	5,090	656,083	10	3
5	Thar and Parkar	13,940	363,894	11	2
6	Upper Sind Frontier	2,637	232,045	5	2

The Commissioner in Sind is (under the Government of Bombay) in general administrative and political charge of the province. He possesses all the powers which in the Presidency are exercised by (*a*) Commissioners of divisions, and (*b*) the Commissioner of Customs. Salt, Opium and Abkari In addition, several powers of the Local Government have been delegated to him, both under Act V. of 1868 (the Commissioner in Sind's Act) and by executive orders. He has directly attached to him three personal assistants, *viz.*, an Assistant Commissioner, who is a member of the Indian Civil Service, an Uncovenanted Assistant Commissioner, and a Native Assistant Commissioner. The two last are of the rank of Deputy Collector.

The executive administration of the province is carried on by means of the following departments (besides imperial departments) :—

(*a*) Revenue.
(*b*) Political.
(*c*) Judicial.
(*d*) Jail.
(*e*) Police.
(*f*) Public Works and Irrigation.
(*g*) Forest.
(*h*) Educational.
(*i*) Customs.
(*j*) Salt, Abkari and Opium.
(*k*) Medical and Sanitary.

Revenue.—The territorial unit is the *taluka*, the officer in charge (the *mamlatdar* of the Presidency) being here called the *mukhtiarkar*. His chief business is to see that the Government revenue is promptly paid and properly accounted for, that boundary marks are kept in repair, and that the subordinate *taluka* and village officers do their work. He has to enquire into and report on all matters relating to his charge referred to him, and to superintend the execution of all orders communicated to him. He has also to look after the administration of local funds and is a subordinate magistrate. He is in fact responsible to his immediate superiors, the Collector and Assistant Collector, for the general administration of his charge. The Assistant or Deputy Collector in charge of each sub-division has to travel through his charge for at least seven months of the year, and to satisfy himself by direct personal examination that the revenue work is being properly done, and the revenue properly brought to account; he judges for himself of the wants of his *taluka* in regard to roads, wells, tree-plantation and the like, hears appeals from the orders of *mukhtiarkars*, and generally supervises their proceedings, and that of all subordinate officers. He is President of the *taluka* Local Boards, and usually of one or more municipalities. The Collector is the chief Executive Officer of the district, and the Commissioner in Sind exercises a general superintendence and control over the revenue administration of the province. These officers tour during the cold weather and judge for themselves the needs of the district and province, the manner in which the revenue and police administration is being carried on, and the qualifications of the several officials. Personal contact with the people is one of the chief features of these tours. In addition to his land revenue duties, the administration of the salt, opium and abkari revenue of his district devolves on the Collector. He is, of course, the District Magistrate. He is also District Registrar, and visitor of the district jail, and has other important duties to perform in connection with local funds, municipalities and (in Karachi) the Port Trust.

A portion of the Hyderabad and Thar and Parkar districts, which is irrigated by the Jamrao Canal, is, as a temporary measure, and for certain revenue and other purposes, in charge of a special (Indian Civil Service) officer, designated "Colonization Officer," with powers of a Collector. He is assisted by an Assistant and two Deputy Colonization Officers. The existence of this special establishment accounts for the disproportionate number of *talukas* to sub-divisions in these two districts. With the constitution of the proposed new district, the need for it will disappear.

An allied department is the Sind Encumbered Estates Departments which was reconstituted in 1896 with the object of saving from ruin the encumbered estates of zamindars paying Rs. 300 or more as revenue to Government. The department is under a Manager, a member of the Indian Civil Service, with an Assistant and two Deputy Managers of the grade of *mukhtiarkars*. A proposal to constitute the Manager Court of Wards for the province is now before Government.

Another branch of the revenue administration is the Department of Land Records in charge of a Superintendent (Indian Civil Service), whose duty it is to maintain the survey records and maps, prepare survey registers, train village establishment in survey work, and test the work of survey parties. He has also advisory and supervisory duties in connection with the record of rights, and controls a school for the training of village surveyors. The Superintendent of Land Records is also Superintendent of Registration, and in that capacity examines the officers of District Registrars. But this is a separate department, supervised entirely by the Inspector-General of Registration for the Bombay Presidency, without reference to the Commissioner in Sind.

There are four Collectors, and two Deputy Com-

missioners in charge of districts, 16 Assistant Collectors, and 24 Deputy Collectors, including a probationer. The distribution of these officers is shown in the following statement :—

	Collectors and Deputy Commissioners.	Assistant Collectors.		Deputy Collectors.					Remarks.
		In charge of sub-divisions.	On other duties.	In charge of sub-divisions.	Attached.	*Daftardars.*	*Huzur* Deputy Collectors.	On other duties.	
General administration...	...	...	1	...	...	...	...	2	
Land Records	...	...	1	...	...	...	...	...	
Incumbered Estates	...	...	1	...	...	...	...	...	
Colonization Officer	...	...	1	...	...	...	...	*1	* On deputation.
Customs and Salt	1	...	...	...	...	...	...	2	
Settlement duty	...	...	2	...	...	...	...	...	
District charges—									
Karachi	1	2	†1	2	...	1	1	...	† Junior Civilians.
Hyderabad	1	3	...	...	2	1	1	‡1	‡ Probationer.
Sukkur	1	2	...	1	...	1	1	...	
Larkana	1	2	...	1	1	1	1	...	
Thar and Parkar	1	...	...	2	...	...	1	...	
Upper Sind Frontier	1	...	...	1	...	...	...	...	
Total ...	7	9	7	7	3	4	5	6	

As to the kindred departments dealing with horse-breeding and veterinary matters, both these branches of work were, in 1898, entrusted to a Superintendent, Civil Veterinary Department, Baluchistan and Sind, who was subordinated to the Government of Bombay in respect of all matters affecting cattle-breeding and disease in Sind and places under imperial control in matters relating to horse-breeding. A further change was affected in 1903 when the charge of horse-breeding operations was transferred to the Army Remount Department. In 1905, Rajputana was added to the Civil Veterinary charge, which has since been styled Sind, Baluchistan and Rajputana.

The veterinary graduates in charge of dispensaries at present work under the orders of the several Collectors and Deputy Commissioners. Proposals are being formulated for subordinating them directly to the Superintendent. The latter officer has hitherto been understood to be under the orders of the Commissioner in Sind. But questions as to the concern of the Director of Agriculture, Bombay, with the Civil Veterinary administration of Sind, have lately been raised, and are under correspondence.

The Department of Agriculture proper in Sind is administered by the Director of Agriculture for the Presidency in direct communication with the Government of Bombay.

The court of the Judicial Commissioner of Sind, consisting of a Judicial Commissioner and two (or more) Additional Judicial Commissioners, is now (under Act I. of 1907) the highest court of appeal in civil and criminal matters. It also exercises the jurisdiction of a District and Sessions Court for the Karachi district.

Assistant and Deputy Collectors in charge of subdivisions are ordinarily Sub-Divisional Magistrates and all *mukhtiarkars* and *taluka* head munshis are magistrates with varying powers. In most subdivisions there is an additional *mukhtiarkar*, styled Resident Magistrate, with first-class powers, employed exclusively on criminal work. Besides the *Huzur* Deputy Collectors, the towns of Karachi, Hyderabad, Sukkur, and Shikarpur have City Magistrates. There are also special and Honorary Magistrates. There are two sessions divisions, besides that with which the Court of the Judicial Commissioner deals, one comprising the Hyderabad and Thar and Parkar districts, the other the Sukkur, Larkana, and Upper Sind Frontier districts. Hyderabad and Sukkur-Larkana have Additional Sessions Judges. In respect of cases dealt with under the extraordinary provisions of the Sind Frontier Regulations, Bombay Regulations V. of 1872 and III. of 1892, the Commissioner in Sind is the final revisional authority.

The jurisdiction of the two District Judges is identical with their jurisdiction as Sessions Judges except as regards the revenue district of Thar and Parkar, where at present the Deputy Commissioner and his subordinates exercise civil jurisdiction in subordination to the Court of the Judicial Commissioner. A Joint Judge is stationed at Sukkur, and an Assistant Judge at Hyderabad. There are two Subordinate Judges of the first class, and fifteen of the second class, all of them members of the judicial branch of the Provincial Civil Service. The appointment of Subordinate Judges is by law vested in the Commissioner in Sind.

The Police Department is in process of reorganization under the orders consequent on the report of the Police Commission. The force is administered under Bombay Act IV. of 1890. The Commissioner in Sind is the Head, and exercises all the powers of an Inspector-General of Police, in addition to those of Local Government under sections 25, 45 (2) and 61 of Bombay Act IV. of 1890. He has under him a Deputy Inspector-General of Police for Sind. There is now a Superintendent and a Deputy Superintendent of Police for each district, an Assistant Superintendent for the town of Karachi, and an Assistant Superintendent for the riverain tracts in the Karachi and Hyderabad districts. Two more appointments of Assistant Superintendent for Hyderabad and Sukkur have been sanctioned but have not as yet been filled.

There is no hereditary village police in Sind and, with the exception of a few *patels* in the Thar and Parkar district, no village police at all. But all practicable measures are taken to enforce the responsibility of the zamindars in the matter of giving aid to the police, while the tracking of criminals and stolen animals is done by *pagis*, some of whom are in the regular police force and others are maintained by the villagers.

The Public Works Department in Sind is organized with a view to its primary duty of irrigation, roads and buildings being an altogether subordinate consideration. Two Superintending Engineers are respectively in charge of the Indus Right and Left Bank Divisions, while a third is Superintending Engineer, Indus River Commission. Each of the two divisions comprises five canal districts held by Executive Engineers with the Sub-Divisional Officers and subordinates under them.

The professional Canal Officers are charged both with the construction, maintenance and repair of canals and also with the general administration of the water-supply. The Collectors and Deputy Commissioners and Revenue Officers in charge of subdivisions are also Canal Officers for various purposes; and co-operation between the two departments is insisted on. For instance, if the supply of water in a

Government canal is deficient, restrictions are imposed under the advice of the Executive Engineer on the grant of land on that canal. Again, if in bringing waste land under cultivation a materially increased supply of water will be required, the Executive Engineer is consulted before the lands are granted for cultivation.

The charge of the river Indus and of the protective river embankments on both banks is vested in the Indus River Commission, composed of the Commissioner in Sind as President, and the three Superintending Engineers as members, the Superintending Engineer, Indus River Commission, being also the Secretary of the Commission. The duties of the Commission are to record scientific observations of the river regarding velocity, discharge, matter held in suspension, alluvium, diluvium and formation of *kachas* (new lands); to keep up to date the survey of the river; to investigate the relations between the rise of the river level at Sukkur and Kotri, with particular attention to the discharge at each place, alterations in the volume of water moving down each of the mouths of the river, changes in the delta and channels; to keep the river clear of obstructions; and to maintain the river embankments.

The forest administration of the province is under the direct orders of the Commissioner in Sind, the province constituting a forest circle and the officer in charge having all the powers of a Conservator, though graded only as a Deputy Conservator. The Sind circle comprises four forest divisions, and the staff employed under the Deputy Conservator in charge consists of one Deputy Conservator, one Assistant Conservator, three extra Assistant Conservators, six rangers, and eighteen foresters.

The Education Department is controlled, under the Director of Public Instruction, Bombay, by the educational inspector in Sind, with one inspectress of girls' schools in Sind and four deputy educational inspectors at Karachi, Hyderabad, Sukkur, and Larkana. The educational inspector in Sind also controls the teaching establishment of Government municipal, and Local Funds schools in the province. Under the standing orders of Government, the Director is required to submit all correspondence with Government regarding educational matters in the province, except those relating to Local and Municipal Boards, through the Commissioner in Sind. The Commissioner is *ex officio* President of the governing bodies of the Sind College and Sind Madressah-tul-Islam.

The customs administration of the port is managed by the Chief Collector of Customs with two Assistant Collectors, who are graded among Deputy Collectors, in subordination to the Commissioner in Sind, who is the Chief Customs authority under the Sea Customs Act. The Chief Collector controls the Customs Houses at Karachi, Keti Bandar, and Sirganda. He is also *ex-officio* Shipping Master, and is usually appointed by Government as Vice-Chairman of the Karachi Port Trust. It is understood that the introduction of the Imperial Customs Service scheme will sooner or later change the position of the Collectors and Assistant Collectors of Customs at Karachi, but the matter has not yet been the subject of final orders.

The Commissioner in Sind is the Commissioner under the Salt, Abkari and Opium Acts, and has the entire control of these departments in Sind. At present the Chief Collector of Customs and his Assistants are also Collectors and Assistant Collectors of Salt Revenue in Sind. The Chief Collector controls the salt works at Maurypur, Saran and Dilyar; and all matters connected with the manufacture and issue of salt and the realization of salt duty are under him, while the preventive establishments are under the Collectors and Deputy Commissioners of districts, who also administer the abkari and opium revenue. A radical re-organization of these departments has, however, been sanctioned and is on the point of being introduced, the appointment of an Assistant Commissioner to administer them under the orders of the Commissioner in Sind having just been notified.

The immediate control of civil medical work in the province has hitherto been in the hands of the Principal Medical Officer, Karachi Brigade. This arrangement has recently been objected to by the military authorities, and is being discontinued. The Civil Surgeon of Karachi for whom an assistant is to be provided will in future exercise certain powers of control throughout the province.

Sanitation and vaccination are entrusted to the Deputy Sanitary Commissioner, Sind Registration district, who works under the Sanitary Commissioner, Bombay, and has a staff of six inspectors, with a special superintendent for Karachi and with, as far as practicable, a vaccinator for each *taluka*.

APPENDIX IV.

Memorandum by H. C. Mules, Esq., M.V.O., Chairman, Karachi Port Trust.

1. I am requested by the Trustees of the Port of Karachi to lay the following remarks before the Royal Commission.

2. The Board, while recognizing the cordial support they have met with from Government hitherto, are of opinion that as regards a few matters their powers, in common with those of certain other Port Trusts and public bodies, should be somewhat widened.

3. They at present raise loans under the Local Authorities Loan Act.

They have asked for an amendment of their own Act, which they understand is to be granted partially.

When the proposed amendments become law they will raise loans under the authority of their own Act.

But they understand :—

A. That the Government of India will not permit the period for re-payment of a loan to extend over a period of 30 years. In fact, when the Board applied for permission to make 60 years the period in the case of a Rs. 50 lakh loan, the raising of which has been recently sanctioned, and were supported by the Government of Bombay, the permission was refused. The Board consider the port of Karachi is being enormously developed, under exceptional circumstances, and that this development is so largely for the benefit of posterity that posterity should bear a share of the initial burden.

B. The present orders of the Government of India are that the Board (and the orders apply to other Port Trusts and public bodies) shall not put a sanctioned loan, or instalment thereof, on the market without obtaining the specific sanction of the Government of India to the exact date of so doing.

The Government of India issue these orders avowedly to keep control of the money market for their own purposes, but the Board are of opinion that they operate injuriously to the public bodies concerned, which are thereby placed in a very disadvantageous position, both as to Government and the commercial public, because while Government issue their loans at what appears the favourable moment the commercial public are under no obligation to consult or study the interests

of Government, and Companies can be, and are, launched whenever the promoters seem fit, and the money of the investing public invited.

It is only the public bodies of India, subject to the control of Government, which are unable to select their own dates for raising money.

C. In this connection the Board are also of opinion that they and other great public bodies should, if they see fit, be empowered to raise part of their loans in England. This would render it necessary for them to make special arrangements in England, but as to this they do not conceive any difficulty would arise.

4. At present the Board under Section 60 of their Act are compelled to keep all their money in the Bank of Bombay, Karachi. It frequently happens that the Board have a heavy floating balance which it would be advantageous to place on fixed deposit for short periods, and they could obtain better terms from other Banks than from the Bank of Bombay, but are unable to do so. They are therefore at times obliged to purchase Government paper to be held for short periods only, which is inconvenient. They consider they should be given discretion in this matter as there are in Karachi local branches of well-known Banks, such as the National Bank of India, Ltd., the Chartered Bank of India, Australia and China, &c., &c.

5. While admitting that Government do not unduly interfere with, or criticize, plans and estimates which, under the provisions of the Act, have to be submitted for sanction to Government before execution of the works to which they relate, the Board consider that their powers might with advantage be considerably widened. In point of fact, the sanction of Government has not infrequently to be anticipated and work begun, or material ordered before sanction is received.

The Engineers of the Board are always able and highly competent officers and experts in their own line, and no particular object the Board think is gained by the submission of detailed plans and estimates to Government.

6. Section 61 of the Act specifies the objects on which the moneys entrusted to the Board are to be expended, and clause (7) gives powers of special sanction to the Commission in case of "any other charge." The Board are of opinion that they should be empowered to sanction such other charges not exceeding Rs. 250 in any one case. This would avoid a number of petty references to the Commissioner and would be more consistent with the standing of the Board.

H. C. MULES,
Chairman, Karachi Port Trust.

Karachi, 28th February 1908.

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